

# RECLAMATION

## *Managing Water in the West*

### Categorical Exclusion Checklist

#### Research Facilitating Recovery of the Endangered Serpentine Endemic Tiburon Paintbrush at Coyote Ridge in Southern Santa Clara County

MP-CEC-13-01

Prepared by:

Douglas Kleinsmith

Date: 6/11/13

Douglas Kleinsmith  
Natural Resources Specialist  
Mid-Pacific Regional Office

Concurred by:

Jan Pry

Date: 6/12/2013

Archaeologist  
Mid-Pacific Regional Office

Concurred by:

Patricia S. Rivera

Date: 6/12/2013

Native American Affairs Specialist  
Mid-Pacific Regional Office

Concurred by:

Dan Strait

Date: 6/12/13

Daniel Strait  
Program Manager, Central Valley  
Project Conservation Program  
Mid-Pacific Regional Office

Approved by:

Anastasia T. Leigh

Date: 6/12/2013

Anastasia T. Leigh  
Regional Environmental Officer  
Mid-Pacific Regional Office



## **Proposed Action**

The federally endangered Tiburon paintbrush (*Castilleja affinis* ssp. *neglecta*) (paintbrush) is a root parasite on other angiosperm (flowering plant) species, a beneficial relationship which improves the ability of paintbrush plants to increase water and mineral uptake. The proposed action intends to determine the effectiveness of three different types of plants as potential parasitic hosts for the paintbrush. The Bureau of Reclamation (Reclamation), Mid-Pacific Region, proposes to provide \$93,130 from the Central Valley Project Conservation Program to the Creekside Center for Earth Observation (CCEO) to test whether seeding or outplanting with potential parasitic host plants, both in the greenhouse and in the field, will facilitate recovery of the paintbrush. CCEO would also collect and test plant material from sites supporting existing paintbrush populations to determine genetic distinctness of the populations. Results will provide information for potential future enhancement and introductions of paintbrush populations to assist in recovery of the species. The work will occur at Coyote Ridge in southern Santa Clara County. (See attached figure).

## **Exclusion Category**

516 DM 14.5 A.3: Research activities, such as nondestructive data collection and analysis, monitoring, modeling, laboratory testing, calibration, and testing of instruments or procedures and nonmanipulative field studies.

## **Scope of Work**

Tiburon paintbrush is known from Marin, Napa, and Santa Clara counties in California. The two Coyote Ridge populations in southern Santa Clara County are disjunct, and the U.S. Fish and Wildlife Service, through their 1998 *Recovery Plan for Serpentine Soil Species of the San Francisco Bay Area*, deems protection of those populations to be a high priority for recovery of the species.

### *Project Objectives:*

1. Determine whether use of a perennial grass, forb, or legume as a parasitic host can significantly increase survivorship and/or fecundity of greenhouse propagated paintbrush plants.
2. Determine whether direct seeding or outplanting with, or without, parasitic hosts can significantly increase the number of paintbrush plants at sites that currently support paintbrush populations at Coyote Ridge.
3. Test genetic material from sites supporting paintbrush populations at Coyote Ridge to determine genetic distinctness of those populations.
4. Test soil chemistry, and record vegetative associates and abiotic factors of existing paintbrush populations, to determine habitat parameters at those sites.
5. Increase the number of paintbrush plants at two sites supporting existing populations at Coyote Ridge.

The action is a multi-year project. The first year will focus on greenhouse trials and a pilot enhancement study at Paintbrush Canyon, an area of Coyote Ridge supporting an existing paintbrush population. Sites will be visited to collect genetic material, the analysis of which will guide decisions on appropriate seed and/or sources of plant propagules for future site enhancements and population introductions. Vegetative and soil parameters will be documented. The second year will begin an enhancement study at Paintbrush Hill, a second site on Coyote Ridge that supports an existing paintbrush population. In the third year, the enhancement study at Paintbrush Hill will be repeated to see if results differ due to variability between years. The final report will present optimal propagation protocols, results from experimental outplantings and seedings at multiple sites over multiple years, recommendations for future site enhancements and plant introductions, and production of an adaptive management plan for both study sites.

## Extraordinary Circumstances

Below is an evaluation of the extraordinary circumstances as required in 43 CFR 46.215.

1. This action would have a significant effect on the quality of the human environment (40 CFR 1502.3). No ☒ Uncertain ☐ Yes ☐
2. This action would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA Section 102(2)(E) and 43 CFR 46.215(c)). No ☒ Uncertain ☐ Yes ☐
3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)). No ☒ Uncertain ☐ Yes ☐
4. This action would have significant impacts on such natural resources and unique geographical characteristics as historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas (43 CFR 46.215 (b)). No ☒ Uncertain ☐ Yes ☐
5. This action would have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks (43 CFR 46.215(d)). No ☒ Uncertain ☐ Yes ☐
6. This action would establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects (43 CFR 46.215 (e)). No ☒ Uncertain ☐ Yes ☐

7. This action would have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects (43 CFR 46.215 (f)).

No ☒ Uncertain ☐ Yes ☐

8. This action would have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation (LND 02-01) (43 CFR 46.215 (g)). (See attachment)

No ☒ Uncertain ☐ Yes ☐

9. This action would have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species (43 CFR 46.215 (h)).

No ☒ Uncertain ☐ Yes ☐

*On October 29, 2012, Reclamation sent a memorandum to FWS requesting concurrence in Reclamation's determination that the Research Facilitating Recovery of the Endangered Serpentine Endemic Tiburon Paintbrush at Coyote Ridge in Southern Santa Clara County Project and two other endangered plant CVPCP projects may affect but is not likely to adversely affect the Tiburon Paintbrush or the other two plants. FWS concurred with this request on April 8, 2013. (See attachment).*

10. This action would violate a Federal, tribal, State, or local law or requirement imposed for protection of the environment (43 CFR 46.215 (i)).

No ☒ Uncertain ☐ Yes ☐

11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993). (See attachment)

No ☒ Uncertain ☐ Yes ☐

12. This action would have a disproportionately high and adverse effect on low income or minority populations (EO 12898) (43 CFR 46.215 (j)).

No ☒ Uncertain ☐ Yes ☐

13. This action would limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007, 43 CFR 46.215 (k), and 512 DM 3)).

No ☒ Uncertain ☐ Yes ☐

14. This action would contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control

No ☒ Uncertain ☐ Yes ☐

Act, EO 13112, and 43 CFR 46.215 (l)).

***NEPA Action Recommended***

☒ CEC – This action is covered by the exclusion category and no extraordinary circumstances exist. The action is excluded from further documentation in an EA or EIS.

☐ Further environmental review is required, and the following document should be prepared.

☐ EA

☐ EIS



Flags represent locations of Tiburon Paintbrush study sites



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:  
08ESMF00-2013-I-0100

APR 08 2013

Memorandum

To: Anastasia T. Leigh, Regional Environmental Officer, U.S. Bureau of Reclamation, Mid-Pacific Regional Office, Sacramento, California (Attn: Daniel Strait)

From: *for* Eric Tattersall, Deputy Assistant Field Supervisor, U.S. Fish and Wildlife Service, Sacramento, California *[Signature]*

Subject: Informal Endangered Species Consultation on Central Valley Project Conservation Program and Central Valley Project Improvement Act Habitat Restoration Program (CVPCP/HRP) funding for the Research, Propagation, and Reintroduction of Three Federally-Protected Plant Species in Alameda, Contra Costa, San Joaquin, and Santa Clara Counties, California (Reclamation file No. MP-152, ENV-7.00)

This memorandum is in response to the October 19, 2012 memorandum from the U.S. Bureau of Reclamation (Reclamation) to the U.S. Fish and Wildlife Service (Service) requesting informal consultation on the Research, Propagation, and Reintroduction of Three Federally-Protected Plant Species in Alameda, Contra Costa, San Joaquin, and Santa Clara Counties, California. Your request was received by us on October 29, 2012. At issue are the effects of this action on the endangered large-flowered fiddleneck (*Amsinckia grandiflora*), endangered Tiburon paintbrush (*Castilleja affinis* ssp. *neglecta*), and endangered Metcalf Canyon jewelflower (*Streptanthus albidus* ssp. *albidus*). This response is provided in accordance with the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

This document was prepared based on: (1) information provided in Reclamation's October 19, 2012, letter; (2) the December 8, 2011, grant proposal entitled *Research facilitating recovery of the endangered serpentine endemic Tiburon paintbrush (Castilleja affinis ssp. neglecta) at Coyote Ridge in southern Santa Clara County* prepared by Creekside Center for Earth Observation; (3) the December, 2011, grant proposal entitled *Captive propagation and re-introduction of large-flowered fiddleneck (Amsinckia grandiflora) in Contra Costa and San Joaquin Counties, California* prepared by Vollmar Natural Lands Consulting; (4) the December 6, 2011, grant proposal entitled *Reintroduction of the Metcalf Canyon Jewelflower (Streptanthus albidus ssp. albidus) at Tulare Hill in southern Santa Clara County* prepared by Dr. Justen Whittall, Santa Clara University; and (5) other information available to the Service.

Supervisory Biologist

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The proposed federal action involves providing grant funding through the CVPCP/HRP to 1) survey for, propagate, and reintroduce large-flowered fiddleneck in Alameda, Contra Costa, and San Joaquin counties; 2) to propagate and reintroduce Metcalf Canyon jewelflower on Tulare Hill and supplement an existing population at Motorcycle County Park in Santa Clara county; and 3) to test whether seeding or outplanting Tiburon paintbrush with potential parasitic hosts will facilitate survival and fecundity in the lab and at sites in Santa Clara county.

The following conservation measures will be implemented to avoid adverse effects to listed plants:

1. Any biologists that will collect voucher specimens, collect seed, or collect genetic material from listed plants must have all applicable State permits prior to the commencement of collection activities.
2. No more than 5 percent of the projected annual seed production of any wild individual plant or discrete wild population of plants will be collected.
3. At least 15 days prior to initiation start of plant or seed collection activities, a written proposal will be provided to the Service (email is acceptable). Collection activities will not commence until approval from the Service has been obtained. The proposal will be provided to the Coast Bay/Forest Foothills Division Chief and/or the Fish and Wildlife Biologist listed at the conclusion of the this letter. The proposal will include:
  - a) A statement of whether the collection of seeds, vouchers, or genetic material will be from an existing population, newly discovered population, distinct occurrence or a rediscovered occurrence.
  - b) An estimate of the number of individuals present at the occurrence and the aerial extent of the occurrence (in acres or square feet) of the area where material is to be collected. Should the submission of this information prior to plant or seed collection activities be infeasible due to site access restrictions, this information may be provided after the plant or seed collection is completed.
  - c) A statement describing how the collection will comply with the principles of the Center for Plant Conservation (CPC), in particular the CPC requirement that the collection shall not impact the viability of the occurrence or the species by removal of individuals from small populations.

Based on the limited collection of specimens and seeds described in the three grant proposals, implementation of the proposed conservation measures, and the beneficial effects to listed plant species that are anticipated to result from the proposed projects, the Service concurs that the proposed Research, Propagation, and Reintroduction of Three Federally-Protected Plant Species in Alameda, Contra Costa, San Joaquin, and Santa Clara Counties, if implemented as proposed, may affect, but is not likely to adversely affect the large-flowered fiddleneck, the Tiburon paintbrush, or the Metcalf Canyon jewelflower.

Supervisory Biologist

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This letter does not provide authorization for the incidental take of any listed species. Unless new information reveals effects of the proposed action that may affect listed or proposed species in a manner or to an extent not considered, or a new species or critical habitat is designated or proposed that may be affected by the proposed action, no further action pursuant to the Endangered Species Act of 1973, as amended, is necessary.

If you have any questions regarding our response on the Research, Propagation, and Reintroduction of Three Federally-Protected Plant Species in Alameda, Contra Costa, San Joaquin, and Santa Clara Counties, California, please contact Stephanie Jentsch, Fish and Wildlife Biologist, ([Stephanie\\_Jentsch@fws.gov](mailto:Stephanie_Jentsch@fws.gov)) or Ryan Olah, Coast Bay/Forest Foothills Division Chief, ([Ryan\\_Olah@fws.gov](mailto:Ryan_Olah@fws.gov)) at (916) 414-6600.

cc:

Craig Weightman, California Department of Fish and Wildlife, Napa, CA

**From:** Goodsell, Joanne E  
**Sent:** Wednesday, September 05, 2012 3:27 PM  
**To:** Kleinsmith, Douglas H  
**Cc:** Strait, Daniel H; Barnes, Amy J; Bruce, Brandee E; Fogerty, John A; Nickels, Adam M; Perry, Laureen M; Soule, William E; Williams, Scott A  
**Subject:** MP-CEC-12-02/12-SCAO-186: Section 106 Review

Project Tracking No. 12-SCAO-186

Project Name: Research Facilitating Recovery of the Endangered Serpentine Endemic Tiburon Paintbrush at Coyote Ridge in Southern Santa Clara County

Doug:

Reclamation proposes to provide \$93,100 from the Central Valley Project Conservation Program to the Creekside Center for Earth Observation to test whether seeding or outplanting with potential parasitic hosts, both in the greenhouse and in the field at Coyote Ridge in Santa Clara County, will facilitate recovery of the Federally-listed threatened Tiburon paintbrush (*Castilleja affinis* ssp. *neglecta*). This proposed action involves the type of activity that does not have the potential to cause effects on historic properties. As such, Reclamation has no further obligations under Section 106 of the National Historic Preservation Act or its implementing regulations at 36 CFR Part 800. I concur with item 8 on MP-CEC-12-02: the proposed action would have no significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places.

This email concludes the Section 106 process for this undertaking. Please retain a copy of this correspondence with the CEC administrative record.

Joanne Goodsell, M.A., Archaeologist  
Bureau of Reclamation, Mid-Pacific Regional Office  
2800 Cottage Way, MP-153  
Sacramento, CA 95825  
(916) 978-5499 [jgoodsell@usbr.gov](mailto:jgoodsell@usbr.gov)

**From:** Rivera, Patricia L  
**Sent:** Wednesday, September 05, 2012 11:15 AM  
**To:** Kleinsmith, Douglas H  
**Cc:** Robbins, Eleanor J (Ellie); Williams, Mary D (Diane)  
**Subject:** RE: Tiburon Paintbrush project ITA request---\*\*\*ELLIE THIS IS ADMIN

Doug,

I reviewed the proposed action to \$93,100 from the Habitat Restoration Program to the Creekside Center for Earth Observation to test whether seeding or outplanting with potential parasitic hosts, both in the greenhouse and in the field, will facilitate recovery of the Federally-listed threatened Tiburon paintbrush (*Castilleja affinis* ssp. *neglecta*). They also would test material from extant sites to determine genetic distinctness of populations, which will inform enhancement and potential future introduction decisions. The work would be at Coyote Ridge in southern Santa Clara County.

The proposed action does not have a potential to affect Indian Trust Assets.

Patricia Rivera  
Native American Affairs Program Manager  
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Mid-Pacific Region  
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(916) 978-5194 (Office)  
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[privera@usbr.gov](mailto:privera@usbr.gov)  
**RECLAMATION**  
*Managing Water in the West*