108 Thin Blanket II

In Mono County on State Route 108 from the Tuolumne/Mono County line to 5.3 miles west of US Route 395
09-MNO-108-PM 0.0/9.8
0917000059; 09-37030

Initial Study
with Proposed Mitigated Negative Declaration

Prepared by the
State of California Department of Transportation

January 2020

Caltrans

09-MNO-108-PM 0.0/9.8
09-37030
0917000059

Proposed project to rehabilitate the pavement by constructing a thin blanket overlay on SR 108

In Mono County on SR 108 from the Tuolumne/Mono County line to 5.3 miles west of US Route 395 (Postmile 0.0 to Postmile 9.8)

INITIAL STUDY with Proposed Mitigated Negative Declaration

Submitted Pursuant to: State Division 13, California Public Resources Code

THE STATE OF CALIFORNIA
Department of Transportation

Responsible Agencies: California Transportation Commission

1/27/2020
Date

Ryan Dermody
Deputy District Director
Planning and Environmental Analysis
California Department of Transportation
CEQA Lead Agency

The following persons may be contacted for more information about this document:

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General Information About This Document

What's in this document:

The California Department of Transportation (Caltrans) has prepared this Initial Study, which examines the potential environmental impacts of alternatives being considered for the proposed project in Mono County, California. The document describes the project, the existing environment that could be affected by the project, potential impacts from the project, and proposed avoidance, minimization, and/or mitigation measures.

What you should do:

- Please read this Initial Study. Additional copies of this document as well as the technical studies are available for review at the Caltrans district office at 500 S. Main Street, Bishop CA 93514; Bridgeport Post Office at 29 Kingsley St, Bridgeport, CA 93517; Coleville Post Office at 111747 US-395, Coleville, CA 96107; Bridgeport Library at 94 School St, Bridgeport, CA 93517; and on our website: https://dot.ca.gov/caltrans-near-me/district-9
- We welcome your comments. If you have any concerns about the project, please send your written comments or request for a public hearing to Caltrans by the deadline. Submit comments via U.S. mail to Caltrans at the following address:

  Angela Calloway
  Environmental Office Chief
  California Department of Transportation
  500 S. Main St.
  Bishop, CA 93514

Submit comments via email to: Angie.calloway@dot.ca.gov or Kristopher.bason@dot.ca.gov

- Submit comments by the deadline: February 27, 2020.

What happens next:

After comments are received from the public and reviewing agencies, Caltrans may:
1) give environmental approval to the proposed project, 2) do additional environmental studies, or 3) abandon the project. If the project is given environmental approval and funding is appropriated, Caltrans could design and build all or part of the project.

For individuals with sensory disabilities, this document is available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please call or write to Caltrans, Attn: Florene Trainor, 500 S. Main St, Bishop CA 93514; (760) 872-0603, or use California Relay Service 1 (800) 735-2929 (TTY), 1 (800) 735-2929 (Voice), or 711.

PROJECT DESCRIPTION AND BACKGROUND:

Project Title:	**108 Thin Blanket II**
Lead Agency Name and Address:	CA Department of Transportation (Caltrans) 500 S. Main Street, Bishop CA 93514
Contact Person and Telephone Number:	Kristopher Bason (760) 872-2312
Project Location:	In Mono County on State Route 108 from the Tuolumne/Mono County line to 5.3 miles west of US Route 395
Description of Project:	The California Department of Transportation is proposing to construct a thin blanket overlay on State Route (SR) 108 in Mono County near Sonora Junction from the Tuolumne/Mono County line to 5.3 miles west of US Route 395. The work includes grinding out and replacing a 2' wide by 3" deep section of unstable HMA and dirt shoulder for the entire project limits. Work is located 10' from center line for east and westbound traffic lanes. Failed pavement areas within the traveled way will be dug out and replaced and then a 0.15' thin lift of HMA will be placed over the entire roadway from the beginning to end of the project limits. A 1' wide section of shoulder backing will be placed and the new pavement will be restriped. Two demonstration toad crossings will be constructed at Upper Sardine Meadows.
Surrounding Land Uses and Setting:	The project is located on a US Forest Service highway easement, the surrounding land is managed by Humboldt-Toiyabe National Forest.
Purpose and Need	The purpose of this project is to reduce maintenance effort for pavement repair and shoulder maintenance, extend the service life of the roadway pavement, preserve the integrity of the roadway by eliminating edge drop-offs, and to construct a stable HMA shoulder section to reduce shoulder deterioration and damage. The project is needed because the traveled way pavement and narrow paved shoulders are in need of longer lasting repair and preservation than what routine maintenance can accomplish. Shoulder drop-offs throughout the project limits

	must be eliminated and repaired to preserve the integrity of the roadway
Other Public Agencies Whose Approval is Required:	U.S. Forest Service – Humboldt-Toiyabe National Forest California Transportation Commission (CTC) United States Fish and Wildlife Service (USFWS)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. Please see the CEQA checklist for additional information. Any boxes *not* checked represent issues that were considered as part of the scoping and environmental analysis for the project, but for which no adverse impacts were identified; therefore, no further discussion of those issues is in this document.

☐	Aesthetics	☐	Agriculture and Forestry	☐	Air Quality
☒	Biological Resources	☐	Cultural Resources	☐	Energy
☐	Geology/Soils	☐	Greenhouse Gas Emissions	☐	Hazards and Hazardous Materials
☐	Hydrology/Water Quality	☐	Land Use/Planning	☐	Mineral Resources
☐	Noise	☐	Paleontology	☐	Population/Housing
☐	Public Services	☐	Recreation	☐	Transportation/Traffic
☐	Tribal Cultural Resources	☐	Utilities/Service Systems	☐	Wildfire
☐	Mandatory Findings of Significance				

Proposed Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation is proposing to construct a thin blanket overlay on State Route (SR) 108 in Mono County near Sonora Junction from the Tuolumne/Mono County line to 5.3 miles west of United States (US) Route 395 (Figure 1). The work includes grinding out and replacing a 2' wide by 3" deep section of unstable Hot Mix Asphalt (HMA) and dirt shoulder for the entire project limits. Work is located 10' from center line, through the dirt shoulder, for east and westbound traffic lanes. Failed pavement areas within the traveled way will be dug out and replaced and then a 0.15' thin lift of HMA will be placed from edge of pavement (EP) to EP from the beginning to end of the project limits. A 1' wide section of shoulder backing will be placed (as shown on the cross section; Appendix A) and the new pavement markings will be placed. Two demonstration toad crossings will be constructed at Upper Sardine Meadows. The purpose of these structures is to facilitate Yosemite toad movement across and under SR 108 between portions of Upper Sardine Meadows. If utilized by Yosemite toads, these structures will potentially reduce traffic related Yosemite toad mortality and increase habitat connectivity. These under crossings will be built using modified culvert and cattleguard designs. All work will be performed from the roadway and within the existing Caltrans ROW with no new additions to the highway, except for the two crossing structures. Several existing dirt pullouts are proposed as construction staging areas.

Determination

This proposed Mitigated Negative Declaration is included to give notice to interested agencies and the public that it is Caltrans' intent to adopt a Mitigated Negative Declaration for this project. This does not mean that Caltrans' decision on the project is final. This Mitigated Negative Declaration is subject to change based on comments received by interested agencies and the public.

Caltrans has prepared an Initial Study for this project and, pending public review, expects to determine from this study that the proposed project would not have a significant effect on the environment for the following reasons.

The proposed project would have no effect on: aesthetics, agricultural and forest resources, air quality, biological resources [riparian habitat, state or federally protected wetlands, local policies or ordinances protecting biological resources, or

conservation plans], cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, wildfire, and mandatory findings of significance.

The proposed project will have a less than significant effect on: biological resources [wildlife migratory corridors].

With the avoidance, minimization, and mitigation measures listed in Appendix C incorporated, the proposed project would have less than significant effects to biological resources [state and federally protected species]. The primary measures that will mitigate effects to less than significant levels include:

- To avoid Yosemite toad breeding season, all work within designated critical habitat will occur between August 1 and the start of the SR 108 winter closure.
- An Environmentally Sensitive Area (ESA) excluded area will be delineated for all activities at the edge of the PIA to avoid and minimize impacts to environmental resources. These limits will be included in the cross section plans.
- When construction is occurring in Yosemite toad designated critical habitat between PM 0.0 to PM 3.2, a full-time Caltrans-approved qualified biological monitor will be present at all times during construction. The biological monitor will have prior work experience handling amphibians. The biological monitor will monitor all construction activities, including staging and truck turn-around areas.

_____ _____

Ryan Dermody
Deputy District Director of Planning and Environmental
District 9
California Department of Transportation

Date

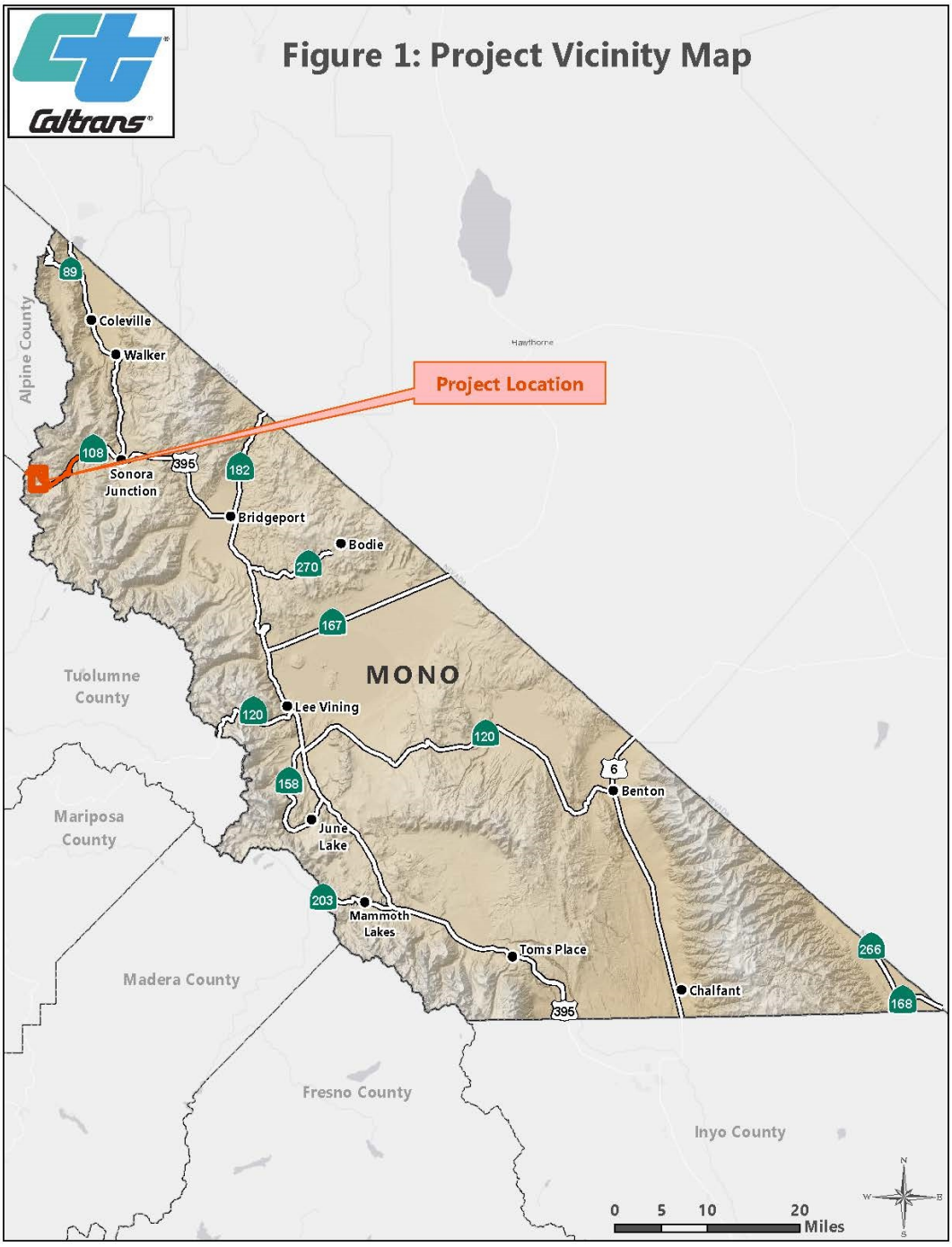


Figure 1: Project Vicinity Map

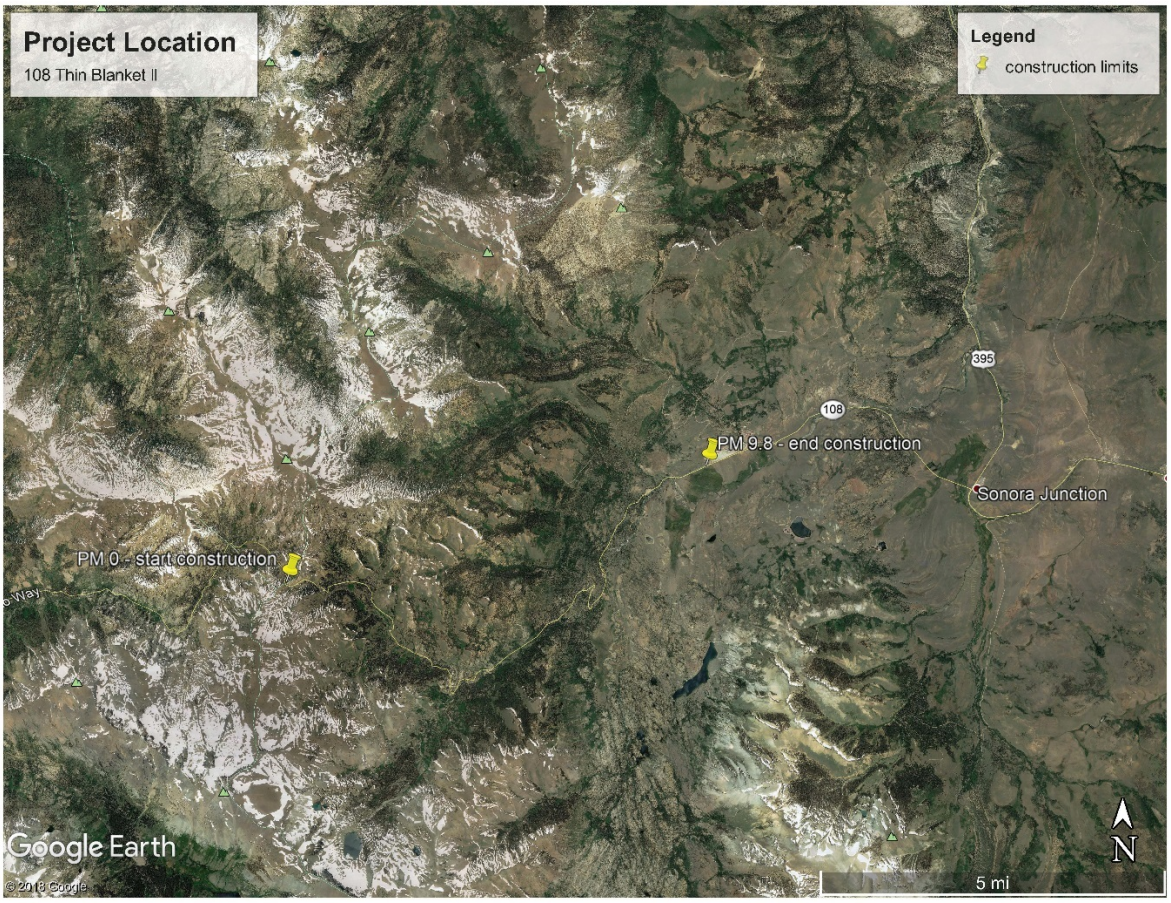


Figure 2: Project Location Map

CEQA Environmental Checklist

09-MNO-108	0.0 and 9.8	0917000059; 09-37030
Dist.-Co.-Rte.	P.M/P.M.	Project ID#

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicated no impacts. A NO IMPACT answer in the last column reflects this determination. Where a clarifying discussion is needed, the discussion either follows the applicable section in the checklist or is placed within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA—not NEPA—impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒
II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?	☐	☐	☐	☒
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or NOAA Fisheries?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
*See expanded discussion after CEQA checklist. Determinations based on *Natural Environment Study – Minimal Impacts (NESMI), January 2020*				
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒
VI. ENERGY: Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒
VII. GEOLOGY AND SOILS: Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
VIII. GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒
IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒
X. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	☒
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
(iv) impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒
XI. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
XII. MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
XIII. NOISE: Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING: Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
XV. PUBLIC SERVICES:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒
XVI. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
XVII. TRANSPORTATION: Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒
XIX. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Additional Explanations for Questions in the Impacts Checklist

IV. Biological Resources (checklist question a and d)

Affected Environment

The proposed project is located in subalpine lodgepole pine (*Pinus contorta*) habitat in the Eastern Sierra Nevada Mountains along Sonora Pass at elevations between 6910 ft and 9624 ft. Sardine Creek, Leavitt Creek, and the West Walker River flow east to west along the Action Area and are met by several tributaries and springs flowing from the north and the west near the Action Area. A Natural Environment Study (Minimal Impacts) (NESMI) was completed in January 2020 that delineated a Biological Study Area (BSA) for the project which covers the work limits (MNO-108 PM 0.0-9.8) and extends up to 50' from centerline out on both sides of the roadway; similar to the Caltrans Right-of-Way (ROW). The BSA lies within a semi-arid, high elevation montane climate that is characterized by warm, dry summers and cold winters with significant snowfall.

The BSA was delineated to ensure all potential species and habitats present in the project impact area (PIA) were properly surveyed to assess potential impacts from the proposed project activities. Sensitive-status species lists from the California Department of Fish and Wildlife (CDFW), the California Native Plant Society (CNPS), and the US Fish and Wildlife Service (USFWS) were reviewed for potential individuals and/or suitable habitat presence within the BSA. While there are a number of federal and state-listed species in the general vicinity of the proposed project, the only sensitive-status specie that has the potential to occur in the PIA is the Yosemite toad (*Anaxyrus canorus*). A portion of the BSA (PM 0.0 to PM 3.2) is located within federally Designated Critical Habitat (DCH) for Yosemite toad (designated in 2016) under the Federal Endangered Species Act (FESA).

Environmental Consequences

a) Threatened and Endangered Species

A Biological Assessment (BA) for the proposed project was completed and Humboldt-Toiyabe National Forest has started formal Section 7 Consultation with USFWS on behalf of Caltrans. The BA analyzed effects to Yosemite toad and their DCH. A Biological Opinion (BO) from USFWS is expected with a determination that the proposed project will have No Effect on Yosemite Toad Designated Critical Habitat, and May Affect, Likely to Adversely Affect Yosemite Toad individuals.

Yosemite toad DCH is made up of two Primary Constituent Elements (PCEs), aquatic breeding habitat and upland areas. While PCEs are not present within the PIA, they do occur within the BSA; adjacent to the PIA at Upper and Lower Sardine meadows. Work activities for the proposed project will be limited to the existing paved roadway

and disturbed dirt shoulder. Yosemite toad DCH will not be permanently altered, and no permanent negative effects are anticipated. Temporary sedimentation has the potential to occur in Yosemite toad habitat adjacent to the PIA, but will be avoided or minimized with implementation of Best Management Practices (BMPs) consistent with the Caltrans Stormwater Quality Handbook and the Caltrans Construction Site BMP Manual. Construction of the proposed project, with implementation of the avoidance and minimization measures listed below, will not adversely affect Yosemite toad DCH.

Upper and Lower Sardine meadows are active breeding locations for Yosemite toad. The USFS has surveyed these meadows annually since 2012, and toads have bred in these meadows every year. Yosemite toads were also observed within the BSA during Caltrans surveys conducted in 2019. Activities such as clearing, grinding, paving, and excavating during construction adjacent to Upper and Lower Sardine meadows may result in direct impacts to Yosemite toad individuals such as injury or mortality. Yosemite toads may avoid or flee the construction area as a response to increased noise, vibration, dust, or human/vehicular activity. This could lead to an increased chance of predation due to increased exposure from longer distance movements. Sedimentation resulting from construction may cause an indirect behavioral response by forcing adults to avoid sediment-laden aquatic habitat to disperse into other suitable breeding areas. Sedimentation may also have a negative effect on toads' invertebrate food sources, resulting in reduction of food availability for adult and larval toads. These effects will be temporary and only occur during construction. Measures listed below will be implemented to minimize effects to Yosemite toad individuals.

d) Wildlife migratory corridors

The BSA is not within a recognized habitat connectivity area as identified by CDFW and Caltrans in the California Essential Habitat Connectivity (CEHC) mapping. The project does not increase traffic capacity, the footprint of the road, or change highway speed limits. The proposed project will not have any effects on existing wildlife movement corridors. Although no identified wildlife movement corridors have been designated by any resource agencies in the BSA, movement and dispersal habitat do exist in the BSA for Yosemite toad. Yosemite toads travel from breeding ponds in wetland areas into upland habitat for foraging. In Upper Sardine meadows, the BSA and roadway bisects two wetland features and toads may utilize the road and/or existing culvert structures to cross the SR 108. Construction activities related to paving and installation of the undercrossing structures may temporarily prevent Yosemite toads from moving between sections of Upper Sardine meadows. This impact will be temporary, however, and with the avoidance and minimization

measures listed below there will be a less than significant impact on Yosemite toad movement corridors across SR 108.

The NESMI also found the proposed project would have no effect on riparian habitat or wetlands, and will not conflict with any local policies or ordinances protecting biological resources.

Avoidance, Minimization, and/or Mitigation Measures

In addition to the Caltrans standard specifications, the following avoidance and minimization measures will be implemented. The Final Environmental Document will be updated if any additional Avoidance, Minimization, and Mitigation measures are required in the USFWS Biological Opinion. Effects on Yosemite toad individuals and their DCH will be avoided and minimized through the following measures:

- To avoid Yosemite toad breeding season, all work within designated critical habitat will occur between August 1 and the start of the SR 108 winter closure.
- An Environmentally Sensitive Area (ESA) excluded area will be delineated for all activities at the edge of the PIA to avoid and minimize impacts to environmental resources. These limits will be included in the cross section plans.
    - There will be no access beyond the ESA line for personnel, truck/vehicles parking, and equipment or material storage, and no vegetation removal or ground disturbing activities beyond the ESA limits. Caltrans biologists will be allowed within the ESA for surveys and wildlife relocation.
- No staging will occur in Yosemite toad critical habitat between PM 0.0 to PM 3.2 on SR 108 unless previously evaluated by a Caltrans Biologist to determine that the area is clear of Yosemite toad, and does not contain designated critical habitat Primary Constituent Elements (PCEs).
    - All staging, vehicle/equipment maintenance, refilling of paint, and refueling activities will occur in previously disturbed, vegetation-free areas only that have been previously evaluated by a Caltrans Biologist to determine that the area is clear of Yosemite toad, and does not contain designated critical habitat PCEs.
- To reduce environmental impacts, placement of shoulder backing will be limited to 1’ beyond edge of pavement within Yosemite toad DCH and ESA areas. Placement of shoulder backing in other areas of the project will vary, up to the Caltrans standard of 3’ beyond edge of pavement.
- When construction is occurring in Yosemite toad designated critical habitat between PM 0.0 to PM 3.2, a full-time Caltrans-approved qualified biological monitor will be present at all times during construction. The biological monitor will have prior work experience handling amphibians. The biological monitor will monitor all construction activities, including staging and truck turn-around areas.

- The biological monitor will minimize ‘take’ of individual Yosemite toads from occurring by:

    1. Conducting pre-construction walking surveys of the ROW at new work locations, walking ahead of construction equipment prior to starting in a new work location, and monitoring on-site until completion of all construction activities at that location.
    2. Enforcing no access beyond the ESA line for personnel, truck/vehicles parking, and equipment or material storage, and no vegetation removal or ground disturbing activities beyond the ESA line.
    3. Enforcing no staging in Yosemite toad critical habitat between PM 0.0 to PM 3.2 on SR 108, unless previously evaluated by a Caltrans Biologist to determine that the area does not contain designated critical habitat Primary Constituent Elements (PCEs).
    4. Surveying the construction area and relocating toads within the PIA to a location with cover in an adjacent meadow, away from the construction impact area.

- The biological monitor will provide a ‘Biological Resource Information Program (BRIP)’ prior to construction start to all working personnel spending more than 30 minutes within the project area

    1. All onsite employees need to attend this training prior to being able to work on the project.
    2. The BRIP will cover the biology, regulatory status, and protection of the Yosemite toad and its designated critical habitat. In addition to outlining project-specific avoidance and minimization measures.
    3. A handout on Yosemite toad and all pertinent information will be provided to all trainees at the BRIP.
    4. A training ‘Sign-in’ sheet will be signed by each trainee indicating he/she understands the content and requirements of the BRIP.
    5. The training sign-in sheet will be submitted to the Caltrans biologist on a weekly basis.

- When possible, traffic closures will be as far from the Upper and Lower Sardine Yosemite toad breeding meadows on SR 108 as possible. Traffic control will avoid use of temporary new roads as detours. Existing routes and single lane closures will be utilized.
- During construction, water quality will be protected by implementation of Best Management Practices (BMPs) consistent with the Caltrans Stormwater Quality Handbook (Caltrans 2011) and the Caltrans Construction Site BMP Manual to minimize the potential for siltation and downstream sedimentation of aquatic habitats including wetlands and wet meadows.

The purpose of the proposed wildlife undercrossing structures is to facilitate Yosemite toad movement across SR 108 between portions of Upper Sardine Meadow. Caltrans, the US Forest Service and US Fish and Wildlife Service expect the wildlife undercrossings to increase habitat connectivity. The proposed project will likely result in a beneficial effect to Yosemite toad after construction is complete.

In addition to the above measures, the NESMI lists avoidance and minimization measures to avoid impacts migratory and nesting birds. With the implementation of these measures, there will be **No Effect** to Migratory and Nesting Birds resulting from this Project. The following avoidance and minimization measures will be implemented:

- Pre-construction nesting bird surveys will be conducted at least 48 hours prior to any work being done regardless of time of year as species nesting times vary within and outside of the normal nesting period.
- If a nest is found within the PIA, an appropriately sized no-work buffer may be implemented as determined by the project Biologist to reduce impacts caused by construction until nesting season has finished, or nesting activities have completed, and the bird nestling has fledged and left the area.
- Any nest within the PIA may be monitored by a qualified Biologist to determine nesting process status.
- If a nest is found outside the PIA, but within 500 feet of construction, a no-work buffer may be implemented, and monitoring may occur by a qualified Biologist. If the construction activities appear to not disrupt nesting activities (parent birds not exhibiting stressed behavior, territorial behavior, or abandoning nest, etc.), then the qualified Biologist may clear the area for construction work.

The NESMI also lists avoidance and minimization measures to avoid impacts Great gray owl. With the implementation of these measures, the proposed project will have **No Effect** on Great gray owl. The following avoidance and minimization measures will be implemented:

- Conduct protocol-level surveys for Great gray owl nests during survey period (March-September). Follow the meadow sit and nest search methods in the 2016 Great gray owl survey protocol with a 1000’ buffer of the BSA

- If nesting Great gray owl are found within 1000’ of the BSA, a no work buffer may be implemented until nesting season is over or fledging of young has concluded, depending on the determination of the Project Biologist, in coordination with CDFW

- If nesting Great gray owl are found within 1000’ of the BSA during construction, the qualified Biologist will assess the status of the nest daily

- The biological monitor will provide a ‘Biological Resource Information Program (BRIP)’ prior to construction start to all personnel working on the project, including flaggers, stripers, pavers, heavy equipment operators, sign installers, and truckers.

    1. All onsite employees need to attend this training prior to being able to work on the project.
    2. The BRIP will cover the biology, regulatory status, and protection of the Yosemite toad as well as other special-status species (including Great gray owl) that have potential to occur within the BSA. It will also outline project-specific avoidance and minimization measures, including mention of ESA areas.
    3. A handout on Yosemite toad and all pertinent information will be provided to all trainees at the BRIP.
    4. A training ‘Sign-in’ sheet will be signed by each trainee indicating he/she understands the content and requirements of the BRIP.

Appendix A Cross section plans

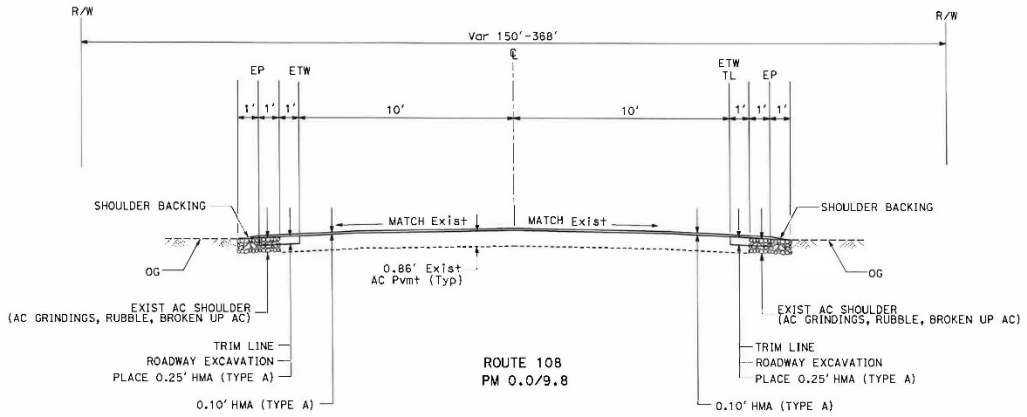
Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
09	Mno	108	0.0/9.8	X	XX

REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

REGISTERED PROFESSIONAL ENGINEER — No. — Exp. — CIVIL — STATE OF CALIFORNIA

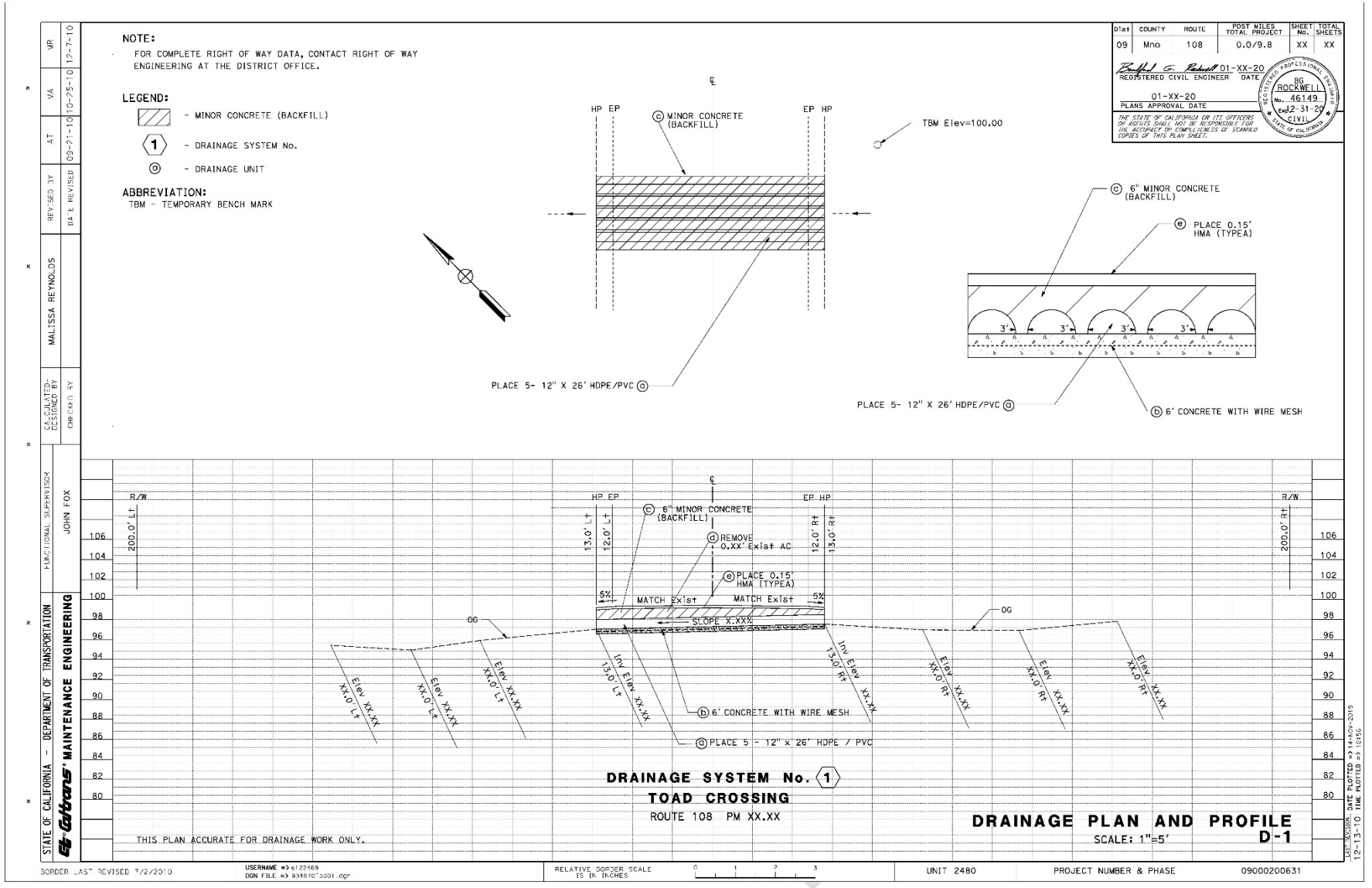


ROUTE 108
PM 0.0/9.8

TYPICAL CROSS SECTIONS

NO SCALE **X-1**

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
Caltrans
ENGINEERING
FUNCTIONAL SUPERVISOR: BRADFORD ROCKWELL
CALCULATED-DESIGNED BY: MALISSA REYNOLDS
CHECKED BY: DAN FROILAND
REVISED BY
DATE REVISED


NOTE:
FOR COMPLETE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.
LEGEND:
- MINOR CONCRETE (BACKFILL)
1 - DRAINAGE SYSTEM No.
ⓐ - DRAINAGE UNIT
ABBREVIATION:
TBM - TEMPORARY BENCH MARK
Dist | COUNTY | ROUTE | POST MILES TOTAL PROJECT | SHEET No. | TOTAL SHEETS
09 | Mno | 108 | 0.0/9.8 | XX | XX
REGISTERED CIVIL ENGINEER DATE 01-XX-20
PLANS APPROVAL DATE 01-XX-20
BG ROCKWELL No. 46149 Exp. 12-31-20 CIVIL
THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.
℄
HP EP
ⓒ MINOR CONCRETE (BACKFILL)
EP HP
TBM Elev=100.00
PLACE 5- 12" X 26' HDPE/PVC ⓐ
ⓒ 6" MINOR CONCRETE (BACKFILL)
ⓔ PLACE 0.15' HMA (TYPEA)
3'
PLACE 5- 12" X 26' HDPE/PVC ⓐ
ⓑ 6' CONCRETE WITH WIRE MESH
R/W
200.0' Lt
13.0' Lt
12.0' Lt
ⓒ 6" MINOR CONCRETE (BACKFILL)
ⓓ REMOVE 0.XX' Exist AC
ⓔ PLACE 0.15' HMA (TYPEA)
5%
MATCH Exist
MATCH Exist
12.0' Rt
13.0' Rt
200.0' Rt
SLOPE X.XX%
OG
Elev XX.XX
XX.0' Lt
Inv Elev XX.XX
13.0' Lt
XX.0' Rt
ⓑ 6' CONCRETE WITH WIRE MESH
ⓐ PLACE 5 - 12" x 26" HDPE / PVC
106
104
102
100
98
96
94
92
90
88
86
84
82
80
DRAINAGE SYSTEM No. 1
TOAD CROSSING
ROUTE 108 PM XX.XX
DRAINAGE PLAN AND PROFILE
SCALE: 1"=5'
D-1
THIS PLAN ACCURATE FOR DRAINAGE WORK ONLY.
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
MAINTENANCE ENGINEERING
FUNCTIONAL SUPERVISOR: JOHN FOX
CALCULATED-DESIGNED BY: MALISSA REYNOLDS
CHECKED BY
REVISED BY
DATE REVISED
MR 12-7-10
VA 10-25-10
AT 09-21-10
BORDER LAST REVISED 7/2/2010
USERNAME => s122469
DGN FILE => 934610*3001.dgn
RELATIVE BORDER SCALE IS IN INCHES
0 1 2 3
UNIT 2480
PROJECT NUMBER & PHASE 09000200631
LAST REVISION DATE PLOTTED => 14-NOV-2019
TIME PLOTTED => 13:56

Appendix B Comments and Responses

After the 30-day public comment period has closed, all comments and Caltrans' responses will be placed in this section and published in the Final Environmental Document.

AB 52 consultation letters were sent on April 24, 2018 to Big Pine Paiute Tribe of Owens Valley. The Big Pine Paiute Tribe has identified the project location as part of their ancestral tribal use area in compliance with PRC 21080.3.1. Letters were sent to Genevieve Jones, Chairwoman and Danelle Gutierrez, Tribal Historic Preservation Officer (THPO). No responses have been received as of January 2020. Section 106 consultation which included additional tribes not on the AB 52 list was conducted in conjunction with the U.S. Forest Service.

Appendix C Avoidance, Minimization, and Mitigation Measures

In addition to the Caltrans standard specifications, the following avoidance and minimization measures will be implemented. The Final Environmental Document will be updated if any additional Avoidance, Minimization, and Mitigation measures are required in the USFWS Biological Opinion. Effects on Yosemite toad individuals and their DCH will be avoided or minimized through the following measures:

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Appendix D CDFW and USFWS Species Lists

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Reno Fish And Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502-7147
Phone: (775) 861-6300 Fax: (775) 861-6301
http://www.fws.gov/nevada/

In Reply Refer To:
Consultation Code: 08ENVD00-2020-SLI-0116
Event Code: 08ENVD00-2020-E-00385
Project Name: 108 Thin Blanket II

January 06, 2020

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list indicates threatened, endangered, proposed, and candidate species and designated or proposed critical habitat that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act of 1973, as amended (ESA, 16 U.S.C. 1531 *et seq.*), for projects that are authorized, funded, or carried out by a Federal agency. Candidate species have no protection under the ESA but are included for consideration because they could be listed prior to the completion of your project. Consideration of these species during project planning may assist species conservation efforts and may prevent the need for future listing actions. For additional information regarding species that may be found in the proposed project area, visit http://www.fws.gov/nevada/es/ipac.html.

The purpose of the ESA is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the ESA and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or

designated or proposed critical habitat. Guidelines for preparing a Biological Assessment can be found at: http://www.fws.gov/midwest/endangered/section7/ba_guide.html.

If a Federal action agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this species list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally listed, proposed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally, as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation, for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the attached list.

The Nevada Fish and Wildlife Office (NFWO) no longer provides species of concern lists. Most of these species for which we have concern are also on the Animal and Plant At-Risk Tracking List for Nevada (At-Risk list) maintained by the State of Nevada's Natural Heritage Program (Heritage). Instead of maintaining our own list, we adopted Heritage's At-Risk list and are partnering with them to provide distribution data and information on the conservation needs for at-risk species to agencies or project proponents. The mission of Heritage is to continually evaluate the conservation priorities of native plants, animals, and their habitats, particularly those most vulnerable to extinction or in serious decline. In addition, in order to avoid future conflicts, we ask that you consider these at-risk species early in your project planning and explore management alternatives that provide for their long-term conservation.

For a list of at-risk species by county, visit Heritage's website (http://heritage.nv.gov). For a specific list of at-risk species that may occur in the project area, you can obtain a data request form from the website (http://heritage.nv.gov/get_data) or by contacting the Administrator of Heritage at 901 South Stewart Street, Suite 5002, Carson City, Nevada 89701-5245, (775) 684-2900. Please indicate on the form that your request is being obtained as part of your coordination with the Service under the ESA. During your project analysis, if you obtain new information or data for any Nevada sensitive species, we request that you provide the information to Heritage at the above address.

Furthermore, certain species of fish and wildlife are classified as protected by the State of Nevada (http://www.leg.state.nv.us/NAC/NAC-503.html). You must first obtain the appropriate license, permit, or written authorization from the Nevada Department of Wildlife (NDOW) to take, or possess any parts of protected fish and wildlife species. Please visit http://www.ndow.org or contact NDOW in northern Nevada (775) 688-1500, in southern Nevada (702) 486-5127, or in eastern Nevada (775) 777-2300.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the Service's wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

The Service's Pacific Southwest Region developed the *Interim Guidelines for the Development of a Project Specific Avian and Bat Protection Plan for Wind Energy Facilities* (Interim Guidelines). This document provides energy facility developers with a tool for assessing the risk of potential impacts to wildlife resources and delineates how best to design and operate a bird- and bat-friendly wind facility. These Interim Guidelines are available upon request from the NFWO. The intent of a Bird and Bat Conservation Strategy is to conserve wildlife resources while supporting project developers through: (1) establishing project development in an adaptive management framework; (2) identifying proper siting and project design strategies; (3) designing and implementing pre-construction surveys; (4) implementing appropriate conservation measures for each development phase; (5) designing and implementing appropriate post-construction monitoring strategies; (6) using post-construction studies to better understand the dynamics of mortality reduction (*e.g.*, changes in blade cut-in speed, assessments of blade "feathering" success, and studies on the effects of visual and acoustic deterrents) including efforts tied into Before-After/Control-Impact analysis; and (7) conducting a thorough risk assessment and validation leading to adjustments in management and mitigation actions.

The template and recommendations set forth in the Interim Guidelines were based upon the Avian Powerline Interaction Committee's Avian Protection Plan template (http://www.aplic.org/) developed for electric utilities and modified accordingly to address the unique concerns of wind energy facilities. These recommendations are also consistent with the Service's wind energy guidelines. We recommend contacting us as early as possible in the planning process to discuss the need and process for developing a site-specific Bird and Bat Conservation Strategy.

The Service has also developed guidance regarding wind power development in relation to prairie grouse leks (sage-grouse are included in this). This document can be found at: http://www.fws.gov/southwest/es/Oklahoma/documents/te_species/wind%20power/prairie%20grouse%20lek%205%20mile%20public.pdf.

Migratory Birds are a Service Trust Resource. Based on the Service's conservation responsibilities and management authority for migratory birds under the Migratory Bird Treaty Act of 1918, as amended (MBTA; 16 U.S.C. 703 *et seq.*), we recommend that any land clearing or other surface disturbance associated with proposed actions within the project area be timed to

avoid potential destruction of bird nests or young, or birds that breed in the area. Such destruction may be in violation of the MBTA. Under the MBTA, nests with eggs or young of migratory birds may not be harmed, nor may migratory birds be killed. Therefore, we recommend land clearing be conducted outside the avian breeding season. If this is not feasible, we recommend a qualified biologist survey the area prior to land clearing. If nests are located, or if other evidence of nesting (*i.e.*, mated pairs, territorial defense, carrying nesting material, transporting food) is observed, a protective buffer (the size depending on the habitat requirements of the species) should be delineated and the entire area avoided to prevent destruction or disturbance to nests until they are no longer active.

Guidance for minimizing impacts to migratory birds for projects involving communications towers (*e.g.*, cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

If wetlands, springs, or streams are are known to occur in the project area or are present in the vicinity of the project area, we ask that you be aware of potential impacts project activities may have on these habitats. Discharge of fill material into wetlands or waters of the United States is regulated by the U.S. Army Corps of Engineers (ACOE) pursuant to section 404 of the Clean Water Act of 1972, as amended. We recommend you contact the ACOE's Regulatory Section regarding the possible need for a permit. For projects located in northern Nevada (Carson City, Churchill, Douglas, Elko, Esmeralda, Eureka, Humboldt, Lander, Lyon, Mineral, Pershing, Storey, and Washoe Counties) contact the Reno Regulatory Office at 300 Booth Street, Room 3060, Reno, Nevada 89509, (775) 784-5304; in southern Nevada (Clark, Lincoln, Nye, and White Pine Counties) contact the St. George Regulatory Office at 321 North Mall Drive, Suite L-101, St. George, Utah 84790-7314, (435) 986-3979; or in California along the eastern Sierra contact the Sacramento Regulatory Office at 650 Capitol Mall, Suite 5-200, Sacramento, California 95814, (916) 557-5250.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

The table below outlines lead FWS field offices by county and land ownership/project type. Please refer to this table when you are ready to coordinate (including requests for section 7 consultation) with the field office corresponding to your project, and send any documentation regarding your project to that corresponding office. Therefore, the lead FWS field office may not be the office listed above in the letterhead.

Lead FWS offices by County and Ownership/Program

County	Ownership/Program	Species	Office Lead*

Alameda	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Alameda	All ownerships but tidal/estuarine	All	SFWO
Alpine	Humboldt Toiyabe National Forest	All	RFWO
Alpine	Lake Tahoe Basin Management Unit	All	RFWO
Alpine	Stanislaus National Forest	All	SFWO
Alpine	El Dorado National Forest	All	SFWO
Colusa	Mendocino National Forest	All	AFWO
Colusa	Other	All	By jurisdiction (see map)
Contra Costa	Legal Delta (Excluding ECCHCP)	All	BDFWO
Contra Costa	Antioch Dunes NWR	All	BDFWO
Contra Costa	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Contra Costa	All ownerships but tidal/estuarine	All	SFWO
Del Norte	All	All	AFWO
El Dorado	El Dorado National Forest	All	SFWO
El Dorado	LakeTahoe Basin Management Unit		RFWO
Glenn	Mendocino National Forest	All	AFWO
Glenn	Other	All	By jurisdiction (see map)
Humboldt	All except Shasta Trinity National Forest	All	AFWO

Humboldt	Shasta Trinity National Forest	All	YFWO
Lake	Mendocino National Forest	All	AFWO
Lake	Other	All	By jurisdiction (see map)
Lassen	Modoc National Forest	All	KFWO
Lassen	Lassen National Forest	All	SFWO
Lassen	Toiyabe National Forest	All	RFWO
Lassen	BLM Surprise and Eagle Lake Resource Areas	All	RFWO
Lassen	BLM Alturas Resource Area	All	KFWO
Lassen	Lassen Volcanic National Park	All (includes Eagle Lake trout on all ownerships)	SFWO
Lassen	All other ownerships	All	By jurisdiction (see map)
Marin	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
Marin	All ownerships but tidal/estuarine	All	SFWO
Mendocino	Russian River watershed	All	SFWO
Mendocino	All except Russian River watershed	All	AFWO
Modoc	Modoc National Forest	All	KFWO
Modoc	BLM Alturas Resource Area	All	KFWO
Modoc	Klamath Basin National Wildlife Refuge Complex	All	KFWO
Modoc	BLM Surprise and Eagle Lake Resource Areas	All	RFWO

Modoc	All other ownerships	All	By jurisdiction (See map)
Mono	Inyo National Forest	All	RFWO
Mono	Humboldt Toiyabe National Forest	All	RFWO
Napa	All ownerships but tidal/estuarine	All	SFWO
Napa	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Nevada	Humboldt Toiyabe National Forest	All	RFWO
Nevada	All other ownerships	All	By jurisdiction (See map)
Placer	Lake Tahoe Basin Management Unit	All	RFWO
Placer	All other ownerships	All	SFWO
Sacramento	Legal Delta	Delta Smelt	BDFWO
Sacramento	Other	All	By jurisdiction (see map)
San Francisco	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
San Francisco	All ownerships but tidal/estuarine	All	SFWO
San Mateo	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
San Mateo	All ownerships but tidal/estuarine	All	SFWO
San Joaquin	Legal Delta excluding San Joaquin HCP	All	BDFWO

San Joaquin	Other	All	SFWO
Santa Clara	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
Santa Clara	All ownerships but tidal/estuarine	All	SFWO
Shasta	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Shasta	Hat Creek Ranger District	All	SFWO
Shasta	Bureau of Reclamation (Central Valley Project)	All	BDFWO
Shasta	Whiskeytown National Recreation Area	All	YFWO
Shasta	BLM Alturas Resource Area	All	KFWO
Shasta	Caltrans	By jurisdiction	SFWO/AFWO
Shasta	Ahjumawi Lava Springs State Park	Shasta crayfish	SFWO
Shasta	All other ownerships	All	By jurisdiction (see map)
Shasta	Natural Resource Damage Assessment, all lands	All	SFWO/BDFWO
Sierra	Humboldt Toiyabe National Forest	All	RFWO
Sierra	All other ownerships	All	SFWO
Siskiyou	Klamath National Forest (except Ukonom District)	All	YFWO
Siskiyou	Six Rivers National Forest and Ukonom District	All	AFWO
Siskiyou	Shasta Trinity National Forest	All	YFWO

Siskiyou	Lassen National Forest	All	SFWO
Siskiyou	Modoc National Forest	All	KFWO
Siskiyou	Lava Beds National Volcanic Monument	All	KFWO
Siskiyou	BLM Alturas Resource Area	All	KFWO
Siskiyou	Klamath Basin National Wildlife Refuge Complex	All	KFWO
Siskiyou	All other ownerships	All	By jurisdiction (see map)
Solano	Suisun Marsh	All	BDFWO
Solano	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Solano	All ownerships but tidal/estuarine	All	SFWO
Solano	Other	All	By jurisdiction (see map)
Sonoma	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Sonoma	All ownerships but tidal/estuarine	All	SFWO
Tehama	Mendocino National Forest	All	AFWO
Tehama	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
Tehama	All other ownerships	All	By jurisdiction (see map)
Trinity	BLM	All	AFWO
Trinity	Six Rivers National Forest	All	AFWO
Trinity	Shasta Trinity National Forest	All	YFWO

Trinity	Mendocino National Forest	All	AFWO
Trinity	BIA (Tribal Trust Lands)	All	AFWO
Trinity	County Government	All	AFWO
Trinity	All other ownerships	All	By jurisdiction (See map)
Yolo	Yolo Bypass	All	BDFWO
Yolo	Other	All	By jurisdiction (see map)
All	FERC-ESA	All	By jurisdiction (see map)
All	FERC-ESA	Shasta crayfish	SFWO
All	FERC-Relicensing (non-ESA)	All	BDFWO

***Office Leads:**

AFWO=Arcata Fish and Wildlife Office

BDFWO=Bay Delta Fish and Wildlife Office

KFWO=Klamath Falls Fish and Wildlife Office

RFWO=Reno Fish and Wildlife Office

YFWO=Yreka Fish and Wildlife Office

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Reno Fish And Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502-7147
(775) 861-6300

This project's location is within the jurisdiction of multiple offices. Expect additional species list documents from the following office, and expect that the species and critical habitats in each document reflect only those that fall in the office's jurisdiction:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

Project Summary

Consultation Code: 08ENVD00-2020-SLI-0116

Event Code: 08ENVD00-2020-E-00385

Project Name: 108 Thin Blanket II

Project Type: TRANSPORTATION

Project Description: The 108 Thin Blanket II Project in Mono County near Sonora Junction proposes to perform hot-mix asphalt (HMA) paving from the Tuolumne/ Mono County line to 5.3 miles west of US Route 395. This is a maintenance project that is designed to extend the life of the existing pavement. The work includes: (1) placing a thin overlay of HMA pavement, (2) adding a 1' wide section of shoulder backing where 1' shoulders are currently maintained, and restriping the new pavement. The work limits include the construction signs in addition to the construction area. Construction limits include the area of the overlay construction. All work will be performed within the existing Right of Way with no new construction.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/38.32522522243322N119.55506861679577W

Counties: Alpine, CA | Mono, CA

Endangered Species Act Species

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
North American Wolverine *Gulo gulo luscus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5123	Proposed Threatened
Sierra Nevada Red Fox *Vulpes vulpes necator* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4252	Candidate

Birds

NAME	STATUS
Greater Sage-grouse *Centrocercus urophasianus* Population: Bi-State There is **proposed** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/8159	Proposed Threatened

Amphibians

NAME	STATUS
Sierra Nevada Yellow-legged Frog *Rana sierrae* There is **final** critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9529	Endangered
Yosemite Toad *Anaxyrus canorus* There is **final** critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7255	Threatened

Fishes

NAME	STATUS
Lahontan Cutthroat Trout *Oncorhynchus clarkii henshawi* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3964 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/233/office/14320.pdf	Threatened

Conifers and Cycads

NAME	STATUS
Whitebark Pine *Pinus albicaulis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1748	Candidate

Critical habitats

There are 2 critical habitats wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Sierra Nevada Yellow-legged Frog *Rana sierrae* https://ecos.fws.gov/ecp/species/9529#crithab	Final
Yosemite Toad *Anaxyrus canorus* https://ecos.fws.gov/ecp/species/7255#crithab	Final

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Cassin's Finch *Carpodacus cassinii* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9462	Breeds May 15 to Jul 15
Golden Eagle *Aquila chrysaetos* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Dec 1 to Aug 31

NAME	BREEDING SEASON
Lewis's Woodpecker *Melanerpes lewis* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9408	Breeds Apr 20 to Sep 30
Olive-sided Flycatcher *Contopus cooperi* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914	Breeds May 20 to Aug 31
Rufous Hummingbird *selasphorus rufus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8002	Breeds elsewhere
Williamson's Sapsucker *Sphyrapicus thyroideus* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8832	Breeds May 1 to Jul 31
Willow Flycatcher *Empidonax traillii* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/3482	Breeds May 20 to Aug 31

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee

was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

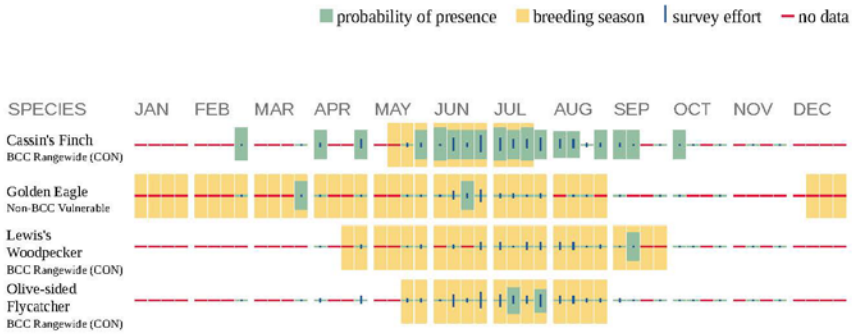
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

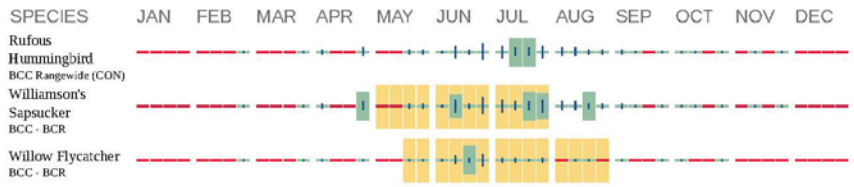
Breeding Season (■)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.
Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?
The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the AKN Phenology Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?
The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets .

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?
To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?
Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?
If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report
The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- PEM1B
- PEM1C

FRESHWATER FORESTED/SHRUB WETLAND

- PFOB
- PFOC
- PSSB
- PSSC

FRESHWATER POND

- PUBFh

RIVERINE

- R5UBF
- R3UBH
- R4SBJ

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To:
Consultation Code: 08ESMF00-2020-SLI-0702
Event Code: 08ESMF00-2020-E-02203
Project Name: 108 Thin Blanket II

January 06, 2020

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

This project's location is within the jurisdiction of multiple offices. Expect additional species list documents from the following office, and expect that the species and critical habitats in each document reflect only those that fall in the office's jurisdiction:

Reno Fish And Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502-7147
(775) 861-6300

Project Summary

Consultation Code: 08ESMF00-2020-SLI-0702

Event Code: 08ESMF00-2020-E-02203

Project Name: 108 Thin Blanket II

Project Type: TRANSPORTATION

Project Description: The 108 Thin Blanket II Project in Mono County near Sonora Junction proposes to perform hot-mix asphalt (HMA) paving from the Tuolumne/ Mono County line to 5.3 miles west of US Route 395. This is a maintenance project that is designed to extend the life of the existing pavement. The work includes: (1) placing a thin overlay of HMA pavement, (2) adding a 1' wide section of shoulder backing where 1' shoulders are currently maintained, and restriping the new pavement. The work limits include the construction signs in addition to the construction area. Construction limits include the area of the overlay construction. All work will be performed within the existing Right of Way with no new construction.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/38.32522522243322N119.55506861679577W

Counties: Alpine, CA | Mono, CA

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Amphibians

NAME	STATUS
Sierra Nevada Yellow-legged Frog *Rana sierrae* There is **final** critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9529	Endangered
Yosemite Toad *Anaxyrus canorus* There is **final** critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7255	Threatened

Fishes

NAME	STATUS
Delta Smelt *Hypomesus transpacificus* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Critical habitats

There are 2 critical habitats wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Sierra Nevada Yellow-legged Frog *Rana sierrae* https://ecos.fws.gov/ecp/species/9529#crithab	Final
Yosemite Toad *Anaxyrus canorus* https://ecos.fws.gov/ecp/species/7255#crithab	Final