



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846



In Reply Refer To:
08ESMF00-2014-I-0196-1

MAR 21 2014

Mr. Hardeep Takhar
California Department of Transportation
Environmental Division, MS-8E
111 Grand Avenue
Oakland, California 94612

Subject: Informal Endangered Species Act Consultation on the Proposed State Route 280/
State Route 92 Collision Severity Reduction Project, San Mateo County,
California

Dear Mr. Takhar:

This is in response to the California Department of Transportation's (Caltrans) December 11, 2013, request for concurrence from the U.S. Fish and Wildlife Service (Service) that the proposed State Route (SR) 280/SR 92 Collision Severity Reduction Project may affect, but is not likely to adversely affect, the threatened bay checkerspot butterfly (*Euphydryas editha bayensis*), the threatened California red-legged frog (*Rana draytonii*), and the endangered San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). Your request was received in our office on December 13, 2013. Your consultation package was considered complete on March 14, 2014. Our response is based on the project information provided in your December 11, 2013, request package and additional project information provided on in your March 11, 2014 and a March 17, 2014, electronic mail (e-mail) message. This letter is issued under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)(Act).

Caltrans determined that the proposed project would have no effect on the endangered San Mateo thorn-mint (*Acanthomintha obovata* ssp. *duttonii*), the endangered fountain thistle (*Cirsium fontinale* var. *fontinale*), the threatened Marin dwarf flax (*Hesperolinon congestum*), or the endangered white-rayed pentachaeta (*Pentachaeta bellidiflora*). These 4 listed plants are associated with serpentine soils. The project is confined to the compact fill soils within the existing and regularly maintained Caltrans' right-of-way. Therefore, the listed plants are not expected to be encountered or adversely affected by the proposed project.

To enhance highway safety, Caltrans is proposing to replace existing metal beam guard rail (MBGR) with a single thrie beam barrier within San Mateo County at 46 sites located along SR 280 and SR 92. There will be 23 MBGR replacement sites along southbound SR 280 from the SR 1/SR 280 Separation I in South San Francisco (Site #1) south to the San Francisquito Creek over-crossing in Menlo Park (Site #32). Twenty-two proposed MBGR replacement sites are located along northbound SR 280 between the Serramonte Blvd. over-crossing in Daly City (Site #62) south to the San Francisquito Creek overcrossing in Menlo Park (Site #34). The project also includes 1 proposed MBGR replacement on eastbound SR 92 on the west end of the San Mateo Bridge.

The project includes:

1. Replacing MBGR with new single thrie beam barrier;
2. Installing transition railings to the support structures (including existing concrete blocks or sound walls);
3. Adjusting drainage inlets where necessary for the new rails; and
4. Placing minor concrete vegetation control beneath the new barrier rails.

The MBGRs are being replaced as a traffic safety measure. Caltrans has batched the 46 MBGR replacement actions into one informal section 7 consultation proposal because: (1) the sites are located within the Bay Area region; (2) have similar purpose, need, design, and construction methods; and (3) are derived from a shared budget allocation.

According to Caltrans' March 11, 2014, letter, the proposed project consists of MBGR replacement at the following locations: (Note-missing site numbers are due to their omission from the final project design.)

Table 1. Project locations and barrier length

Site #	SR/Direction	Post Mile	Location description	Approx. length of proposed barrier (feet)
1	280/Southbound	27.11	SR 1/280 Separation 35-173L-Tunnel	205
2	280/Southbound	R26.3	Junipero Serra Blvd Overcrossing, Bridge #35-184	92.5
3	280/Southbound	R26.09	South bound Off ramp to Sullivan Ave.	105
4	280/Southbound	R25.78	San Pedro Road Overcrossing, Bridge #35-181	100
5	280/Southbound	R24.63	Serramonte Blvd., Undercrossing, Bridge #35-209L	105
7	280/Southbound	R23.16	King Dr. Undercrossing, Bridge #35-202L	130
9	280/Southbound	R22.04	Avalon Dr. Undercrossing, Bridge #35-228L	130
10	280/Southbound	R20.97	SR 280/380 Separation, Bridge 35-217	255
11	280/Southbound	R20.75	San Bruno Ave. Undercrossing, Bridge #35-227	105
12	280/Southbound	R20.22	Whitman Way Off ramp Undercrossing, Bridge #35-197	342.5
13	280/Southbound	R20.04	Junipero Serra Blvd. Undercrossing, Bridge #35-196	105
14	280/Southbound	R18.52	Larkspur Dr. Undercrossing, Bridge #35-216L	105
15	280/Southbound	R17.92	Hillcrest Blvd. Undercrossing, Bridge #35-211L	105
17	280/Southbound	R14.22	Hayne Rd. Undercrossing, Bridge #35-210L (Median)	192.5

Table 1. Project locations and barrier length (continued)

Site #	SR/Direction	Post Mile	Location description	Approx. length of proposed barrier (feet)
19	280/Southbound	R12.73	San Mateo Creek Bridge #35-199	80
20	280/Southbound	10.82	SR 280/92 Separation, Bridge #35-243	167.5
22	280/Southbound	6.65	Edgewood Rd. Undercrossing, Bridge #35-250	105
23	280/Southbound	R6.99	Service Rd. Undercrossing, Bridge #35-277	305
25	280/Southbound	R4.99	Canada Rd. Undercrossing, Bridge #35-231L (Median)	155
27	280/Southbound	R4.71	Farm Hill Blvd. Undercrossing, Bridge #35-230L (Median)	405
30	280/Southbound	R1.02	Stanford Linear Acceleration Lane Undercrossing, Bridge #35-194	142.5
31	280/Southbound	R0.30	San Franciscquito Creek, Bridge #35-234L	117.5
32	280/Southbound	R0.30	San Franciscquito Creek, Bridge #35-234L (Median)	155
34	280/Northbound	R0.30	San Franciscquito Creek, Bridge #35-234R (Median)	92.5
35	280/Northbound	R1.02	Stanford Linear Acceleration Lane Undercrossing, Bridge #35-194	105
37	280/Northbound	R4.65	Farm Hill Blvd. Undercrossing, Bridge #35-230R	117.5
38	280/Northbound	R4.99	Canada Rd. Undercrossing, Bridge #35-231 R	92.5
39	280/Northbound	R6.99	Service Rd. Undercrossing, Bridge #35-277R	130
40	280/Northbound	6.65	Edgewood Rd. Undercrossing, Bridge #35-250R	167.5
43	280/Northbound	R12.73	San Mateo Creek Bridge #35-199, R side slope	92.5
46	280/Northbound	R17.92	Hillcrest Blvd. Undercrossing, Bridge #35-211 R	105
47	280/Northbound	R17.92	Hillcrest Blvd. Undercrossing, Bridge #35-211 R (Median)	42.5
48	280/Northbound	R18.22	Approximately 0.3 mile south of Larkspur Dr. Undercrossing	192.5
49	280/Northbound	R20.08	Junipero Blvd. Off-ramp Undercrossing, Bridge #35-196R	1267
50	280/Northbound	R20.08	Junipero Blvd Off-ramp Undercrossing, Bridge #35-196R (Median)	92.5
52	280/Northbound	R20.97	SR 280/380 Separation, Bridge #35-217 (Median)	60
53	280/Northbound	R21.55	National Cemetery Side hill viaduct, Bridge #35-320	60
55	280/Northbound	R22.05	Avalon Dr. Undercrossing Bridge #35-228R (Median)	255.
56	280/Northbound	R22.62	Westborough Blvd. Undercrossing, Bridge #35-212R	92.5
57	280/Northbound	R22.62	Westborough Blvd. Undercrossing, Bridge #35-212R (Median).	92.5
58	280/Northbound	R23.16	King Dr. Undercrossing, Bridge #35-202R (Median)	105
59	280/Northbound	R24.20	Hickey Blvd. Undercrossing, Bridge #35-116R	105
60	280/Northbound	R24.20	Hickey Blvd. Undercrossing, Bridge #35-116R (Median)	105
61	280/Northbound	R24.6	Serramonte Blvd. Undercrossing, Bridge #35-209R	67.5
62	280/Northbound	R24.65	Serramonte Blvd. Undercrossing, Bridge #35-209R (Median)	80
63	92/Eastbound	R14.44	San Mateo/Hayward/Bay Bridge #35-054	167.5

At each of the proposed sites, the new barrier will be placed in the same locations as the existing MBGR. Work will be staged on the roadway and will include lane closures. The contractor will likely use a 5-ton flatbed truck with an auger/hammer mounted on the back to remove the old MBGR and install the new posts. A 1-ton pickup truck will follow behind the post crew to install the railing. The area needed for work will be limited to no more than 10 feet from the edge of the existing paved road shoulder.

All work will be conducted during day light hours and will require approximately 4 days at each site, for a total of 188 days for project completion. Construction of the overall project will be conducted between May 2015 and October 2016 with activities associated with listed species sites (sites 14, 15, 19, 20, 22, 23, 31, 39, 40, 43, and 49) restricted to a May 15 to September 15 work window.

Each of the 46 proposed sites are located within multi-lane highways with high traffic volumes and are adjacent to various levels of disturbance and land use types.

Sites 17, 25, 27, 32, 34, 47, 50, 52, 55, 57, 58, 60, and 62 are located in the median of the north and southbound lanes. It is unlikely that listed species would be encountered at these 13 sites because they are located within a narrow strip of upland roadside landscaping bordered on both sides by a busy roadway.

Sites 1-5, 7, 9-13, 30, 35, 37, 38, 46, 48, 53, 56, 59, 61, and 63 are located adjacent to narrow bands of landscaping surrounded by roadways and urban development. The California red-legged frog and San Francisco garter snake are unlikely to occur in these 20 sites because the areas are: (1) isolated by surrounding roads and urbanization; (2) small; and (3) lack the aquatic habitat features or sufficient connectivity to those aquatic features that are associated with the life history of the listed frog and snake.

Sites 19, 20, 22, 23, 39, 40, and 43 are adjacent to bay checkerspot butterfly habitat and designated critical habitat for the species. Caltrans found adult bay checkerspot butterfly nectar plants within the Caltrans right-of-way but the butterfly is unlikely to frequent the proposed work area because it is adjacent to a busy roadway with traffic-created turbulence and is subject to routine maintenance. Caltrans has scheduled the work at these 7 identified sites to occur during the summer season when adult butterflies are active. Caltrans will also define the work area with staking or fencing to contain work activities. Adult butterflies are likely to avoid the work areas due to the construction activity. Dust control will be implemented to reduce the potential for butterflies to be adversely affected downwind of the construction areas.

Sites 14, 15, 31, 43, and 49 are adjacent to California red-legged frog occurrences and habitat, and Site 14 is in the vicinity of San Francisco garter snake occurrences and habitat. These two listed species are unlikely to frequent the proposed work area at these locations because: (1) SR 280 is a formidable barrier to movement; (2) highway traffic creates a level of disturbance that likely discourages occupancy within 10 feet of the roadway; (3) the proposed work area has been subject to past disturbance and is characterized by sparse vegetation and compact fill soil; and (4) the work area is subject to routine maintenance. Caltrans has scheduled the proposed work at the 5 identified sites to occur during the "dry" spring and summer season when the California red-legged frog and San Francisco garter snake are less likely to be moving over dry upland areas. Caltrans will also define the work area with staking or fencing to contain work activities.

Caltrans proposes to implement the following conservation measures to further reduce the potential for listed species to be adversely affected by the proposed project:

1. Construction activity will be limited to the paved, gravel, landscaped, and disturbed portion of the roadside and construction materials will not be stored or placed on serpentine soils, or in serpentine vegetation communities.

2. The contractor will be required to implement Caltrans' construction site best management practices (BMPs), including the implementation of a storm water pollution prevention plan.
3. Vegetation will be cleared only when necessary and will be cut above original ground level.
4. Activities will be limited to a May 15th to September 15th work window at sites 14, 15, 19, 20, 22, 23, 31, 39, 40, 43, and 49.
5. A Service-approved biologist will conduct a preconstruction survey immediately prior to initial groundbreaking at sites 14, 15, 19, 20, 22, 23, 31, 39, 40, 43, and 49.
6. Construction activity will cease if a listed species is encountered within the work area. The biological monitor will contact the Service to discuss what measures need to take place prior to resumption of construction activities.
7. Excavations that are 1-foot deep or greater will be backfilled at the end of each work day.
8. To protect the bay checkerspot butterfly from construction-related dust and particles, Caltrans will implement dust control measures as part of the standard water quality control BMPs, utilizing an organic tackifier and water.
9. Caltrans will install high visibility construction fencing or staking to delineate the boundaries of the work area at sites 14, 15, 19, 20, 22, 23, 31, 39, 40, 43, and 49.

The Service has reviewed the submitted project documentation and evaluation of project effects, and concurs with Caltrans' determination that the project as described is not likely to adversely affect the bay checkerspot butterfly, California red-legged frog, or San Francisco garter snake as the effects will be insignificant and/or discountable. The Service concurs that the proposed action is not likely to adversely affect these listed species based on the following: (1) construction activities, including staging, laydown and vehicle parking, will occur either in the road median or immediately adjacent to the road shoulder; (2) the project is limited to replacing existing MBGR infrastructure in previously disturbed areas; (3) the proposed work areas are subject to routine Caltrans' maintenance activities that are not conducive to listed wildlife or plant species occupation; (4) there are physical and behavior barriers that reduce the likelihood of listed wildlife species occurrence within the proposed work areas; and (5) Caltrans will implement defined conservation measures such as standard construction and erosion control BMPs and a seasonal work window at designated sites.

Unless new information reveals effects of the proposed project that may affect listed species in a manner or to an extent not considered; or the project is modified in a manner that causes an effect to the listed species that was not considered; or a new species or critical habitat is designated that may be affected by the proposed action, no further action pursuant to the Act, is necessary.

Mr. Hardeep Takhar

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If you have questions or concerns regarding this response for the proposed SR 280/SR 92 Collision Severity Reduction Project, please contact John Cleckler, Caltrans Liaison (john_cleckler@fws.gov) or Ryan Olah, Coast-Bay/Forest Foothills Division Chief (ryan_olah@fws.gov), at the letterhead address, (916) 414-6600, or by e-mail.

Sincerely,



for Eric Tattersall
Deputy Assistant Field Supervisor

cc:

Melissa Escaron, California Department of Fish and Wildlife, Napa, California
Frances Malamud-Roam and Steve Harris, Caltrans, Oakland, California