USFWS ESA SECTION 7(a)(2) REVIEW FORM

Last Updated: 05/14/2025

This Endangered Species Act (ESA) Section 7(a)(2) Review Form is for the multi-agency implementation of restoration projects in California under the Statewide Programmatic Restoration Effort (Effort). This form serves to document that restoration projects proposed under the Effort are in compliance with the U.S. Fish and Wildlife Service (USFWS) Programmatic Biological and Conference Opinion (PBO) (USFWS File Number: 2022-0005149-S7). Follow the steps below before submitting this form.

While the action area of this programmatic consultation is the entire state of California, it is the responsibility of the Project Proponent to coordinate with and receive permission from any landowners for which activities may occur, including federal lands, in order to proceed under this programmatic consultation.

INSTRUCTIONS:

1) Read the PBO to determine if the project fits the Project Eligibility Criteria.
2) Review the Program Administration for ESA Section 7 Compliance with USFWS Flow Chart in the PBO. Please note that USFWS ES welcomes early coordination on any such projects expecting to use the PBO. Either the Action Agency or Action Agency and Project Proponent can contact the local USFWS ES Field Office for technical assistance prior to submitting this form.
3) Complete pages 1-10 of this form in their entirety. Attach all necessary documents, maps, and photos as outlined in the Project Description Checklist on page 3. Attach biologist information as outlined on page 8.
4) For Guild and Species-Specific Measures (pages 11-21), either indicate that the measures do not apply or complete and include measures **only for guild/species that are applicable to the project**.
5) Complete the project approval and signatures page (page 22).
6) Report all injury or mortality of listed species to the respective USFWS Field Office within 48 hours.
7) Provide the information requested in the Post-Construction Report Form to the respective USFWS Field Office by December 1st. If the monitoring/success criteria are not complete at that time, an additional report is due each year on December 1st until complete. The standard for revegetation success is 60% percent absolute cover compared to pre-project conditions at the project site or at least 60% cover compared to an intact, local reference site. If an appropriate reference site or pre-project conditions cannot be identified, success criteria will be developed for review and approval on a project-by-project basis, based on the specific habitat impacted and known recovery times for that habitat and geography.

GENERAL INFORMATION

Provide the following information:

Project Name:

Project Proponent:

Contact Name:

Email:

Phone:

Lead Action Agency:

Contact Name:

Email:

Phone:

- [ ] This project is expected to require / has received a permit from the U.S. Army Corps of Engineers (USACE).
- [ ] This project is applying for / has received funding from the NOAA Restoration Center (NOAA RC).
- [ ] This project is applying for / has received funding from the NOAA Office for Coastal Management (NOAA OCM).
- [ ] This project is applying for / has received funding from the U.S. Bureau of Reclamation (BOR).
- [ ] This project is applying for / has received funding from the USFWS.
- [ ] This project is being carried out by the USFWS.
- [ ] This project is applying for / has received funding or a permit from a federal agency not listed above.

List other participating federal agencies:

Pre-planning coordination with Jurisdictional USFWS Field Office:

Jurisdictional Field Office:

Email: Contact Name:

Phone:

Multi-Agency Implementation of Restoration Projects Programmatic Biological Assessment and corresponding PBO has been read:

PROJECT INFORMATION

Proposed Start Date (mm/dd/yyyy):

Proposed End Date (mm/dd/yyyy):

Coordinates of Project Location (Decimal Degrees): Latitude: Longitude:

Project Types	Check all that apply
Improvements to Stream Crossings and Fish Passage	☐
Removal of small dams, tide gates, flood gates, and legacy structures	☐
Bioengineered bank stabilization	☐
Restoration and enhancement of off-channel and side-channel habitat	☐
Water conservation projects for enhancement of fish and wildlife habitat	☐
Floodplain restoration	☐
Removal of pilings and other in-water structures	☐
Removal of nonnative terrestrial and aquatic invasive species and revegetation with native plants	☐
Establishment, restoration, and enhancement of tidal, subtidal, and freshwater wetlands (incl. vernal pools and managed wetlands)	☐
Establishment, restoration, and enhancement of stream and riparian habitat and upslope watershed sites	☐

Project Description attached?

Project Area Map(s) attached?

PROHIBITED ACTIVITIES

Are any of the prohibited activities a part of the proposed project?

If yes, it is unlikely the PBO will be applicable to your project. However, if you believe your project does qualify, please identify which prohibited activities are part of your project and describe in detail why you believe your project can fit within the context of the PBO in an attached statement.

INFORMATION TO INCLUDE

Include a project description as an attachment to this ESA Section 7(a)(2) Review Form. Use the following checklist to ensure that the project description includes all necessary information.

Project goals and objectives	☐
An Official Species List from the USFWS Information for Planning and Consultation (IPaC) online tool to identify the listed species of interest at the project location (based on this evaluation, identification of the Covered Species, presence of suitable habitat onsite, and their potential to occur onsite). Include the number generated from IPaC for USFWS tracking purposes	☐
Describe the problem being addressed by the project and the context of this issue in the watershed	☐
Description of the type of project and restoration techniques used (culvert replacement, instream habitat improvements, etc.)	☐
Project dimensions	☐
Project area maps	☐
Description of construction activities anticipated (types of equipment, timing, and staging areas or access roads required) and the materials that will be used	☐
If dewatering of the work site will be necessary, a description of temporary dewatering methods, including USFWS-approved Biologist(s) who will be on site to capture and transport protected or listed fish or other listed wildlife species	☐
Construction start and end dates, including specific dates of in-water work and the application of work windows	☐
Estimated number of creek crossings and types of vehicles used during construction	☐
In instances when vegetation will be affected as a result of the project (including removal and replacement), a visual assessment of dominant native shrubs and trees, approximate species diversity, and approximate acreage or square feet	☐
Description of existing site conditions and an explanation of how proposed activities improve or maintain these conditions for Covered Species within expected natural variability	☐
Pre-project photo-monitoring data (in accordance with CDFW photo-monitoring guidelines, and as described in Woodward and Hollar [2011] https://pubs.usgs.gov/tm/tm2a11/.)	☐
Description of key habitat elements (temperature; type: pool, riffle, or flatwater; estimate of instream shelter and shelter components; water depth; dominant substrate type, etc.) for Covered Species in the project vicinity	☐
Concise summary of effects to listed species from the proposed project in conjunction with any conservation measures that will be implemented. Briefly describe the anticipated effects for each of the affected species. (e.g. loss of habitat, handling and relocation, take, etc.). Please refer to the Self-Imposed Annual Take Limits Table in the PBO, and provided in Attachment B to this form. Be sure to use the same terminology when describing the anticipated impacts to individual(s) of each species	☐
Concise summary of effects to critical habitat, if applicable. Briefly describe the anticipated effects to the respective critical habitat for each affected species, as applicable (e.g., loss of biological features, etc.)	☐
Information for biologists seeking USFWS-approval. See details regarding USFWS-approved biologists below (page 7)	☐
Any modified conservation measures as indicated by the checklist below	☐
All required plans associated with the project as required by applicable conservation measures	☐
Proposed monitoring plan for the project	☐

HERBICIDES:

Will herbicide use be a component of the restoration project? If so, identify which active ingredients will be used:

- ☐ 2,4-D (amine)
- ☐ Aminopyralid
- ☐ Chlorsulfuron
- ☐ Clethodim
- ☐ Clopyralid
- ☐ Dicamba
- ☐ Glyphosate 1 (aquatic)
- ☐ Imazapic
- ☐ Imazapyr
- ☐ Metsulfuron methyl
- ☐ Picloram
- ☐ Sethoxydim
- ☐ Sulfometuron
- ☐ Triclopyr (TEA)
- ☐ Other - Provide a complete effects analysis to allow the USFWS to determine if application of this herbicide can be covered under the PBO. In your attached project description, please include details on the proposed application of herbicides along with the protective measures that will be incorporated into your project to minimize adverse affects from the use of the herbicide(s). If the protective measures are not consistent, where applicable, with the "Best Management Practices for Wildland Stewardship: Protecting Wildlife When Using Herbicides for Invasive Plant Management (Cal-IPC 2015 or the most recent version)", attach a project-specific Integrated Pest Management Plan.

COVERED WILDLIFE SPECIES / CRITICAL HABITAT LIST

NO EFFECT SPECIES LIST

List all species from the project's Official Species List generated by the USFWS Information and Planning and Consultation (IPaC) online tool (https://ipac.ecosphere.fws.gov/) that you have determined will not be affected by project activities:

AFFECTED SPECIES

Complete the following table by indicating which species will be affected by the project; whether there are effects to critical habitat; whether the species occurs or is assumed to occur within the project area with the year of the most recent known occurrence; and whether incidental take of the species is anticipated. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. The PBO includes a table with the self-imposed take limits for covered animal species.

Amphibians

Common Name	Project level effects (check for yes)	Critical Habitat effects (check for yes)	Species occurs in project vicinity (check for yes)	Year of most recent occurrence (if known)	NLAA or amount/extent of estimated take
arroyo toad	☐	☐	☐		
California red-legged frog	☐	☐	☐		
California tiger salamander (Central California DPS)	☐	☐	☐		
California tiger salamander (Santa Barbara County DPS)	☐	☐	☐		
foothill yellow-legged frog	☐	Not Applicable	☐		
mountain yellow-legged frog (Northern California DPS)	☐	☐	☐		
Santa Cruz long-toed salamander	☐	Not Applicable	☐		
Sierra Nevada yellow-legged frog	☐	☐	☐		
western spadefoot (Northern DPS)	☐	Not Applicable	☐		
western spadefoot (Southern DPS)	☐	Not Applicable	☐		
Yosemite toad	☐	☐	☐		

Reptiles

Common Name	Project level effects (check for yes)	Critical Habitat effects (check for yes)	Species occurs in project vicinity (check for yes)	Year of most recent occurrence (if known)	NLAA or amount/extent of estimated take
Alameda whipsnake (=striped racer)	☐	☐	☐		
giant garter snake	☐	Not Applicable	☐		
northwestern pond turtle	☐	Not Applicable	☐		
San Francisco garter snake	☐	Not Applicable	☐		
southwestern pond turtle	☐	Not Applicable	☐		

Birds

Common Name	Project level effects (check for yes)	Critical Habitat effects (check for yes)	Species occurs in project vicinity (check for yes)	Year of most recent occurrence (if known)	NLAA or amount/extent of estimated take
California least tern	☐	Not Applicable	☐		
California Ridgway's rail	☐	Not Applicable	☐		
California spotted owl (Coastal-Southern California DPS)	☐	Not Applicable	☐		
California spotted owl (Sierra Nevada DPS)	☐	Not Applicable	☐		
coastal California gnatcatcher	☐	☐	☐		
least Bell's vireo	☐	☐	☐		
light-footed Ridgway's rail	☐	☐	☐		
marbled murrelet	☐	☐	☐		
northern spotted owl	☐	☐	☐		
southwestern willow flycatcher	☐	☐	☐		Not Available (NLAA)
western snowy plover (Pacific Coast DPS)	☐	☐	☐		
yellow-billed cuckoo (Western DPS)	☐	☐	☐		Not Available (NLAA)

Mammals

Common Name	Project level effects (check for yes)	Critical Habitat effects (check for yes)	Species occurs in project vicinity (check for yes)	Year of most recent occurrence (if known)	NLAA or amount/extent of estimated take
riparian (San Joaqion Valley) woodrat	☐	Not Applicable	☐		
riparian brush rabbit	☐	Not Applicable	☐		
salt marsh harvest mouse	☐	Not Applicable	☐		
San Bernardino kangaroo rat	☐	☐	☐		

Invertebrates

Common Name	Project level effects (check for yes)	Critical Habitat effects (check for yes)	Species occurs in project vicinity (check for yes)	Year of most recent occurrence (if known)	NLAA or amount/extent of estimated take
California freshwater shrimp	☐	Not Applicable	☐		
Conservancy fairy shrimp	☐	☐	☐		
longhorn fairy shrimp	☐	☐	☐		
Mount Hermon June Beetle	☐	Not Applicable	☐		
Riverside fairy shrimp	☐	☐	☐		
San Diego fairy shrimp	☐	☐	☐		
Smith's blue butterfly	☐	Not Applicable	☐		
valley elderberry longhorn beetle	☐	☐	☐		
vernal pool fairy shrimp	☐	☐	☐		
vernal pool tadpole shrimp	☐	☐	☐		

Fish

Common Name	Project level effects (check for yes)	Critical Habitat effects (check for yes)	Species occurs in project vicinity (check for yes)	Year of most recent occurrence (if known)	NLAA or amount/extent of estimated take
delta smelt	☐	☐	☐		
Lahontan cutthroat trout	☐	Not Applicable	☐		
longfin smelt (San Francisco Bay-Delta DPS)	☐	Not Applicable	☐		
tidewater goby	☐	☐	☐		
unarmored threespine stickleback	☐	Not Applicable	☐		

Plants

Common Name	Project level effects (check for yes)	Critical Habitat (check for yes)	Species occurs in project vicinity (check for yes)	Year of most recent occurrence (if known)	Adverse effects anticipated (check for yes)
Vernal Pool Plant Species					
Butte County meadowfoam	☐	☐	☐		☐
California Orcutt grass	☐	Not Applicable	☐		☐
Contra Costa goldfields	☐	☐	☐		☐
few-flowered navaretia	☐	Not Applicable	☐		☐
fleshy owl's-clover	☐	☐	☐		☐
hairy Orcutt grass	☐	☐	☐		☐
Hoover's spurge	☐	☐	☐		☐
Otay Mesa-mint	☐	Not Applicable	☐		☐
Sacramento Orcutt grass	☐	☐	☐		☐
San Diego ambrosia	☐	☐	☐		☐
San Diego button-celery	☐	Not Applicable	☐		☐
San Joaquin (=San Joaquin Valley) Orcutt grass	☐	☐	☐		☐
slender Orcutt grass	☐	☐	☐		☐
spreading navarretia	☐	☐	☐		☐
thread-leaved brodiaea	☐	☐	☐		☐
Non-Vernal Pool Plant Species					
Ben Lomond spineflower	☐	Not Applicable	☐		☐
California seablite	☐	Not Applicable	☐		☐
Howell's spineflower	☐	Not Applicable	☐		Not Available (NLAA)
La Graciosa thistle	☐	☐	☐		☐
marsh sandwort	☐	☐	☐		☐
palmate-bracted bird's-beak	☐	Not Applicable	☐		Not Available (NLAA)
pedate checker-mallow	☐	☐	☐		Not Available (NLAA)
salt marsh bird's-beak	☐	Not Applicable	☐		☐
Santa Ana River woolly-star	☐	Not Applicable	☐		Not Available (NLAA)
slender-horned spineflower	☐	Not Applicable	☐		Not Available (NLAA)
soft bird's-beak	☐	☐	☐		Not Available (NLAA)
Sonoma alopecurus	☐	Not Applicable	☐		Not Available (NLAA)
Suisun thistle	☐	☐	☐		Not Available (NLAA)
Ventura marsh milk-vetch	☐	☐	☐		☐

USFWS-APPROVED BIOLOGISTS:

Submit the following information for each biologist seeking USFWS approval:

- For biologists who have permits for the requested work (e.g. 10(a)1(a) Recovery permit) or have been previously approved by the USFWS for the work being requested, provide the permits held to conduct the requested activities and/or the project reference number and date of the previous USFWS approvals.
- For biologists who do not have permits or have not been previously approved for the requested work, submit the following:
    - A list of their experience conducting each of the requested activities including the number of hours worked. (Be specific.)
    - A list of any trainings that are relevant to the requested activities.
    - A resume which includes all relevant work experience and references that can speak to the biologists' experience conducting the requested activities

CONSERVATION MEASURES:

Review all programmatic conservation measures and indicate whether the measure will be implemented, is not applicable, or a modified measure has been proposed. The checklists for General Protection Measures, Water Quality and Hazardous Material Measures, In-Water Measures, Vegetation/Habitat Disturbance and Revegetation Measures, and the All Species Measures in the Species Protection Measures section (pages 9-11) should be completed for all projects. At the beginning of each Guild and Species-Specific Measures section, indicate if the Guild and Species-Specific Measures would apply (pages 11-21) and complete Guild and Species-Specific Measures checklists **only for guilds/species that will be affected by the project.**

Ensure that all conservation measures listed in supporting documentation (e.g. biological assessment, CESA and CEQA documents) align with the conservation measures listed in the PBO. Any discrepancies or conflicting conservation measures should be addressed before submission of this ESA Section 7(a)(2) Review Form.

Include any modified measures in the project description. All required plans (e.g. herbicide use plan, capture and relocation plan, monitoring plan) should also be included as a part of the project description.

GENERAL PROTECTION MEASURES

See attached general protection measures for further details.

General Protection Measures	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
GPM-1, Receipt and Copies of All Permits and Authorizations	☐	☐	☐
GPM-2, Construction Work Windows	☐	☐	☐
GPM-3, Construction Hours	☐	☐	☐
GPM-4, Environmental Awareness Training	☐	☐	☐
GPM-5, Environmental Monitoring	☐	☐	☐
GPM-6, Work Area and Speed Limits	☐	☐	☐
GPM-7, Environmentally Sensitive Areas and/or Wildlife Exclusion	☐	☐	☐
GPM-8, Prevent Spread of Invasive Species	☐	☐	☐
GPM-9, Practices to Prevent Pathogen Contamination	☐	☐	☐
GPM-10, Equipment Maintenance and Materials Storage	☐	☐	☐
GPM-11, Material Disposal	☐	☐	☐
GPM-12, Fugitive Dust Reduction	☐	☐	☐
GPM-13, Trash Removed Daily	☐	☐	☐
GPM-14, Project Cleanup after Completion	☐	☐	☐
GPM-15, Revegetate Disturbed Areas	☐	☐	☐
GPM-16, Wildfire Prevention	☐	☐	☐

WATER QUALITY AND HAZARDOUS MATERIALS

Water Quality and Hazardous Materials Measures	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
WQHM-1, Staging Areas and Stockpiling of Materials and Equipment	☐	☐	☐
WQHM-1, Storm Water Pollution Prevention Plan	☐	☐	☐
WQHM-3, Erosion Control Plans	☐	☐	☐
WQHM-4, Hazardous Materials Management and Spill Response	☐	☐	☐
WQHM-5, In-Water Concrete Use	☐	☐	☐

IN-WATER MEASURES

General In-Water Measures	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
IWW-1, Appropriate In-Water Materials	☐	☐	☐
IWW-2, In-Water Vehicle Selection and Work Access	☐	☐	☐
IWW-3, In-Water Placement of Materials, Structures, and Operation of Equipment	☐	☐	☐
IWW-4, In-Water Staging Areas and Use of Barges	☐	☐	☐
IWW-5, Cofferdam Construction	☐	☐	☐
IWW-6, Dewatering/Diversion	☐	☐	☐
IWW-7, Fish and Aquatic Species Exclusion While Installing Diversion Structures	☐	☐	☐
IWW-8, Removal of Diversion and Barriers to Flow	☐	☐	☐
IWW-9, In-Water Pile Driving Plan for Sound Exposure	☐	☐	☐
IWW-10, In-Water Pile Driving Methods	☐	☐	☐
IWW-11, Sediment Contaminant during In-Water Pile Driving	☐	☐	☐
IWW-12, Pile Driving Monitoring	☐	☐	☐
IWW-13, Dredging Operations and Dredging Materials Reuse Plan	☐	☐	☐

VEGETATION/HABITAT DISTURBANCE AND REVEGETATION

Vegetation/Habitat Disturbance and Revegetation Measures	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
VHDR-1, Avoidance of Vegetation Disturbance	☐	☐	☐
VHDR-2, Native and Invasive Vegetation Removal Materials and Methods	☐	☐	☐
VHDR-3, Revegetation Materials and Methods	☐	☐	☐
VHDR-4, Revegetation Erosion Control Materials and Methods	☐	☐	☐
VHDR-5, Revegetation Monitoring and Reporting	☐	☐	☐
VHDR-6, General Herbicide Use	☐	☐	☐
VHDR-7, Herbicide Application Planning	☐	☐	☐
VHDR-8, Herbicide Application Reporting	☐	☐	☐

SPECIES PROTECTION MEASURES

ALL SPECIES:

See attached protection measures for further detail.

All-Species Protection Measures	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
ASP-1, Qualifications of the Qualified Biologist and USFWS-Approved Biologist	☐	☐	☐
ASP-2, Preconstruction Surveys	☐	☐	☐
ASP-3, Species Capture, Handling, and Translocation	☐	☐	☐
ASP-4, Covered Species Entrapment Prevention	☐	☐	☐
ASP-5, Airborne Noise Reduction	☐	☐	☐

GUILD MEASURES AND SPECIES-SPECIFIC MEASURES

Amphibians:

Does the proposed project affect covered species within this guild?

If yes, complete the tables below. If no, proceed to the next guild. See Appendix C for further detail on protection measures.

General Amphibian Protection Measures	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
AMP-1, Wildlife Passage Design	☐	☐	☐
AMP-2, Rain Event Limitations	☐	☐	☐
AMP-3, Preconstruction Survey	☐	☐	☐
AMP-4, Disease Prevention and Decontamination	☐	☐	☐
AMP-5, Lighting	☐	☐	☐
AMP-6, Clearing and Grubbing Vegetation	☐	☐	☐
AMP-7, Pump Screens	☐	☐	☐
AMP-8, Removal of Nonnative Invasive Species	☐	☐	☐
AMP-9, Placement of Suitable Erosion Control Material	☐	☐	☐
AMP-10, Encounters with Species	☐	☐	☐
AMP-11, Species Observations and Handling Protocol	☐	☐	☐

ARROYO TOAD	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
ARTO-1, Conduct Habitat Assessment	☐	☐	☐
ARTO-2, Work Window	☐	☐	☐

CALIFORNIA RED-LEGGED FROG AND CALIFORNIA TIGER SALAMANDER (SONOMA COUNTY DPS, CENTRAL CALIFORNIA DPS, AND SANTA BARBARA DPS)	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
CRLF-CTS-1, Work Windows	☐	☐	☐
CRLF-CTS-2, Nonnative Animal Removal	☐	☐	☐

SIERRA NEVADA YELLOW-LEGGED FROG, MOUNTAIN YELLOW-LEGGED FROG (NORTHERN CALIFORNIA DPS), AND FOOTHILL YELLOW-LEGGED FROG	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
SNYLF-MYLF-FYLF-1, Work Windows	☐	☐	☐
SNYLF-MYLF-FYLF-2, Water Temperature	☐	☐	☐
SNYLF-MYLF-FYLF-3, Borrow Site Sediment Control	☐	☐	☐

YOSEMITE TOAD	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
YOTO-1, Work Windows	☐	☐	☐
YOTO-2, Water Temperature	☐	☐	☐
YOTO-3, Borrow Site Sediment Control	☐	☐	☐
YOTO-4, Lupine Areas	☐	☐	☐
YOTO-5, Debris Disposal and Piling	☐	☐	☐
YOTO-6, Burning Piles	☐	☐	☐

WESTERN SPADEFOOT (NORTHERN DPS AND SOUTHERN DPS)	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
WSF-1,Upland Burrow Avoidance	☐	☐	☐
WSF-2, Work Windows	☐	☐	☐
WSF-3, Preconstruction Surveys	☐	☐	☐
WSF-4, Environmentally Sensitive Areas and Wildlife Exclusion	☐	☐	☐

SANTA CRUZ LONG-TOED SALAMANDER	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
SCLTS-1, Habitat Impact Avoidance	☐	☐	☐
SCLTS-2, Work Windows	☐	☐	☐

Reptiles:

Does the proposed project affect covered species within this guild?

If yes, complete the tables below. If no, proceed to the next guild. See Appendix C for further detail on protection measures.

General Reptile Protection Measures	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
REP-1, Preconstruction Survey	☐	☐	☐
REP-2, Environmentally Sensitive and Wildlife Exclusion	☐	☐	☐
REP-3, Clearing and Grubbing Vegetation	☐	☐	☐
REP-4, Prohibited Use of Rodenticides	☐	☐	☐
REP-5, Species Observations and Encounters	☐	☐	☐
REP-6, Species Handling and Relocation	☐	☐	☐

ALAMEDA WHIPSNAKE (=STRIPED RACER)	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
AWS-1, Habitat Avoidance and Work Window	☐	☐	☐
AWS-2, Daily Timing Restrictions	☐	☐	☐

GIANT GARTER SNAKE	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
GGS-1, Biologists	☐	☐	☐
GGS-2, Minimize Footprint	☐	☐	☐
GGS-3, Work Window	☐	☐	☐
GGS-4, Speed Limit	☐	☐	☐
GGS-5, Minimize Clearing	☐	☐	☐
GGS-6, Environmentally Sensitive Areas and Wildlife Exclusion	☐	☐	☐
GGS-7, Minimize Impacts during Clearing	☐	☐	☐
GGS-8, Work Stoppage	☐	☐	☐
GGS-9, Working in Aquatic Habitat	☐	☐	☐
GGS-10, Dewatering Activities	☐	☐	☐
GGS-11, Snake Observation	☐	☐	☐

SAN FRANCISCO GARTER SNAKE	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
SFGS-1, Speed Limit	☐	☐	☐
SFGS-2, Work Window	☐	☐	☐
SFGS-3, Daily Timing Restrictions	☐	☐	☐
SFGS-4, Working in or near Aquatic Habitat	☐	☐	☐
SFGS-5, Brush Piles	☐	☐	☐

WESTERN POND TURTLES (NORTHWESTERN POND TURTLE AND SOUTHWESTERN POND TURTLE)	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
WPT-1, Habitat Avoidance	☐	☐	☐
WPT-2, Visual Encounter Surveys	☐	☐	☐
WPT-3, Work Windows	☐	☐	☐
WPT-4, Environmentally Sensitive Areas and Wildlife Exclusion	☐	☐	☐
WPT-5, Capture and Relocation	☐	☐	☐
WPT-6, No Net Loss of Basking Habitat	☐	☐	☐
WPT-7, Avoid Excessively Shading Nesting Habitat	☐	☐	☐

Birds:

Does the proposed project affect covered species within this guild?

If yes, complete the tables below. If no, proceed to the next guild. See Appendix C for further detail on protection measures.

GENERAL RAIL PROTECTION MEASURES (CALIFORNIA RIDGWAY'S RAIL, LIGHT-FOOTED RIDGWAY'S RAIL, AND YUMA RIDGWAY'S RAIL)	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
RAILS-1, Habitat Avoidance	☐	☐	☐
RAILS-2, Work Area Limits	☐	☐	☐
RAILS-3, Site Access Restrictions	☐	☐	☐
RAILS-4, Avoid Placement of Predator Perches	☐	☐	☐
RAILS-5, Use of Handheld Tools	☐	☐	☐
RAILS-6, Site Stabilization	☐	☐	☐

CALIFORNIA RIDGWAY'S RAIL	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
CRR-1, Protocol-Level Presence/Absence Surveys	☐	☐	☐
CRR_2, Species Avoidance and Work Windows	☐	☐	☐

LIGHT-FOOTED RIDGWAY'S RAIL	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
LFRR-1, Habitat Assessment	☐	☐	☐
LFRR-2, Work Windows	☐	☐	☐

CALIFORNIA LEAST TERN	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
CLT-1, Habitat Avoidance	☐	☐	☐
CLT-2, Work Windows	☐	☐	☐
CLT-3, Encounters with Species	☐	☐	☐
CLT-4, Work Area Limits	☐	☐	☐
CLT-5, Site Restrictions	☐	☐	☐
CLT-6, Avoid Placement of Predator Perches	☐	☐	☐
CLT-7, Use of Handheld Tools and Heavy Equipment	☐	☐	☐

WESTERN SNOWY PLOVER (PACIFIC COAST DPS)	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
WSP-1, Habitat Avoidance	☐	☐	☐
WSP-2, Work Windows	☐	☐	☐
WSP-3, Environmental Awareness Training	☐	☐	☐
WSP-4, Nonbreeding "Wintering" Season Measures	☐	☐	☐
WSP-5, Breeding Season Measures	☐	☐	☐
WSP-6, Predator Avoidance	☐	☐	☐

COASTAL CALIFORNIA GNATCATCHER	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
CAGN-1, Habitat Assessment	☐	☐	☐
CAGN-2, Habitat Avoidance	☐	☐	☐
CAGN-3, Work Windows	☐	☐	☐
CAGN-4, Work Restrictions near Active Nests	☐	☐	☐

MARBLED MURRELET	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
MAMU-1, Work Restrictions in Occupied Habitat	☐	☐	☐
MAMU-2, Work Restrictions in Unoccupied Habitat	☐	☐	☐
MAMU-3, Work Restrictions in Marbled Murrelet Critical Habitat	☐	☐	☐

NORTHERN SPOTTED OWL	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
NSO-1, Inquire with USFWS on Northern Spotted Owl Data Records	☐	☐	☐
NSO-2, Protocol-Level Surveys	☐	☐	☐
NSO-3, Habitat Avoidance	☐	☐	☐
NSO-4, Avoid Reducing Habitat Quality	☐	☐	☐
NSO-5, Avoid Foraging Habitat	☐	☐	☐
NSO-6, Work Restrictions in Previously Surveyed Landscape	☐	☐	☐
NSO-7, Work Restrictions in Unsurveyed Landscape	☐	☐	☐
NSO-8, Work Restrictions in Designated Critical Habitat	☐	☐	☐

CALIFORNIA SPOTTED OWL (COASTAL-SOUTHERN CALIFORNIA DPS AND SIERRA NEVADA DPS)	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
CSO-1, Inquire with USFWS on California Spotted Owl Data Records	☐	☐	☐
CSO-2, Protocol-Level Surveys	☐	☐	☐
CSO-3, Habitat Avoidance	☐	☐	☐
CSO-4, Avoid Reducing Nesting and Roosting Habitat Quality	☐	☐	☐
CSO-5, Avoid Reducing Foraging Habitat Quality	☐	☐	☐
CSO-6, Work Windows to Avoid Impacts from Noise and Smoke	☐	☐	☐
CSO-7, Work Windows to Avoid Impacts from Habitat Modification	☐	☐	☐

LEAST BELL'S VIREO	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
LBV-1, Habitat Assessment	☐	☐	☐
LBV-2, Habitat Avoidance	☐	☐	☐
LBV-3, Work Windows	☐	☐	☐
LBV-4, Work Restrictions near Active Nests	☐	☐	☐

SOUTHWESTERN WILLOW FLYCATCHER AND YELLOW-BILLED CUCKOO (WESTERN U.S. DPS)	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
SWWF-YBC-1, Habitat Assessment	☐	☐	☐
SWWF-YBC-2, Habitat Buffer	☐	☐	☐
SWWF-YBC-3, Minimizing Suitable Habitat Adverse Effects	☐	☐	☐
SWWF-YBC-4, Minimizing and Avoiding Critical Habitat Adverse Effects	☐	☐	☐

Mammals:

Does the proposed project affect covered species within this guild?

If yes, complete the tables below. If no, proceed to the next guild. See Appendix C for further detail on protection measures.

SAN BERNARDINO KANGAROO RAT	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
KRAT-1, Conduct Habitat Assessment	☐	☐	☐
KRAT-2, Habitat Buffer	☐	☐	☐
KRAT-3, Avoidance Areas	☐	☐	☐
KRAT-4, Minimizing Suitable Habitat Adverse Effects	☐	☐	☐
KRAT-5, Minimizing and Avoiding Critical Habitat Adverse Effects	☐	☐	☐

RIPARIAN WOODRAT AND RIPARIAN BRUSH RABBIT	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
RW-RBR-1, Habitat Assessment and Surveys	☐	☐	☐
RW-RBR-2, Habitat Avoidance (Occupied Habitat)	☐	☐	☐
RW-RBR-3, Habitat Avoidance (Unoccupied Suitable Habitat)	☐	☐	☐

SALT MARSH HARVEST MOUSE	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
SMHM-1, Vegetation Removal, Other Construction Activities, and Monitoring	☐	☐	☐

Invertebrates:

Does the proposed project affect covered species within this guild?

If yes, complete the tables below. If no, proceed to the next guild. See Appendix C for further detail on protection measures.

CALIFORNIA FRESHWATER SHRIMP	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
CAFS-1, Preconstruction Survey	☐	☐	☐
CAFS-2, Work Windows	☐	☐	☐
CAFS-3, Site Access Restrictions	☐	☐	☐
CAFS-4, Capture and Relocation	☐	☐	☐
CAFS-5, Dewatering	☐	☐	☐
CAFS-6, Habitat Protection	☐	☐	☐
CAFS-7, Rehabilitate Disturbed Habitat	☐	☐	☐

VERNAL POOL BRANCHIOPODS	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
VPBR-1, Work Windows	☐	☐	☐
VPBR-2, Biological Monitor	☐	☐	☐
VPBR-3, Work Restrictions during Wet Season	☐	☐	☐
VPBR-4, Site Restrictions	☐	☐	☐
VPBR-5, Erosion Control	☐	☐	☐
VPBR-6, Dust Control	☐	☐	☐
VPBR-7, Prevent Hybridization	☐	☐	☐
VPBR-8, Herbicide Application, Clearing, and Ground Disturbance near Vernal Pools	☐	☐	☐
VPBR-9, Ground Disturbance in Vernal Pools	☐	☐	☐

VALLEY ELDERBERRY LONGHORN BEETLE	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
VELB-1, Protocol Implementation	☐	☐	☐
VELB-2, Elderberry Plantings	☐	☐	☐

SMITH'S BLUE BUTTERFLY	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
Butterfly-1, Preconstruction Survey	☐	☐	☐
Butterfly-2, Site Restrictions	☐	☐	☐
Butterfly-3, Biological Monitor	☐	☐	☐
Butterfly-4, Environmentally Sensitive Areas	☐	☐	☐
Butterfly-5, Dust Control	☐	☐	☐
Butterfly-6, Encounters with Species	☐	☐	☐
Butterfly-7, Restoration of Disturbed Areas	☐	☐	☐

MOUNT HERMON JUNE BEETLE	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
MHJB-1, Species Handling and Relocation	☐	☐	☐
MHJB-2, Work Windows	☐	☐	☐
MHJB-3, Lighting	☐	☐	☐
MHJB-4, Landscaping Elements	☐	☐	☐

Fish:

Does the proposed project affect covered species within this guild?

If yes, complete the tables below. If no, proceed to the next guild. See Appendix C for further detail on protection measures.

General Fish Protection Measures	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
FISH-1, Habitat Disturbance Avoidance and Minimization	☐	☐	☐
FISH-2, Habitat Assessment and Surveys	☐	☐	☐
FISH-3, Fish Capture and Relocation	☐	☐	☐
FISH-4, Reporting	☐	☐	☐

TIDEWATER GOBY	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
TIGO-1, Capture and Relocation	☐	☐	☐

UNARMORED THREESPINE STICKLEBACK	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
UTS-1, Habitat Disturbance	☐	☐	☐

DELTA SMELT	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
DS-1, Work Windows	☐	☐	☐

LONGFIN SMELT (SAN FRANCISCO BAY-DELTA DPS)	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
LFS-1, Work Windows	☐	☐	☐
LFS-2, Capture and Relocation	☐	☐	☐

LAHONTAN CUTTHROAT TROUT	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
LCT-1, Work Windows	☐	☐	☐

Plants:

Does the proposed project affect covered species within this guild?

If yes, complete the tables below. If no, proceed to the next guild. See Appendix C for further detail on protection measures.

General Plant Protection Measures	Will be implemented (check for yes)	Not applicable (check for yes)	Modified measure proposed (check for yes)
PLANT-1, Habitat Assessment and Surveys	☐	☐	☐
PLANT-2, Exclusion Buffer Establishment	☐	☐	☐
PLANT-3, Exceptions to Work Restrictions in the Exclusion Buffer	☐	☐	☐
PLANT-4, Additional Seasonal Avoidance of Vernal Pool Plant Species and Other Covered Annual and Perennial Species Beyond the Exclusion Buffer	☐	☐	☐
PLANT-5, Biological Monitoring	☐	☐	☐
PLANT-6, Herbicide Application, Clearing, and Ground Disturbance near Covered Plants	☐	☐	☐
PLANT-7, Measures for When Effects Cannot Be Avoided	☐	☐	☐
PLANT-8, Vernal Pool Plant Species Measures for Temporary Vernal Pool Habitat Impacts	☐	☐	☐

CUMULATIVE ACTIONS

Please identify any future state or private activities, not involving federal actions, that may affect Covered Species in the general area of the project, if known:

PROJECT APPROVAL AND SIGNATURES

To be completed by the Project Proponent and/or the Action Agency.

☐ This ESA Section 7(a)(2) Review Form and its attachments have been submitted to the USFWS for their consideration to include the described restoration project among the restoration projects included in the Programmatic Biological and Conference Opinion (USFWS File Number: 2022_0005149-S7). Upon approval of the USFWS, we agree to conduct the activities as specified in this ESA Section 7(a)(2) Review Form and its attachments according to the terms and conditions of the PBO and its supporting documents. We also acknowledge that any applicable reasonable and prudent measures and terms and conditions included in the PBO incidental take statement are non-discretionary and must be undertaken by the Action Agency and Project Proponent, and included in any permit or other authorization issued by the Action Agency to the Project Proponent, for the exemption in ESA section 7(o)(2) to apply.

Project Proponent Signature:

Name (printed):

_____

Title:

_____

Organization:

_____

Action Agency Signature:

Name (printed):

_____

Title:

_____

Agency:

_____

Action Agency Notes:

To be completed by the USFWS Field Office

☐ USFWS concurs that the described restoration project is a covered activity and effects to the listed species and any associated critical habitat presented in this ESA Section 7(a)(2) Review Form have been analyzed in the Programmatic Biological and Conference Opinion (PBO) for the California Statewide Programmatic Restoration Effort (USFWS File Number: 2022-0005149-S7). Take of listed species as indicated in this form is in accordance with the PBO's incidental take statement and exempted under section 7(o)(2) of the Act. The proposed project and its activities are covered by the PBO under USFWS File Number: 2022-0005149-S7.Therefore, no further action pursuant to the ESA is necessary for the proposed project unless the amount or extent of taking specified in the PBO incidental take statement is exceeded; new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered; the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered; or a new species is listed or critical habitat designated that may be affected by the identified action.

USFWS Notes:

USFWS Signature:

Name:

Title:

Field Office:

ECOSphere Species Consultation Code: