

APPENDIX C
Agency Correspondence

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United States Department of the Interior

recd April 11 '95
"C94-179"

FISH AND WILDLIFE SERVICE
911 NE 11th Avenue
Portland, Oregon 97232-4181

IN REPLY REFER TO
FWS/ARN-RE

1995

Dennis P. Brennan, Jr.
Director, Real Estate Division
Department of the Navy
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, California 94066-2402

Dear Mr. Brennan:

The U.S. Fish and Wildlife Service (Service) has been informed by Duane Marti of the U.S. Bureau of Land Management that the U.S. Navy will be disposing of Naval Station Treasure Island, which includes Yerba Buena Island.

The Service recognizes Yerba Buena Island as habitat for colonial seabirds. According to a 1990 census, the island supported small nesting colonies of Brandt's cormorants (4 nests), pelagic cormorants (2 nests), western gulls (31 nests), and black oystercatcher (1 breeding bird). The Brandt's cormorant colony and the pelagic cormorant colony are the only ones in San Francisco Bay. The Brandt's and pelagic cormorants are located at site 03 within site SF-57-07 as depicted on the enclosed map. Gulls are located at sites 01 through 05. The oystercatcher is located at site 01.

While we recognize that Yerba Buena Island does not warrant incorporation into the National Wildlife Refuge System, the natural resources of the island should be protected. Access to and activities around the nesting birds on Yerba Buena Island should be restricted. We recommend that the following covenant be included in any deed conveying the property to a non-Federal entity:

The owner shall not use, or authorize the land to be used by others specifically during the breeding and nesting period between March 15 through August 30 of each year, for any purpose that would substantially or adversely interfere with its use as a seabird nesting area.

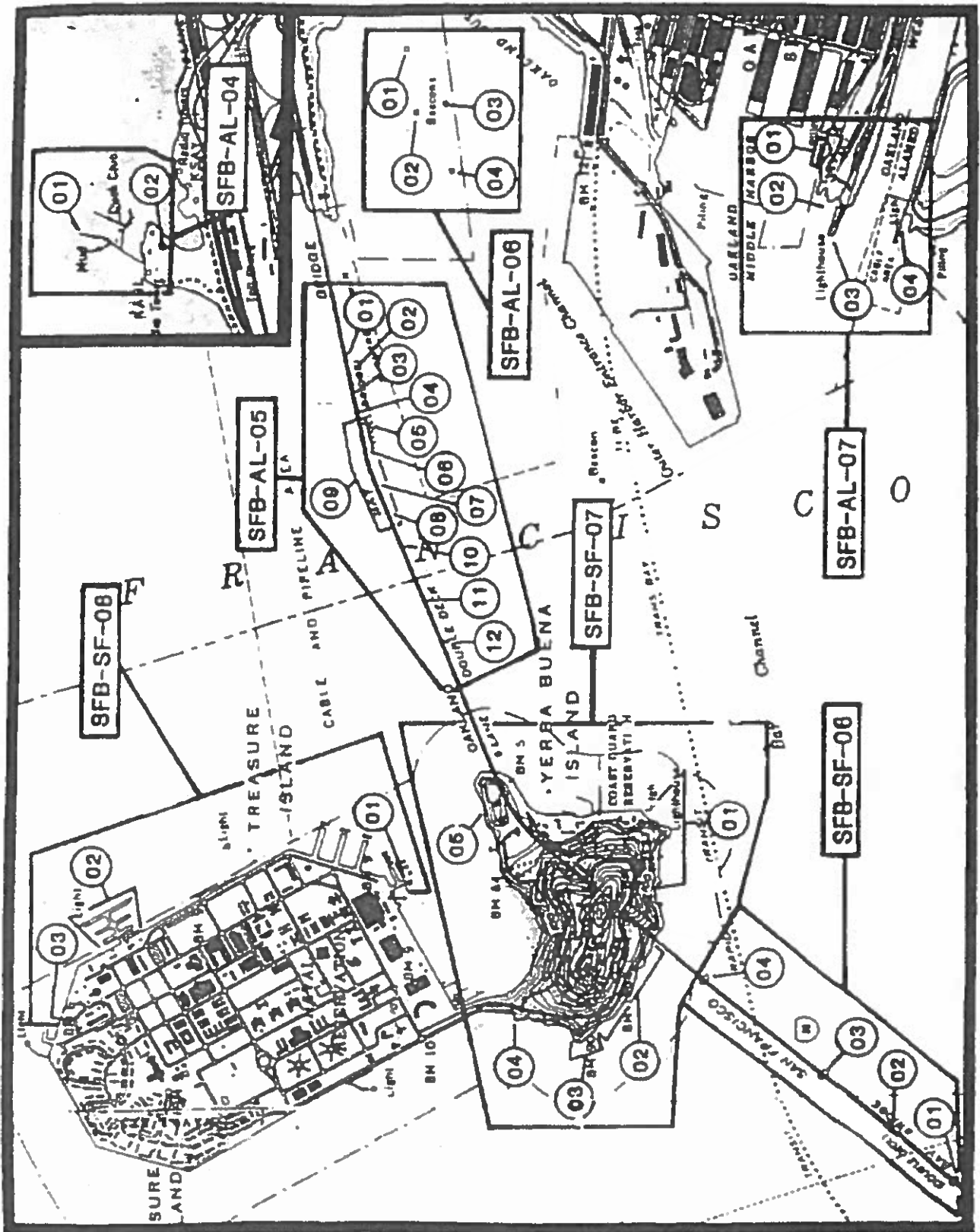
If you have any questions, please contact Richard Moore, Realty Supervisor, at (503) 231-6209 in Portland, Oregon. Thank you for your cooperation.

Sincerely,

Regional Director

Enclosure

MAP OF THE "YERBA BUENA" AREA, SAN FRANCISCO BAY, CALIFORNIA





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Sacramento Field Office
3310 El Camino Avenue, Suite 130
Sacramento, California 95821-6340

IN REPLY REFER TO:

1-1-97-I-839

February 27, 1997

Mr. Douglas Pomaroy
Group Leader, Base Conversion/Biology Section
U.S. Department of the Navy
Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, California 94066-5005

Subject: Request for Concurrence for the Proposed Closure of Naval Station Treasure Island, San Francisco County, California, on Federally Listed Plant Species

Dear Mr. Pomaroy:

The U.S. Fish and Wildlife Service (Service) has reviewed the Navy's Special-Status Plant Survey and Habitat Assessment prepared for Yerba Buena Island. The Service concurs that closure of Naval Station Treasure Island, including Yerba Buena Island, is not likely to adversely affect any federally listed plant species.

No further action pursuant to the Endangered Species Act of 1973, as amended, is necessary for listed plants. We have included an attachment of federally listed animal species in the area of Treasure Island for use in developing the draft Environmental Impact Statement (DEIR). Several special-status avian species are known to occur within the project vicinity (i.e. California brown pelican, western snowy plover, California least tern, American peregrine falcon) and should be addressed individually in the DEIR. Please feel free to contact the Service should you require further information or technical assistance. We look forward to reviewing the DEIR upon its completion.

If you have questions regarding this response, please contact Meri Moore of my staff at (916) 979-2752.

Sincerely,

Wayne S. White
Field Supervisor

Attachment

cc: CDFG, Environmental Services, Sacramento, CA
FWS, Habitat Conservation, Sacramento, CA

THREATENED & ENDANGERED ANIMALS IN THE AREA OF
OR AFFECTED BY PROJECTS IN THE AREA OF
TREASURE ISLAND, CALIFORNIA
JANUARY 27, 1997

OAKLAND WEST

- Eagle, bald, *Haliaeetus leucocephalus* (T)
- Falcon, American peregrine, *Falco peregrinus anatum* (E)
- Frog, California red-legged frog, *Rana aurora draytonii* (T)
- Goby, tidewater, *Eucyclogobius newberryi* (E)
- Mouse, salt marsh harvest, *Reithrodontomys raviventris* (E)
- Pelican, California brown, *Pelecanus occidentalis californicus* (E)
- Plover, western snowy, *Charadrius alexandrinus nivosus* (T)
- Rail, California clapper, *Rallus longirostris obsoletus* (E)
- Salamander, California tiger, *Ambystoma californiense* (C)
- Salmon, Coho - central CA coast, *Oncorhynchus kisutch* (T)
- Salmon, winter-run chinook, *Oncorhynchus tshawytscha* (E)
- Salmon, winter-run chinook critical habitat, *Oncorhynchus tshawytscha* (E)
- Smelt, delta, *Hypomesus transpacificus* (T)
- Spittail, Sacramento, *Pogonichthys macrolepidotus* (PT)
- Steelhead, Central California, *Oncorhynchus mykiss* (PE)
- Tem, California least, *Starna antillarum (=albitrons) browni* (E)
- Whipsnake, Alameda, *Masticophis lateralis euryxanthus* (PE)

SAN FRANCISCO NORTH

- Butterfly, San Bruno elfin, *Incisalia mossii bayensis* (E)
- Butterfly, mission blue, *Ioaricia icaroides missionensis* (E)
- Eagle, bald, *Haliaeetus leucocephalus* (T)
- Falcon, American peregrine, *Falco peregrinus anatum* (E)
- Frog, California red-legged frog, *Rana aurora draytonii* (T)
- Mouse, salt marsh harvest, *Reithrodontomys raviventris* (E)
- Pelican, California brown, *Pelecanus occidentalis californicus* (E)
- Plover, western snowy, *Charadrius alexandrinus nivosus* (T)
- Rail, California clapper, *Rallus longirostris obsoletus* (E)
- Salamander, California tiger, *Ambystoma californiense* (C)
- Salmon, Coho - central CA coast, *Oncorhynchus kisutch* (T)
- Salmon, winter-run chinook, *Oncorhynchus tshawytscha* (E)
- Salmon, winter-run chinook critical habitat, *Oncorhynchus tshawytscha* (E)
- Smelt, delta, *Hypomesus transpacificus* (T)
- Spittail, Sacramento, *Pogonichthys macrolepidotus* (PT)
- Steelhead, Central California, *Oncorhynchus mykiss* (PE)



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
1-1-00-SP-1247

March 21, 2000

Mr. Terry Witherspoon
Project Manager
Tetra Tech, Inc.
180 Howard Street, Suite 250
San Francisco, California 94105-1617

Subject: Species List for EIR/EIS, Disposal and Reuse of Naval Station Treasure Island, San Francisco County, California

Dear Mr. Witherspoon:

We are sending the enclosed list in response to your March 20, 2000, request for information about endangered and threatened species (Enclosure A). The list covers the following U.S. Geological Survey 7½ minute quad or quads: San Francisco South and Oakland West Quads.

Please read *Important Information About Your Species List* (enclosed). It explains how we made the list and describes your responsibilities under the Endangered Species Act. Please contact Harry Mossman, Biological Technician, at (916) 414-6650, if you have any questions about the attached list or your responsibilities under the Endangered Species Act. For the fastest response to species list requests, address them to the attention of Mr. Mossman at this address. You may fax requests to him at 414-6710 or 6711.

Sincerely,

For Karen J. Miller
Chief, Endangered Species Division

Enclosures

ENCLOSURE A
Endangered and Threatened Species that May Occur in or be Affected by
PROJECTS IN SAN FRANCISCO COUNTY
Reference File No. 1-1-00-SP-1247
March 21, 2000

Listed Species

Mammals

- sei whale, *Balaenoptera borealis* (E)
- blue whale, *Balaenoptera musculus* (E)
- finback (=fin) whale, *Balaenoptera physalus* (E)
- right whale, *Eubalaena glacialis* (E)
- humpback whale, *Megaptera novaeangliae* (E)
- sperm whale, *Physeter catodon* (=macrocephalus) (E)
- salt marsh harvest mouse, *Reithrodontomys raviventris* (E)
- Guadalupe fur seal, *Arctocephalus townsendi* (T)
- Critical Habitat, Steller (=northern) sea-lion, *Eumetopias jubatus* (T)
- Steller (=northern) sea-lion, *Eumetopias jubatus* (T)

Birds

- California brown pelican, *Pelecanus occidentalis californicus* (E)
- California clapper rail, *Rallus longirostris obsoletus* (E)
- western snowy plover, *Charadrius alexandrinus nivosus* (T)
- bald eagle, *Haliaeetus leucocephalus* (T)

Reptiles

- leatherback turtle, *Dermochelys coriacea* (E)
- loggerhead turtle, *Caretta caretta* (T)
- green turtle, *Chelonia mydas* (incl. *agassizi*) (T)
- olive (=Pacific) ridley sea turtle, *Lepidochelys olivacea* (T)

Amphibians

- California red-legged frog, *Rana aurora draytonii* (T)

Fish

- tidewater goby, *Eucyclogobius newberryi* (E)
- Critical habitat, winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)
- winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)
- delta smelt, *Hypomesus transpacificus* (T)
- Central California steelhead, *Oncorhynchus mykiss* (T)
- Sacramento splittail, *Pogonichthys macrolepidotus* (T)

Invertebrates

- mission blue butterfly, *Icaricia icarioides missionensis* (E)
- San Bruno elfin butterfly, *Incisalia mossii bayensis* (E)

Plants

Presidio manzanita, *Arctostaphylos hookeri ssp. ravenii* (E)

Presidio clarkia, *Clarkia franciscana* (E)

San Francisco lessingia, *Lessingia germanorum* (E)

Marin dwarf-flax, *Hesperolinon congestum* (T)

marsh sandwort, *Arenaria paludicola* (E)*

beach layia, *Layia carnosae* (E)*

Proposed Species**Birds**

short-tailed albatross, *Diomedea albatrus* (PE)

Candidate Species**Amphibians**

California tiger salamander, *Ambystoma californiense* (C)

Species of Concern**Mammals**

gray whale, *Eschrichtius robustus* (D)

Pacific western big-eared bat, *Corynorhinus (=Plecotus) townsendii townsendii* (SC)

greater western mastiff-bat, *Eumops perotis californicus* (SC)

long-eared myotis bat, *Myotis evotis* (SC)

fringed myotis bat, *Myotis thysanodes* (SC)

long-legged myotis bat, *Myotis volans* (SC)

Yuma myotis bat, *Myotis yumanensis* (SC)

San Francisco dusky-footed woodrat, *Neotoma fuscipes annectans* (SC)

salt marsh vagrant shrew, *Sorex vagrans halicoetes* (SC)

Birds

little willow flycatcher, *Empidonax traillii brewsteri* (CA)

black rail, *Laterallus jamaicensis coturniculus* (CA)

bank swallow, *Riparia riparia* (CA)

American peregrine falcon, *Falco peregrinus anatum* (D)

tricolored blackbird, *Agelaius tricolor* (SC)

grasshopper sparrow, *Ammodramus savannarum* (SC)

Bell's sage sparrow, *Amphispiza belli belli* (SC)

American bittern, *Botaurus lentiginosus* (SC)

ferruginous hawk, *Buteo regalis* (SC)

Vaux's swift, *Chaetura vauxi* (SC)

lark sparrow, *Chondestes grammacus* (SC)

olive-sided flycatcher, *Contopus cooperi* (SC)

hermit warbler, *Dendroica occidentalis* (SC)

white-tailed (=black shouldered) kite, *Elanus leucurus* (SC)

- long-eared myotis bat, *Myotis evotis* (SC)
- fringed myotis bat, *Myotis thysanodes* (SC)
- long-legged myotis bat, *Myotis volans* (SC)
- Yuma myotis bat, *Myotis yumanensis* (SC)
- San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (SC)
- Alameda Island mole, *Scapanus latimanus parvus* (SC)
- salt marsh vagrant shrew, *Sorex vagrans halicoetes* (SC)

Birds

- tricolored blackbird, *Agelaius tricolor* (SC)
- Bell's sage sparrow, *Amphispiza belli belli* (SC)
- ferruginous hawk, *Buteo regalis* (SC)
- little willow flycatcher, *Empidonax traillii brewsteri* (CA)
- American peregrine falcon, *Falco peregrinus anatum* (D)
- saltmarsh common yellowthroat, *Geothlypis trichas sinuosa* (SC)
- black rail, *Laterallus jamaicensis coturniculus* (CA)
- Alameda (South Bay) song sparrow, *Melospiza melodia pusillula* (SC)

Reptiles

- northwestern pond turtle, *Clemmys marmorata marmorata* (SC)
- southwestern pond turtle, *Clemmys marmorata pallida* (SC)
- California horned lizard, *Phrynosoma coronatum frontale* (SC)

Amphibians

- foothill yellow-legged frog, *Rana boylei* (SC)

Fish

- longfin smelt, *Spirinchus thaleichthys* (SC)

Invertebrates

- Bridges' Coast Range shoulderband snail, *Helminthoglypta nickliniana bridgesi* (SC)
- Ricksecker's water scavenger beetle, *Hydrochara rickseckeri* (SC)
- San Francisco lacewing, *Nothochrysa californica* (SC)

Plants

- alkali milk-vetch, *Astragalus tener* var. *tener* (SC) *
- San Francisco Bay spineflower, *Chorizanthe cuspidata* var. *cuspidata* (SC) *
- northcoast bird's-beak, *Cordylanthus maritimus* ssp. *palustris* (SC) *
- Kellogg's (wedge-leaved) horkelia, *Horkelia cuneata* ssp. *sericea* (SC) *

- alkali milk-vetch, *Astragalus tener* var. *tener* (SC) *
- compact cobweb thistle, *Cirsium occidentale* var. *compactum* (SC) *
- Diablo helianthella (=rock-rose), *Helianthella castanea* (SC) *
- Kellogg's (wedge-leaved) horkelia, *Horkelia cuneata* ssp. *sericea* (SC) *
- adobe sanicle, *Sanicula maritima* (SC) *
- San Francisco manzanita, *Arctostaphylos hookeri* ssp. *franciscana* (SC) **
- coast lily, *Lilium maritimum* (SC) ?*

KEY:

- (E) *Endangered* Listed (in the Federal Register) as being in danger of extinction.
- (T) *Threatened* Listed as likely to become endangered within the foreseeable future.
- (P) *Proposed* Officially proposed (in the Federal Register) for listing as endangered or threatened.
- (PX) *Proposed Critical Habitat* Proposed as an area essential to the conservation of the species.
- (C) *Candidate* Candidate to become a *proposed* species.
- (SC) *Species of Concern* Other species of concern to the Service.
- (D) *Delisted* Delisted. Status to be monitored for 5 years.
- (CA) *State-Listed* Listed as threatened or endangered by the State of California.
 - * *Extirpated* Possibly extirpated from the area.
 - ** *Extinct* Possibly extinct
 - Critical Habitat* Area essential to the conservation of a species.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
777 Sonoma Avenue, Ste. 325
Santa Rosa, California 95404

April 12, 2000

F/SWR:4 BMM

Terry Witherspoon
Tetra Tech, Incorporation
180 Howard Street, Suite 250
San Francisco, California 94105-1617

Dear Terry Witherspoon:

Thank you for your letter requesting a list of species of concern from the National Marine Fisheries Service (NMFS) that are found in the project area impacted by the Disposal and Reuse of Naval Station Treasure Island in San Francisco County, California.

The following fish species federally-listed under the Endangered Species Act are located within the project area:

Sacramento River winter-run chinook salmon (*Oncorhynchus tshawytscha*)- endangered
Central Valley ESU spring-run chinook salmon- (*Oncorhynchus tshawytscha*) - threatened
Central California Coast ESU steelhead (*Oncorhynchus mykiss*) - threatened
Central Valley ESU steelhead (*Oncorhynchus mykiss*) - threatened

The project is located within designated critical habitat for the above listed species.

The project location is also designated as Essential Fish Habitat (EFH) for fish species managed with the following Fishery Management Plans under the Magnuson-Stevens Fishery Conservation and Management Act:

Pacific Groundfish Fishery Management Plan
Coastal Pelagics Fishery Management Plan

Information on EFH and the Fishery Management Plans, as well as species lists for the project area, are located on our website under Habitat Conservation Division (<http://swr.ucsd.edu>).

Two species of marine mammals are located in the project area: the California sea lion and the Harbor seal. These species are protected by the Marine Mammal Protection Act.



The U. S. Fish and Wildlife Service (USFWS) may also have listed species or critical habitat under its jurisdiction in the project area. Please contact USFWS at 2800 Cottage Way, Sacramento, California 95825, or (916) 414-6600, regarding the presence of listed species or critical habitat under their jurisdiction that may be affected by your project.

If you have any questions concerning these comments, please contact Brian Mulvey at (707) 575-6056.

Sincerely,



James R. Bybee
Habitat Program Manager
Northern California Region

cc: Christina Fahy, NMFS



IN REPLY REFER TO
1-1-02-SP-306

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

November 26, 2001

Ms. Jeannette Weisman
Biologist
Tetra Tech, Inc.
180 Howard Street, Suite 250
San Francisco, California 94105

Subject: Species List for Environmental Impact Statement for Disposal and Reuse
of Naval Station Treasure Island, San Francisco County, California

Dear Ms. Weisman:

We are sending the enclosed list in response to your November 19, 2001, request for information about endangered and threatened species (Enclosure A). The list covers the following U.S. Geological Survey 7½ minute quad or quads: San Francisco North and Oakland West Quads.

Please read *Important Information About Your Species List* (enclosed). It explains how we made the list and describes your responsibilities under the Endangered Species Act. Please contact Harry Mossman, Biological Technician, at (916) 414-6674, if you have any questions about the attached list or your responsibilities under the Endangered Species Act. For the fastest response to species list requests, address them to the attention of Mr. Mossman at this address. You may fax requests to him at 414-6712 or 6713.

Sincerely,


for Jan C. Knight
Chief, Endangered Species Division

Enclosures

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute *quads*. The United States is divided into these quads, which are about the size of San Francisco. If you requested your list by quad name or number, that is what we used. Otherwise, we used the information you sent us to determine which quad or quads to use.

Animals

The animals on your species list are ones that occur within, *or may be affected by projects within*, the quads covered by the list. Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.

Plants

Any plants on your list are ones *that have actually been observed* in the quad or quads covered by the list. We have also included either a county species list or a list of species in nearby quads. We recommend that you check your project area for these plants. Plants may exist in an area without ever having been detected there.

Surveying

Some of the species on your list may not be affected by your project. A trained biologist or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list. For plant surveys, we recommend using the enclosed *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Species*. The results of your surveys should be published in any environmental documents prepared for your project.

State-Listed Species

If a species has been listed as threatened or endangered by the State of California, but not by us nor by the National Marine Fisheries Service, it will appear on your list as a Species of Concern. *However you should contact the California Department of Fish and Game for official information about these species.* Call (916) 322-2493 or write Marketing Manager, California Department of Fish and Game, Natural Diversity Data Base, 1416 Ninth Street, Sacramento, California 95814.

Your Responsibilities Under the Endangered Species Act

All plants and animals identified as *listed* on Enclosure A are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the *take* of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal. Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a *formal consultation* with the Service. Such consultation would result in a *biological opinion* addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.

If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an *incidental take permit*. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project. Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that mitigates for the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the mitigation plan in any environmental documents you file.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as *critical habitat*. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Maps and boundary descriptions of the critical habitat may be found in the *Federal Register*. The information is also reprinted in the *Code of Federal Regulations* (50 CFR 17.95).

Candidate Species

We recommend that you address impacts to *candidate* species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

Your list may contain a section called *Species of Concern*. This term includes former *category 2 candidate species* and other plants and animals of concern to the Service and other Federal, State and private conservation agencies and organizations. Some of these species may become candidate species in the future.

Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6580.

Updates

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed, candidate and special concern species in your planning, this should not be a problem. We also continually strive to make our information as accurate as possible. Sometimes we learn that a particular species has a different range than we thought. This should not be a problem if you consider the species on the county or surrounding-quad lists that we have enclosed. If you have a long-term project or if your project is delayed, please feel free to contact us about getting a current list. You can also find out the current status of a species by going to the Service's Internet page: www.fws.gov



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404

DEC - 3 2001

In reply please refer to:
151422-SWR-01-SR-937:ME

Jeanette Weisman, Biologist
Tetra Tech Inc.
180 Howard Street, Suite 250
San Francisco, California 94105

Dear Ms. Weisman:

Thank you for your letter dated November 21, 2001, regarding the presence of Federally listed threatened or endangered species or critical habitat that may be affected by the U.S. Navy's proposed Disposal and Reuse of Naval station Treasure Island, in San Francisco, California.

Available information indicates that the following listed species (Evolutionarily Significant Units) and designated critical habitat may occur in the project areas:

- Sacramento River winter-run chinook salmon (*Oncorhynchus tshawytscha*)**
 - endangered (January 4, 1994, 59 FR 440)
 - critical habitat (June 16, 1993, 58 FR 33212)
- Central Valley spring-run chinook salmon (*Oncorhynchus tshawytscha*)**
 - threatened (September 16, 1999, 64 FR 50394)
 - critical habitat (February 16, 2000, 65 FR 7764)
- Central California Coast coho (*Oncorhynchus kisutch*)**
 - threatened (October 31, 1996, 64 FR 56138)
 - critical habitat (May 5, 1999, 64 FR 24049)
- Central California Coast steelhead (*Oncorhynchus mykiss*)**
 - threatened (August 18, 1997, 62 FR 43937)
 - critical habitat (February 16, 2000, 65 FR 7764)
- Central Valley steelhead (*Oncorhynchus mykiss*)**
 - threatened (March 19, 1998, 63 FR 13347)
 - critical habitat (February 16, 2000, 65 FR 7764)

The project location is also within an area designated as Essential Fish Habitat (EFH) for fish species managed with the following Fishery Management Plans (FMP) under the Magnuson-

Stevens Fishery Conservation and Management Act:

Pacific Groundfish FMP - (English sole, spiny dogfish, big skate, leopard shark, etc.)

Coastal Pelagics FMP - (northern anchovy, Pacific sardine)

Pacific Coast Salmon FMP - (chinook salmon)

If you have questions concerning these comments, please contact Maura Eagan of my staff at (707) 575-6092.

Sincerely,



Patrick J. Rutten
Northern California Supervisor
Protected Resources Division

cc: Jim Lecky, NMFS



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4800
Long Beach, California 90802-4219

AUG - 8 2002

In reply please refer to:
1514225WR01SR937: DPW

Michael C. Stroud
U.S. Department of the Navy
Southwest Division
Naval Facilities Engineering Command
1220 Pacific Highway
San Diego, California 92132-5190

Dear Mr. Stroud:

Thank you for your request of April 8, 2002, to initiate Endangered Species Act (ESA) section 7 consultation with the National Marine Fisheries Service (NOAA Fisheries) for the proposed disposal of the Naval Station at Treasure Island (NSTI), located in San Francisco Bay, California. Your letter also requested direction regarding compliance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA). NOAA Fisheries has evaluated potential adverse effects to listed species under the jurisdiction of NOAA Fisheries and Essential Fish Habitat associated with the Navy's disposal of NSTI. NOAA Fisheries did not evaluate potential adverse effects to fisheries and habitat arising from reuse of the project area.

The Navy proposes to close its base on Yerba Buena Island and Treasure Island. A total of 922 acres is proposed for transfer to the City and County of San Francisco (City). The May 2002 draft Environmental Impact Statement (EIS) for this project describes Navy disposal alternatives and subsequent reuse alternatives. Navy disposal of surplus property is the federal action evaluated in the EIS, but the document also evaluates reasonably foreseeable impacts arising from reuse. The City's reuse plans include the expansion of an existing marina, construction of two ferry terminals, construction of housing, and construction of a 30-acre theme park. Several activities associated with the reuse plan, such as dredging, pile driving, and stormwater runoff, may adversely affect species and habitat protected under both the ESA and MSA. However, the Navy expects the Local Reuse Authority for the site to obtain permits for these actions associated with reuse and NOAA Fisheries will consult on these reuse activities in the future, when applications for federal permits are processed. Based on discussions between my staff and Mr. Robert Palmer of your staff, this current consultation is limited solely to the Navy's proposed transfer of surplus property.



On June 5, 2002, representatives from NOAA Fisheries, the Navy, and the Navy's consultation, Tetra Tech, visited NSTI and discussed the proposal disposal and reuse alternatives.

Endangered Species Act

The following listed species (Evolutionarily Significant Units) and designated critical habitat under the jurisdiction of NOAA Fisheries may occur in the project area:

- Sacramento River winter-run chinook salmon (*Oncorhynchus tshawytscha*)
 - endangered (January 4, 1994, 59 FR 440)
 - critical habitat (June 16, 1993, 58 FR 33212)
- Central Valley spring-run chinook salmon (*Oncorhynchus tshawytscha*)
 - threatened (September 16, 1999, 64 FR 50394)
- Central California Coast steelhead (*Oncorhynchus mykiss*)
 - threatened (August 18, 1997, 62 FR 43937)
- Central Valley steelhead (*Oncorhynchus mykiss*)
 - threatened (March 19, 1998, 63 FR 13347)

Based on the best available information, the transfer of Naval Station Treasure Island property to the City and County of San Francisco is not likely to adversely affect the threatened and endangered species listed above or their designated critical habitat. However, several actions proposed by the City associated with reuse alternatives may adversely affect listed species or designated critical habitat under the jurisdiction of NOAA Fisheries. The City should ensure that there is proper coordination and project-level review by NOAA Fisheries pursuant to the Federal Endangered Species Act (ESA) prior to taking any reuse actions that may effect listed anadromous salmonids.

This concludes consultation in accordance with 50 CFR §402.14(b)(1) for the proposed transfer of NSTI to the City and County of San Francisco. However, further consultation may be required if (1) new information becomes available indicating that listed species or critical habitat may be adversely affected by the project in a manner not previously considered; (2) the project is modified in a manner that affects listed species or critical habitat; or (3) a new species is listed that may be affected by this action.

Magnuson-Stevens Act - Essential Fish Habitat

The aquatic portion of NSTI is an area identified as Essential Fish Habitat (EFH) for various life stages of fish species managed with the following Fishery Management Plans (FMP) under the MSA:


- Pacific Groundfish FMP - (English sole, brown rockfish, starry flounder, leopard shark, etc.)
- Coastal Pelagics FMP - (northern anchovy, Pacific sardine)
- Pacific Coast Salmon FMP - (chinook salmon)

NOAA Fisheries has evaluated the proposed transfer of property for potential adverse effects to EFH pursuant to Section 305(b)(2) of the

MSA. Because the action of transferring property does not alter EFH, Conservation Recommendations are not necessary. However, as stated above for the ESA, the City should ensure that there is proper coordination and project-level review by NOAA Fisheries pursuant to the MSA prior to taking any reuse actions that may adversely affect EFH.

Please contact David Woodbury of my staff at (707) 575-6088 if you have any questions regarding this consultation.

Sincerely,



Rodney McInnis
Acting Regional Administrator

cc: Jim Lecky, NMFS, Long Beach
Penny Ruvelas, NMFS, Long Beach
Robert Palmer, US Navy, San Diego



OFFICE OF THE ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

November 26, 1996

Larry Florin
Manager of Military Base Conversion
City and County of San Francisco
401 Van Ness Avenue, Room 336
San Francisco, CA 94102

Dear Mr. Florin:

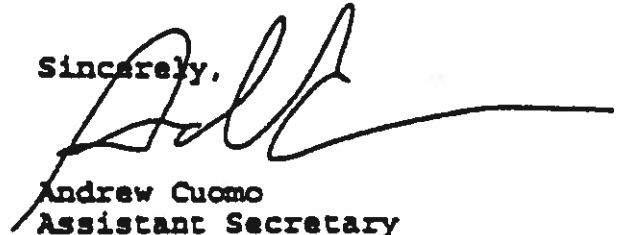
I am pleased to inform you that the Department of Housing and Urban Development (HUD) has approved your base reuse plan for the Naval Station Treasure Island under the Base Closure Community Redevelopment and Homeless Assistance Act of 1994. This means that you can now move forward with implementing your plan.

Specifically, we have determined that the plan meets the requirements under the Act regarding outreach to homeless assistance providers and balancing the economic redevelopment, other development, and homeless needs of your community. We are pleased that the City and County of San Francisco and the Treasure Island Homeless Development Initiative agreed on a mutually acceptable arrangement that is reflected in the enclosed legally binding agreement which provides for participation in housing and economic development opportunities for the clients of fourteen homeless providers.

Congratulations on your success in balancing the diverse needs of your community. The creative combination of interim use of the base housing and funding from part of the proceeds of its future development is a model for base redevelopment.

I wish you continued success in implementing your base reuse plan. HUD stands ready to assist you in your revitalization efforts.

Sincerely,



Andrew Cuomo
Assistant Secretary

Enclosure

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P.O. BOX 942986
SACRAMENTO 94296-0001
(916) 653-6824
FAX: (916) 653-6824



October 15, 1997

REPLY TO: USN970708A

Louis S. Wall, Cultural Resources Program Coordinator
Environmental Planning Branch
Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Drive
SAN BRUNO CA 94066-24402

Dear Mr. Wall:

RE: CLOSURE OF NAVAL STATION TREASURE ISLAND, SAN FRANCISCO

Thank you for forwarding the above referenced undertaking to my office for review and comment pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800.

The undertaking is the closure of Naval Station Treasure Island, San Francisco pursuant to the Base Realignment and Closure Act. As part of its responsibilities under Section 106 the Navy has evaluated properties at the Naval Station to determine if any are eligible for inclusion in the National Register of Historic Places. The documentation for the Navy's determinations is found in "Cultural Resource Inventory and Evaluation Investigations: Yerba Buena Island and Treasure Island Naval Station Treasure Island, San Francisco, California," prepared by JRP Historical Consulting Services in March 1997, and in "Archeological Inventory and Assessment of Naval Station Treasure Island Disposal and Reuse Project, San Francisco County, California," prepared by PAR Environmental Services in June 1997. As a result of these studies, the Navy has determined that the following properties are eligible for inclusion in the National Register of Historic Places: Senior Officers' Quarters Historic District, Yerba Buena Island; Quarters 8, Quarters 9, and Building 262, Yerba Buena Island; and that archeological sensitivity zones 1 through 4 have the potential to yield important information about the prehistory or history of Yerba Buena Island, and may qualify for listing in the National Register. The Navy has noted that consensus determinations of eligibility between the SHPO and the Navy exist for Buildings 1, 2, and 3 on Treasure Island, and has not asked for my concurrence in their National Register eligibility at this time. The Navy has further determined that the balance of buildings and archeological properties at the Naval Station are not eligible for inclusion in the National Register. My comments on your various determinations appear below.

Senior Officers' Quarters Historic District, Yerba Buena Island: You have determined that this district is eligible for inclusion in the National Register under criteria A and C at the local level of significance. The period of significance for the district extends from 1900-1947. Contributors include Quarters 1-7 (Quarters 1 is individually listed in the National Register), Building 83, Building 205, and Building 230. Boundaries for the district are outlined at Figure 1 of the District Record form. The period of significance extends from 1900-1947. I agree with the concept of the proposed historic

district, but I think it is important to clarify some additional characteristics of the district at this time. While you have acknowledged that landscape elements tie buildings in the district together, you have not identified them as contributors to the district. I recommend that you include the site of the district as an additional contributor including collectively the 1940 tennis court, walkways, terraced gardens, masonry walls, greensward in front of Quarters 1-4, and whatever other elements you believe appropriate. Also, what non-contributors exist within the district boundaries? There is one small building identified by the initials G.H. near Building 205. I am assuming this is a non-contributor, along with Building 200 which you have show inside the boundaries. Is this assumption correct?

Quarters 8, Yerba Buena Island: I concur with your determination that Quarters 8, built in 1905, is individually eligible for inclusion in the National Register under criteria A and C at the local level of significance. Its period of significance extends from 1905-1947.

Quarters 9, Yerba Buena Island: I concur with your determination that Quarters 9, built c. 1916, is individually eligible for inclusion in the National Register under criteria A and C at the local level of significance. Its period of significance extends from 1916-1947.

Building 262, Yerba Buena Island: I concur with your determination that Building 262, constructed in 1891 and known historically as the Torpedo Assembly Building, is individually eligible for inclusion in the National Register under criteria A and C at the state level of significance. Its period of significance extends from 1891-1947.

Archeological Sensitivity Zones 1 through 4: I agree that Sensitivity Zones 1 through 4 appear to have the potential to contain important information in history and prehistory. This information has largely been recovered over the years during construction activities in the various sensitivity areas. Your current submittal, however, documents evidence that each of the sensitivity zones has been sufficiently damaged over the years to possess only limited integrity. Thus far, the Navy has formally identified CA-SFr-4 (sensitivity zone 1), while the three other sensitivity zones (2 through 4) have not been recorded nor have trinomial numbers been assigned. I agree that while lacking definitive information on the sensitivity zone deposits they may still be eligible for the National Register as the Navy asserts. To date, however, there is nothing to support a determination that any of the sensitivity zones or CA-SFr-4 are eligible for the National Register.

Miscellaneous Archeological Properties: The Navy requests that I concur with its determination that none of the other prehistoric sites or historic archeological features are eligible for inclusion in the National Register. Other than CA-SFr-4 and the sensitivity zones discussed above, what other prehistoric sites/features are there? I am also very interested to know how the Navy supports its determination that the historic era features P-35-000135 through P-38-000156 are not eligible. It seems that certain of these features, for example the 1916 Recruit Mess Hall/Kitchen Complex (P-38-000135), might have buried deposit. The Navy should determine whether this a

Mr. Wall
October 15, 1997
Page 3

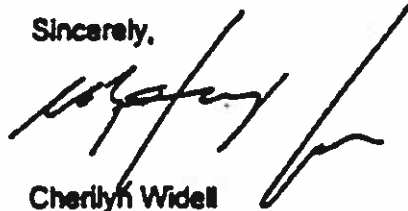
possibility before formalizing its National Register eligibility determination for the 22 historic era features.

Non-eligible Buildings/Structures: I concur with your determination that the buildings/structures listed in Table 3.2 of JRP Historical Consulting Services "Cultural Resource Inventory and Evaluation Investigations", pp. 4-10 are not eligible for inclusion in the National Register.

Treasure Island: Treasure Island was built in 1936 by the San Francisco District Corps of Engineers on the Yerba Buena Shoals. JRP Historical Consulting Services describe the feat, "filling a 400 acre island with millions of cubic yards of rock and sand—in about 18 months" as a "Herculean task." You have not addressed the eligibility of this property. What are the views of the Navy regarding the National Register eligibility of this structure (excluding later improvements) created by the engineering talents of the Corps of Engineers?

I look forward to hearing from you at your earliest convenience regarding the Senior Officers' Quarters Historic District on Yerba Buena Island, archeological properties outside of the identified sensitivity zones on Yerba Buena Island, and Treasure Island. If you have questions or comments regarding historic buildings or structures, please contact staff historian Lucinda Woodward at (916) 653-9116. Questions or comments regarding prehistoric or historic sites or features should be addressed to staff archeologist Steve Grantham at (916) 653-8920.

Sincerely,



Cheryl Widell
State Historic Preservation Officer

