

INFORMATION HANDOUT

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PERMITS

U.S. Fish and Wildlife Service



United States Department of the Interior



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FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Suite W-2605
Sacramento, California 95825-1846

DEC 12 2014

Ms. Melanie Brent, Office Chief
Caltrans District 4 Environmental Analysis
California Department of Transportation
P.O. Box 23660
Oakland, California 94623-0660

Subject: Informal Consultation on the Proposed Interstate 80 Metal Beam Guard Rail Project,
Contra Costa County, California (Caltrans EA 04-2G442)

Dear Ms. Brent:

This letter responds to a letter from the California Department of Transportation (Caltrans) dated February 25, 2014, which requested informal consultation and written concurrence for the proposed Interstate 80 (I-80) Metal Beam Guard Rail (MBGR) Project, Contra Costa County, California. The U.S. Fish and Wildlife Service (Service) received your letter on February 26, 2014. This consultation concerns the effects of the proposed action on the threatened California red-legged frog (*Rana draytonii*) and threatened Alameda whipsnake (*Masticophis lateralis euryxanthus*). No designated or proposed critical habitat for either species is present within the action area. This letter is issued under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) (Act).

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) legislation (23 U.S.C. 327) allows the Secretary of the U.S. Department of Transportation acting through the Federal Highway Administration (FHWA) to establish a Surface Transportation Project Delivery Pilot Program, whereby a State may assume the FHWA responsibilities under the National Environmental Policy Act (NEPA) for environmental review, agency consultation and other action pertaining to the review or approval of a specific project. Caltrans assumed these responsibilities for the FHWA on July 1, 2007 through a Memorandum of Understanding (MOU) within the State of California (http://www.dot.ca.gov/ser/downloads/MOUs/nepa_delegation/sec6005mou.pdf).

The action area is defined in 50 CFR §402.02, as "all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action." For the purposes of the proposed action the Service considers the action area to comprise 980 linear feet consisting at 12 locations extending 5.35 miles along I-80 between post mile (PM) 5.15 and PM 10.5 encompassing the project footprint, including all construction access, staging areas, vehicle parking, and construction work zones as specified by Caltrans and submitted to the Service in February 25, 2014,

letter requesting informal consultation, supporting documentation provided by Caltrans, and email and phone correspondence. Habitat within the action area comprises paved roadways and shoulders, gravel shoulders, bare ground, ornamental landscaping, and ruderal habitat.

The purpose of the proposed action is to upgrade MBGR where they are attached to bridge approaches, concrete barriers, bridge abutments, retaining walls, and sound walls. Each work site will extend 82 feet on average and will occur along the edge of the existing paved roadway. Staging will occur along the roadside or within the lane closures. The project will include night work to avoid traffic delays during commute hours and take 3-5 days to complete each site. The project will bring the MBGR up to the 31 inch height standard. Work will involve removing and replacing the segments of guardrail attached to an end structures. Additional concrete work will be required for five of the new MBGR locations requiring cast-in-place anchor blocks to strengthen the connection between the rail and bridges, walls, and other transition structures. Excavation will be minimized when feasible by reinserting wood posts (6 x 6 in) back into the holes where the existing guardrail was removed. Vegetation control will occur at all locations under the MBGR being removed and replaced. The width of the concrete will be approximately 48 inches, which includes 42 inches of paving behind the existing rail, plus the addition 6 inches for the width between the posts yielding approximately 3,920 square feet of new paved surface. Vegetation control will comprise paving the area under the MBGR to reduce the need for ongoing maintenance vegetation control, and will require the disturbance and removal of the top 3 inches of soil to prepare the site for paving as per Caltrans revised Standard Plan A77N5.

The Service has reviewed the submitted project as described in the February 25, 2014, letter to the Service, email response to request for additional information from Caltrans on October 9 and 13, 2014, and November 12, 2014, supporting documentation, and evaluation of project effects, and concurs with the determination that the project as described is not likely to adversely affect the California red-legged frog and Alameda whipsnake as the effects will be discountable. The Service concurs that the proposed action is not likely to adversely affect the California red-legged frog and Alameda whipsnake based on the following: (1) construction activities, including staging, laydown and vehicle parking, will predominately occur within paved or unvegetated habitat and disturbance to vegetated habitat will occur within a narrow area of habitat along I-80 where ruderal and ornamental landscaped habitats occur within an urban setting; (2) construction access, staging, storage and parking areas will be located within the right-of-way and outside any designated environmentally sensitive areas; (3) Caltrans will implement construction and erosion control Best Management Practices; (4) areas adjacent to sensitive habitat will be clearly demarked with temporary high-visibility fencing; (5) all on-site personnel will attend environmental awareness training prior to beginning project activities; (6) work will be conducted during the dry season between May 1 and October 15; and (7) Service-approved biological monitors will conduct preconstruction surveys prior to ground disturbing activities and remain on-site to monitor construction activities adjacent to California red-legged frog and Alameda whipsnake habitat.

Ms. Melanie Brent

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This concludes informal consultation on the proposed I-80 Metal Beam Guard Rail Project, Contra Costa County, California. Therefore, unless new information reveals effects of the proposed action that may affect listed species in a manner or to an extent not considered, or a new species is listed, no further action pursuant to the Act is necessary. If you have questions please contact Jerry Roe, Endangered Species Biologist, or Ryan Olah Coast Bay/Forest Foothills Division Chief, at the letterhead address (916) 414-6600, or via email at Jerry_Roe@fws.gov or Ryan_Olah@fws.gov.

Sincerely,



for Eric Tattersall
Deputy Assistant Field Supervisor

cc:

Melissa Escaron, California Department of Fish and Wildlife, Napa, California