



— BUREAU OF —  
RECLAMATION



# **Arroyo Canal Fish Screen and Sack Dam Fish Passage Project Supplemental Environmental Assessment**

## **Appendix C - Special Status Species Lists**



# United States Department of the Interior



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In Reply Refer To:

10/22/2024 22:28:16 UTC

Project Code: 2025-0009633

Project Name: Arroyo Canal Fish Screen and Sack Dam Fish Passage Project

Subject: 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, 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 (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

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 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 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:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

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 Code 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

Project Code: 2025-0009633

Project Name: Arroyo Canal Fish Screen and Sack Dam Fish Passage Project

Project Type: Fish Passage Structure - Construction/Modification

Project Description: In support of the Restoration Goal, Reclamation proposes to construct and operate a fish screen and fish passage facilities at the Arroyo Canal and Sack Dam in Reaches 3 and 4A of the Restoration Area (proposed action). The proposed improvements are necessary to aid migratory fish movement and prevent entrainment into Arroyo Canal, as required by Paragraphs 11(a)(6) and 11(a)(7) of the San Joaquin River Restoration Settlement. The action area for this BA includes areas that may be affected directly or indirectly by the proposed action, and is located in Fresno and Madera counties, approximately 7 miles southeast of Dos Palos, California. The proposed action includes the following key components:

- Construct a new 700 cfs flat-plate fish screen located diagonally across the current channel, and on the left bank of the new channel.
- Construct a new 4,500 cfs bypass channel around Sack Dam.
- Construct a new gated headworks structure to control flow releases into the bypass channel, consisting of 12 bays with operable gates.
- Construct a new vertical slot fishway around the gated headworks structure to provide salmonid passage.
- Construct a new berm downstream of the existing Sack Dam to direct fish to the fishway and bypass channel and prevent fish from reaching Sack Dam and possibly getting to the upstream side of the dam and into the Arroyo Canal.
- Install a new log boom placed within 50 ft upstream of the fish screen to protect the structure from debris and -vegetation.
- Construct a new maintenance building in the area directly north of the fish screen structure on the west bank of the San Joaquin River to store equipment, including electrical controls.
- Relocate existing PG&E gas and power lines.

Reclamation will also be requesting a permit from the United States Army Corps of Engineers in accordance with Section 404 of the Clean Water Act and issuance of this permit is an associated federal action that should be considered part of the proposed action. With the exception of the issuance of a permit to construct and operate the proposed facilities in accordance with Section 404 of the Clean Water Act by the U.S. Army Corps of Engineers, no interrelated or interdependent actions have been identified with respect to the proposed action.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.9831047,-120.49973922532212,14z>



Counties: Fresno and Madera counties, California

## ENDANGERED SPECIES ACT SPECIES

There is a total of 10 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<sup>1</sup>, 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
Fresno Kangaroo Rat <i>Dipodomys nitratooides exilis</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5150">https://ecos.fws.gov/ecp/species/5150</a>	Endangered
San Joaquin Kit Fox <i>Vulpes macrotis mutica</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2873">https://ecos.fws.gov/ecp/species/2873</a>	Endangered

## REPTILES

NAME	STATUS
Blunt-nosed Leopard Lizard <i>Gambelia silus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/625">https://ecos.fws.gov/ecp/species/625</a>	Endangered
Giant Garter Snake <i>Thamnophis gigas</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4482">https://ecos.fws.gov/ecp/species/4482</a>	Threatened
Northwestern Pond Turtle <i>Actinemys marmorata</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1111">https://ecos.fws.gov/ecp/species/1111</a>	Proposed Threatened

## AMPHIBIANS

NAME	STATUS
Western Spadefoot <i>Spea hammondi</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/5425">https://ecos.fws.gov/ecp/species/5425</a>	Proposed Threatened

## INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate
Valley Elderberry Longhorn Beetle <i>Desmocerus californicus dimorphus</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/7850">https://ecos.fws.gov/ecp/species/7850</a>	Threatened

## CRUSTACEANS

NAME	STATUS
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.	Threatened



NAME	STATUS
Species profile: <a href="https://ecos.fws.gov/ecp/species/498">https://ecos.fws.gov/ecp/species/498</a>	

## FLOWERING PLANTS

NAME	STATUS
Palmate-bracted Bird's Beak <i>Cordylanthus palmatus</i>	Endangered
No critical habitat has been designated for this species.	
Species profile: <a href="https://ecos.fws.gov/ecp/species/1616">https://ecos.fws.gov/ecp/species/1616</a>	

## CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

## IPAC USER CONTACT INFORMATION

Agency: Department of Interior  
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State: CA  
Zip: 95825  
Email: xvivas@usbr.gov  
Phone: 9169785455

Hi Becky,

Below is an updated species list for the Arroyo Canal fish screen and passage project.

CV spring-run Chinook salmon NEP (*Oncorhynchus tshawytscha*)

CCV steelhead (*O. mykiss*)

sDPS North American green sturgeon (*Acipenser medirostris*)

Southern Resident killer whale (*Orcinus orca*)

Pacific Coast salmon Essential Fish Habitat

Thanks,

Jake