



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:

January 06, 2021

Consultation Code: 08ESMF00-2021-SLI-0215

Event Code: 08ESMF00-2021-E-01948

Project Name: Butte County, CA - 2018 CDBG-DR, Owner-Occupied Rehabilitation and Reconstruction

Subject: Updated list of threatened and endangered species that may occur in your proposed project location 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

Project Summary

Consultation Code: 08ESMF00-2021-SLI-0215

Event Code: 08ESMF00-2021-E-01948

Project Name: Butte County, CA - 2018 CDBG-DR, Owner-Occupied Rehabilitation and Reconstruction

Project Type: FIRE

Project Description: The 2018 CDBG-DR program will provide grants to owner occupied homeowners to rehabilitate or reconstruct homes damaged or destroyed during the 2018 wildfires that occurred in Butte, Lake, Los Angeles, Shasta, and Ventura Counties. The Owner Occupied Housing Rehabilitation and Reconstruction Program (the “program”) objective is to provide decent, safe, and sanitary housing in the areas affected by the disasters. The program is designed to ensure that the housing needs of very-low, low- and moderate-income (LMI) households and vulnerable populations, including individuals that were made homeless as a result of the disaster, are addressed to the greatest extent feasible. Reconstruction is defined as the rebuilding of a structure on the same site in substantially the same manner. A reconstructed property must not increase the number of dwellings on site, although the number of rooms may increase or decrease. The California Department of Housing and Community Development (HCD) is the lead and responsible agency for administering the CDBG-DR funds allocated to the State of California. This is for the preparation of a Broad Level Tiered Environmental Review (Tier 1), Butte County. The number of potential grant applicants is not currently known.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.72362726963034,-121.57935133947711,14z>



Counties: Butte County, California

Endangered Species Act Species

There is a total of 16 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 Fisheries¹, 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.

-
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.

Birds

NAME	STATUS
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is proposed critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

Reptiles

NAME	STATUS
Giant Garter Snake <i>Thamnophis gigas</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4482	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891	Threatened
California Tiger Salamander <i>Ambystoma californiense</i> Population: U.S.A. (Central CA DPS) There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened
Sierra Nevada Yellow-legged Frog <i>Rana sierrae</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/9529	Endangered

Fishes

NAME	STATUS
Delta Smelt <i>Hypomesus transpacificus</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Insects

NAME	STATUS
Valley Elderberry Longhorn Beetle <i>Desmocerus californicus dimorphus</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/7850	Threatened

Crustaceans

NAME	STATUS
Conservancy Fairy Shrimp <i>Branchinecta conservatio</i> There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8246	Endangered
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened
Vernal Pool Tadpole Shrimp <i>Lepidurus packardii</i> There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2246	Endangered

Flowering Plants

NAME	STATUS
Butte County Meadowfoam <i>Limnanthes floccosa ssp. californica</i> There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4223	Endangered
Greene's Tuctoria <i>Tuctoria greenei</i> There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1573	Endangered
Hairy Orcutt Grass <i>Orcuttia pilosa</i> There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2262	Endangered
Hoover's Spurge <i>Chamaesyce hooveri</i> There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3019	Threatened
Layne's Butterweed <i>Senecio layneae</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4062	Threatened
Slender Orcutt Grass <i>Orcuttia tenuis</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/1063	Threatened

Critical habitats

There are 9 critical habitats wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Butte County Meadowfoam <i>Limnanthes floccosa ssp. californica</i> https://ecos.fws.gov/ecp/species/4223#crithab	Final
California Red-legged Frog <i>Rana draytonii</i> https://ecos.fws.gov/ecp/species/2891#crithab	Final
Conservancy Fairy Shrimp <i>Branchinecta conservatio</i> https://ecos.fws.gov/ecp/species/8246#crithab	Final
Greene's Tuctoria <i>Tuctoria greenei</i> https://ecos.fws.gov/ecp/species/1573#crithab	Final
Hairy Orcutt Grass <i>Orcuttia pilosa</i> https://ecos.fws.gov/ecp/species/2262#crithab	Final
Hoover's Spurge <i>Chamaesyce hooveri</i> https://ecos.fws.gov/ecp/species/3019#crithab	Final
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> https://ecos.fws.gov/ecp/species/498#crithab	Final

NAME	STATUS
Vernal Pool Tadpole Shrimp <i>Lepidurus packardii</i> https://ecos.fws.gov/ecp/species/2246#crithab	Final
Yellow-billed Cuckoo <i>Coccyzus americanus</i> https://ecos.fws.gov/ecp/species/3911#crithab	Proposed
