

APPENDIX D: AGENCY LETTERS



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:

1-1-01-SP-2843

August 10, 2001

Ms. Laura J. Prickett
Principal Planner
Parsons Transportation Group
120 Howard Street
Suite 850
San Francisco, California 94105

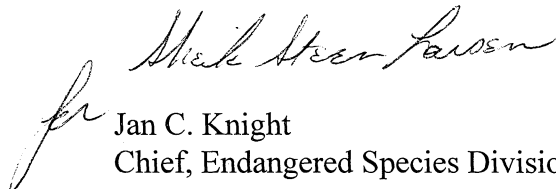
Subject: Species List for San Francisco Transbay Terminal/Caltrain Downtown
Extension Project, San Francisco County, California

Dear Ms. Prickett:

We are sending the enclosed list in response to your August 6, 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 Quad.

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,


Jan C. Knight
Chief, Endangered Species Division

Enclosures

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AUG 13 2001

Parsons Transportation Group
San Francisco

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

GUIDELINES FOR CONDUCTING AND REPORTING BOTANICAL INVENTORIES
FOR FEDERALLY LISTED, PROPOSED AND CANDIDATE PLANTS
(September 23, 1996)

These guidelines describe protocols for conducting botanical inventories for federally listed, proposed and candidate plants, and describe minimum standards for reporting results. The Service will use, in part, the information outlined below in determining whether the project under consideration may affect any listed, proposed or candidate plants, and in determining the direct, indirect, and cumulative effects.

Field inventories should be conducted in a manner that will locate listed, proposed, or candidate species (target species) that may be present. The entire project area requires a botanical inventory, except developed agricultural lands. The field investigator(s) should:

1. Conduct inventories at the appropriate times of year when target species are present and identifiable. Inventories will include all potential habitats. Multiple site visits during a field season may be necessary to make observations during the appropriate phenological stage of all target species.
2. If available, use a regional or local reference population to obtain a visual image of the target species and associated habitat(s). If access to reference populations is not available, investigators should study specimens from local herbaria.
3. List every species observed and compile a comprehensive list of vascular plants for the entire project site. Vascular plants need to be identified to a taxonomic level which allows rarity to be determined.
4. Report results of botanical field inventories that include:
 - a. a description of the biological setting, including plant community, topography, soils, potential habitat of target species, and an evaluation of environmental conditions, such as timing or quantity of rainfall, which may influence the performance and expression of target species.
 - b. a map of project location showing scale, orientation, project boundaries, parcel size, and map quadrangle name.
 - c. survey dates and survey methodology(ies).
 - d. if a reference population is available, provide a written narrative describing the target species reference population(s) used, and date(s) when observations were made.
 - e. a comprehensive list of all vascular plants occurring on the project site for each habitat type.
 - f. current and historic land uses of the habitat(s) and degree of site alteration.

- g. presence of target species off-site on adjacent parcels, if known.
 - h. an assessment of the biological significance or ecological quality of the project site in a local and regional context.
5. If target species is(are) found, report results that additionally include:
- a. a map showing federally listed, proposed and candidate species distribution as they relate to the proposed project.
 - b. if target species is (are) associated with wetlands, a description of the direction and integrity of flow of surface hydrology. If target species is (are) affected by adjacent off-site hydrological influences, describe these factors.
 - c. the target species phenology and microhabitat, an estimate of the number of individuals of each target species per unit area; identify areas of high, medium and low density of target species over the project site, and provide acres of occupied habitat of target species. Investigators could provide color slides, photos or color copies of photos of target species or representative habitats to support information or descriptions contained in reports.
 - d. the degree of impact(s), if any, of the proposed project as it relates to the potential unoccupied habitat of target habitat.
6. Document findings of target species by completing California Native Species Field Survey Form(s) and submit form(s) to the Natural Diversity Data Base. Documentation of determinations and/or voucher specimens may be useful in cases of taxonomic ambiguities, habitat or range extensions.
7. Report as an addendum to the original survey, any change in abundance and distribution of target plants in subsequent years. Project sites with inventories older than three years from the current date of project proposal submission will likely need additional survey. Investigators need to assess whether an additional survey(s) is (are) needed.
8. Adverse conditions may prevent investigator(s) from determining presence or identifying some target species in potential habitat(s) of target species. Disease, drought, predation, or herbivory may preclude the presence or identification of target species in any year. An additional botanical inventory(ies) in a subsequent year(s) may be required if adverse conditions occur in a potential habitat(s). Investigator(s) may need to discuss such conditions.
9. Guidance from California Department of Fish and Game (CDFG) regarding plant and plant community surveys can be found in Guidelines for Assessing the Effects of Proposed Developments on Rare and Endangered Plants and Plant Communities, 1984. Please contact the CDFG Regional Office for questions regarding the CDFG guidelines and for assistance in determining any applicable State regulatory requirements.

ENCLOSURE A
Endangered and Threatened Species that May Occur in or be Affected by
PROJECTS IN SAN FRANCISCO COUNTY
Reference File No. 1-1-01-SP-2843
August 10, 2001

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)
- Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)
- Critical habitat, Alameda whipsnake, *Masticophis lateralis euryxanthus* (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)
- Central California Coastal steelhead, *Oncorhynchus mykiss* (T)
- Sacramento splittail, *Pogonichthys macrolepidotus* (T)
- delta smelt, *Hypomesus transpacificus* (T) *

Invertebrates

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

Plants

- Presidio (=Raven's) 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 carnosa* (E) *

Proposed Species

Birds

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

Candidate Species

Amphibians

- California tiger salamander, *Ambystoma californiense* (C)

Invertebrates

- black abalone, *Haliotes cracherodii* (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 annectens* (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)
- Snowy Egret, *Egretta thula* (MB)
- 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)
 Pacific-slope flycatcher, *Empidonax difficilis* (SC)
 common loon, *Gavia immer* (SC)
 saltmarsh common yellowthroat, *Geothlypis trichas sinuosa* (SC)
 loggerhead shrike, *Lanius ludovicianus* (SC)
 Alameda (South Bay) song sparrow, *Melospiza melodia pusillula* (SC)
 long-billed curlew, *Numenius americanus* (SC)
 ashy storm-petrel, *Oceanodroma homochroa* (SC)
 rufous hummingbird, *Selasphorus rufus* (SC)
 Allen's hummingbird, *Selasphorus sasin* (SC)
 red-breasted sapsucker, *Sphyrapicus ruber* (SC)
 elegant tern, *Sterna elegans* (SC)
 Xantus' murrelet, *Synthliboramphus hypoleucus* (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

green sturgeon, *Acipenser medirostris* (SC)
 river lamprey, *Lampetra ayresi* (SC)
 Pacific lamprey, *Lampetra tridentata* (SC)
 longfin smelt, *Spirinchus thaleichthys* (SC)

Invertebrates

Opler's longhorn moth, *Adela oplerella* (SC)
 sandy beach tiger beetle, *Cicindela hirticollis gravida* (SC)
 globose dune beetle, *Coelus globosus* (SC)
 Ricksecker's water scavenger beetle, *Hydrochara rickseckeri* (SC)
 bumblebee scarab beetle, *Lichnanthe ursina* (SC)

Plants

salt marsh owl's clover (=johnny-nip), *Castilleja ambigua ssp. ambigua* (SC)

San Francisco Bay spineflower, *Chorizanthe cuspidata* var. *cuspidata* (SC)
 San Francisco wallflower, *Erysimum franciscanum* (SC)
 fragrant fritillary, *Fritillaria liliacea* (SC)
 San Francisco gumplant, *Grindelia hirsutula* var. *maritima* (SC)
 Marin checkermallow, *Sidalcea hickmanii* ssp. *viridis* (SC)
 Mission Delores campion, *Silene verecunda* ssp. *verecunda* (SC)
 Pacific cordgrass (=California cordgrass), *Sparina foliosa* (SC)
 San Francisco owl's-clover, *Triphysaria floribunda* (SC)
 San Francisco popcornflower, *Plagiobothrys diffusus* (CA) *
 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) <i>Endangered</i>	Listed (in the Federal Register) as being in danger of extinction.
(T) <i>Threatened</i>	Listed as likely to become endangered within the foreseeable future.
(P) <i>Proposed</i>	Officially proposed (in the Federal Register) for listing as endangered or threatened.
(PX) <i>Proposed</i>	Proposed as an area essential to the conservation of the species.
	<i>Critical Habitat</i>
(C) <i>Candidate</i>	Candidate to become a <i>proposed</i> species.
(SC) <i>Species of</i>	Other species of concern to the Service.
	<i>Concern</i>
(D) <i>Delisted</i>	Delisted. Status to be monitored for 5 years.
(CA) <i>State-Listed</i>	Listed as threatened or endangered by the State of California.
* <i>Extirpated</i>	Possibly extirpated from the area.
** <i>Extinct</i>	Possibly extinct
	<i>Critical Habitat</i> Area essential to the conservation of a species.

Invertebrates

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

Plants

- Presidio (=Raven's) manzanita, *Arctostaphylos hookeri ssp. ravenii* (E)
- marsh sandwort, *Arenaria paludicola* (E) *
- Presidio clarkia, *Clarkia franciscana* (E)
- Marin dwarf-flax, *Hesperolinon congestum* (T)
- beach layia, *Layia carnosa* (E) *
- San Francisco lessingia, *Lessingia germanorum* (E)

Proposed Species

Birds

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

Candidate Species

Amphibians

- California tiger salamander, *Ambystoma californiense* (C)

Fish

- Central Valley fall/late fall-run chinook salmon, *Oncorhynchus tshawytscha* (C)
- Critical habitat, Central Valley fall/late fall-run chinook, *Oncorhynchus tshawytscha* (C)

Invertebrates

- black abalone, *Haliotes cracherodii* (C)

Species of Concern

Mammals

- Pacific western big-eared bat, *Corynorhinus (=Plecotus) townsendii townsendii* (SC)
- gray whale, *Eschrichtius robustus* (D)
- 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 annectens* (SC)
- Point Reyes jumping mouse, *Zapus trinotatus orarius* (SC)

ENCLOSURE A

Endangered and Threatened Species that May Occur in
or be Affected by Projects in the Selected Quads Listed Below

Reference File No. 1-1-01-SP-2843

August 10, 2001

QUAD : 466C SAN FRANCISCO NORTH

Listed Species

Mammals

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

Birds

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

Amphibians

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

Fish

- tidewater goby, *Eucyclogobius newberryi* (E)
- delta smelt, *Hypomesus transpacificus* (T)
- Critical habitat, coho salmon - central CA coast, *Oncorhynchus kisutch* (T)
- coho salmon - central CA coast, *Oncorhynchus kisutch* (T)
- Central California Coastal steelhead, *Oncorhynchus mykiss* (T)
- Critical habitat, winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)
- winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)
- Central Valley spring-run chinook salmon, *Oncorhynchus tshawytscha* (T)
- Critical Habitat, Central Valley spring-run chinook, *Oncorhynchus tshawytscha* (T)
- Sacramento splittail, *Pogonichthys macrolepidotus* (T)

Birds

- tricolored blackbird, *Agelaius tricolor* (SC)
- grasshopper sparrow, *Ammodramus savannarum* (SC)
- Bell's sage sparrow, *Amphispiza belli belli* (SC)
- short-eared owl, *Asio flammeus* (SC)
- ferruginous hawk, *Buteo regalis* (SC)
- white-tailed (=black shouldered) kite, *Elanus leucurus* (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)
- ashy storm-petrel, *Oceanodroma homochroa* (SC)
- rufous hummingbird, *Selasphorus rufus* (SC)
- Allen's hummingbird, *Selasphorus sasin* (SC)
- elegant tern, *Sterna elegans* (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

- Opler's longhorn moth, *Adela oplerella* (SC)
- sandy beach tiger beetle, *Cicindela hirticollis gravida* (SC)
- globose dune beetle, *Coelus globosus* (SC)
- Ricksecker's water scavenger beetle, *Hydrochara rickseckeri* (SC)
- bumblebee scarab beetle, *Lichnanthe ursina* (SC)

Plants

- San Francisco manzanita, *Arctostaphylos hookeri ssp. franciscana* (SC) **
- alkali milk-vetch, *Astragalus tener var. tener* (SC) *
- San Francisco Bay spineflower, *Chorizanthe cuspidata var. cuspidata* (SC)

San Francisco gumplant, *Grindelia hirsutula* var. *maritima* (SC)
 Kellogg's (wedge-leaved) horkelia, *Horkelia cuneata* ssp. *sericea* (SC) *
 San Francisco popcornflower, *Plagiobothrys diffusus* (CA) *
 adobe sanicle, *Sanicula maritima* (SC) *
 Marin checkermallow, *Sidalcea hickmanii* ssp. *viridis* (SC)
 Mission Delores campion, *Silene verecunda* ssp. *verecunda* (SC)
 Pacific cordgrass (=California cordgrass), *Sparina foliosa* (SC)
 San Francisco owl's-clover, *Triphysaria floribunda* (SC)

KEY:

(E) <i>Endangered</i>	Listed (in the Federal Register) as being in danger of extinction.
(T) <i>Threatened</i>	Listed as likely to become endangered within the foreseeable future.
(P) <i>Proposed</i>	Officially proposed (in the Federal Register) for listing as endangered or threatened.
(PX) <i>Proposed</i> <i>Critical Habitat</i>	Proposed as an area essential to the conservation of the species.
(C) <i>Candidate</i>	Candidate to become a <i>proposed</i> species.
(SC) <i>Species of</i> <i>Concern</i>	May be endangered or threatened. Not enough biological information has been gathered to support listing at this time.
(MB) <i>Migratory</i> <i>Bird</i>	Migratory bird
(D) <i>Delisted</i>	Delisted. Status to be monitored for 5 years.
(CA) <i>State-Listed</i>	Listed as threatened or endangered by the State of California.
(*) <i>Extirpated</i>	Possibly extirpated from this quad.
(**) <i>Extinct</i> <i>Critical Habitat</i>	Possibly extinct. Area essential to the conservation of a species.

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
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*Flex your power!
Be energy efficient!*

November 9, 2001

Steve Heminger
Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Dear Mr. Heminger:

I am writing in response to your inquiring regarding the transfer of State-owned property for the proposed new Transbay Transit Terminal project in San Francisco.

As you know, Assembly Bill 1419 (Aroner), vetoed by Governor Davis, would have transferred to the City and County of San Francisco certain State-owned property for the purpose of construction and financing of the new Transbay Terminal. Although Governor Davis vetoed the bill, he indicated his support for the project and has directed the Department to initiate negotiations with the City to administratively transfer the property in such a manner as to protect the cost and timely delivery of the Department's west approach seismic safety projects and to ensure that appropriate terms and conditions would apply to any transfers.

The Department is proceeding in accordance with the Governor's direction, and we will meet with City and other appropriate officials in the next few weeks to discuss the mechanics and terms of the transfer, with the goal of moving forward as expeditiously as possible.

If the Department can provide any additional information or clarification, please contact Mr. Brent Felker, Chief Engineer, at (916) 654-6490.

Sincerely,

A handwritten signature in black ink that reads "Jeff Morales".

JEFF MORALES
Director

c: Jose Luis Moscovich

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NOV 19 2001

Parsons Transportation Group
San Francisco

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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JUN - 9 2002

May 23, 2002

REPLY TO: FTA011108A

Leslie T Rogers, Regional Administrator
Federal Transit Administration
Region IX
201 Mission Street, Suite 2210
SAN FRANCISCO CA 94105-1839

Re: Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project, San Francisco, San Francisco County.

Dear Mr. Rogers:

Thank you for submitting to our office your May 17, 2002 letter and Historic Property Survey Report (HPSR), Historic Architectural Survey Report (HASR), and Archeological Impact Assessment (AIA), regarding the proposed Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project in the City and County of San Francisco. The proposed project will involve three distinct components:

- A new Transbay terminal that will serve as a multi-modal transit/transportation facility at the site of the current Transbay Terminal at First and Mission Streets in downtown San Francisco. Two alternatives for this component are under consideration:
 1. The Full Loop Alternative would require demolition of the existing bus ramps that connect the existing Transbay Terminal with the San Francisco-Oakland Bay Bridge. New loops would be created in the same locations as the existing ramps thus creating a full loop.
 2. The West Ramp Alternative would remove the existing bus ramps to the Bay Bridge and replace them with a single ramp structure on the west side of the terminal. This alternative would open up for development land that is currently occupied by the bus ramp on the east side of the terminal.
- The Caltrain Downtown Extension would allow commuter rail service to be extended from its current San Francisco terminus at Fourth and Townsend Streets to a new underground terminus underneath the proposed new Transbay Terminal. This would be accomplished by:
 1. Running the Caltrain tracks through a tunnel at the existing Fourth and Townsend rail yard and continuing below grade under Townsend Street before curving at Clarence Place in a cut-and-cover configuration. The alignment would then continue as a cut-and-cover section under Second Street for approximately 2,055 feet. Tunneling

options are being considered for the portion of the alignment between Townsend and Folsom Streets.

2. Two alternatives are being considered for the proposed alignment from Second Street to the Transbay Terminal:
 - a. The Second-to-Main Alternative would curve 90 degrees northeast as the alignment approaches Howard Street and continue to the basement of the new Transbay terminal. It would extend east of the new terminal curving south to Main Street to terminate south of Folsom Street. This entire alignment would be a cut-and-cover section
 - b. The Second-to-Mission Alternative would curve northeasterly off of Second Street before the intersection with Howard Street. It would then cut diagonally and enter the basement of the new terminal. Two tracks would exit out under Mission Street headed towards The Embarcadero. This entire alignment would be a cut-and-cover section.
- The Redevelopment plan involves the construction of transit-oriented development on publicly-owned land in the vicinity of the new Transbay terminal. The two alternatives under consideration are:
 1. The Full Build Alternative which would provide a total of 7.6 million square feet of floor area.
 2. The Reduced Scope Alternative which would provide 4.8 million square feet of floor area.

A full description of all of the aforementioned project alternatives is contained in the HPSR. The architectural and archeological Areas of Potential Effects (APEs) for the various project alternatives, as described in the HASR the archeological documentation, appear adequate and meet the definitions set forth in 36 CFR 800.16(d). The AIA prepared by Dr. Adrian Praetzelis of the Anthropological Studies Center at Sonoma State University (November 2001) has concluded that 24 known historic and prehistoric archeological sites are located in and within one mile of the project area. Although the AIA notes that the heavy urbanization of the area makes surface location of these properties impossible to determine without extensive field work, it also notes that some general statements can be made about the relative sensitivity of the properties in relation to the proposed project elements. The AIA recommends using the Department of the Interior's *Archeology and Historic Preservation: The Secretary of the Interior's Standards and Guidelines* (48FR44716-42)(National Park Service, 1983) as a model for identifying, evaluating, and treating important archeological resources that is applicable to the proposed project. The model would consist of the following steps:

- Focused historical and geoarcheological research carried out to establish the context of the investigations.
- The preparation of a research design and treatment plan to guide field investigations and evaluations of potentially important archeological properties.

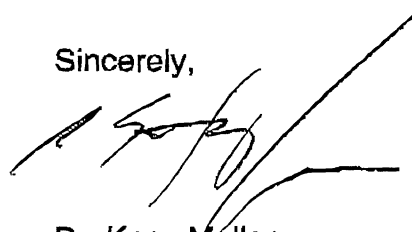
- The recordation of the technical results of the investigation in a professional report that is distributed to the project principals and the general public.

Persons who meet the Secretary of the Interior's *Professional Qualifications Standards* (48FR44738-9) would conduct all work. We do not object to the aforementioned approach to the identification, evaluation, and treatment of potential archeological properties for this undertaking.

The Federal Transit Administration (FTA) is seeking our comments on its determination of the eligibility of twelve (12) pre-1955 architectural properties located within the project APE for inclusion on the National Register of Historic Places (NRHP) in accordance with 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act. The HPSR has identified 46 pre-1955 architectural properties within the APE that are listed in or have been determined, by consensus, to be eligible for inclusion on the NRHP. The HPSR has also identified 27 pre-1955 architectural properties within the APE that have been determined, by consensus, to be ineligible for inclusion on the NRHP. Our review of the submitted documentation leads us to concur with FTA's determination that none of the 12 pre-1955 properties evaluated for this study are eligible for inclusion on the NRHP under any of the criteria established by 36 CFR 60.4. The properties have no strong associations with significant historical events or persons, are not examples of outstanding architectural design or function, and, in some cases, have lost considerable integrity of the historic architectural design and materials associated with their historic periods of significance (1906 – 1955).

Thank you again for seeking our comments on your project. We anticipate receiving from FTA, for our review and comment, a Finding of Effects (FOE) document that will outline the specific effects of a preferred project alternative on historic properties in the project APE. If you have any questions, please contact staff historian Clarence Caesar at (916) 653-8902.

Sincerely,



Dr. Knox Mellon
State Historic Preservation Officer

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February 14, 2002

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FEB 19 2007

Reply To: FTA011108A

Leslie T. Rogers, Regional Administrator
U.S. Department of Transportation
Federal Transit Administration
201 Mission Street
Suite 2210
San Francisco, CA 94105-1839

Re: Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project APE

Dear Ms. Rogers:

You have provided me with a description of the proposed Area of Potential Effect (APE) for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project in downtown San Francisco as per 36 CFR 800.4(a) and 800.16(d). The details of the APE and your proposed redevelopment efforts are cited in your letter of October 29, 2001.

The proposed APE appears to be adequate to address both direct and indirect effects created by the project and its various components and alternatives.

Thank you for considering historic properties during project planning. If you should have any questions, please contact Dana Supernowicz at (916) 653-4533 or dsupe@ohp.parks.ca.gov.

Sincerely,

Dr. Knox Mellor
State Historic Preservation Officer

GENERAL SERVICES ADMINISTRATION	101-6508	NEW 7540-01-012-7284
TO: M Pms	FROM: Wiggins	DATE: 02-14-02
FAX TRANSMITTAL		
OPTIONAL FORM NO. 10 (2-82)		

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Apr-22-02 12:57 PM From-FTA 8

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September 29, 2003

REPLY TO: FTA011108A

Leslie T. Rogers, Regional Administrator
Federal Transit Administration, Region IX
201 Mission Street, Suite 2210
SAN FRANCISCO CA 94105-1839

Re: Finding of Effects, Transbay Terminal/Caltrain Downtown
Extension/Redevelopment Project, City and County of San Francisco.

Dear Mr. Leslie:

Thank you for submitting to our office your August 29, 2003 letter and Finding of Effect (FOE) documentation regarding the proposed Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project in the City and County of San Francisco. The enclosed FOE addresses the Locally Preferred Alternative (LPA) for the proposed project. The LPA consists of three distinct components. In summary, these components include the following elements:

- **Transbay Terminal** - The existing Transbay Terminal will be demolished and a new Transbay Terminal will be constructed to serve as a multi-modal transit/transportation facility at the site of the existing Transbay Terminal at First and Mission Streets. The West Ramp Alternative component of the LPA would remove the existing bus ramps to the Bay Bridge and replace them with a single ramp structure on the west side of the terminal. This structure would support double-stacked ramps, for buses traveling to and from the bridge. The West Ramp Alternative would open up for development land that is currently occupied by the bus ramp on the east side of the terminal.
- **Caltrain Downtown Extension** - Caltrain commuter rail service would be extended from its current San Francisco terminus at 4th and Townsend to a new underground terminus underneath or near the proposed rebuilt Transbay Terminal. Caltrain tracks would enter a tunnel at the existing 4th and Townsend railyard, and would continue below grade under Townsend Street in a cut-and-cover tunnel configuration. The tunnel would run east beneath Townsend Street, then begin to curve northward at Clarence Place (just east of Third Street). From Townsend Street north, the LPA Caltrain Extension component would be in a tunnel configuration, curving under 2nd Street. Cut-and-cover construction would occur on 2nd Street north of Folsom into the basement of the new Transbay Terminal. The Second-to-Main component of the LPA would extend east of the new terminal, in a cut-and-cover configuration - curving south to Main Street to terminate south of Folsom Street.

- Redevelopment - The LPA includes a redevelopment plan and related development projects, including transit-oriented development, on publicly owned land in the vicinity of the new Transbay Terminal. The plan and related development are intended to assist in financing of the transportation improvements. The redevelopment component of the LPA would include up to 7.6 million square feet of transit-oriented development around the new terminal.

In my letter of May 23, 2003, I concurred with the Federal Transit Administration's (FTA) determination regarding the National Register of Historic Places (NRHP) eligibility of structures evaluated in its Historic Property Survey Report (HPSR). Of those properties evaluated at that time, eighty-five (85) are located within the Area of Potential Effects (APE) for this LPA. Of these properties, 39 buildings or structures have been determined, by consensus, to be eligible for inclusion on the NRHP. There are two historic districts and one City of San Francisco conservation district intersected by the APE: 1) the South End Historic District; 2) the 2nd and Howard Streets Historic District; and 3) the New Montgomery-2nd Street Conservation District. The latter two districts overlap. The proposed project APE, as delineated for the built environment, appears adequate and meets the definition set forth in 36 CFR 800.16(d).

Nineteen known or potential historic-era archeological sites have been identified within or immediately adjacent to the LPA alignments. Details on the types of identified resources that may be present are contained on page 67 of the FOE documentation. FTA is proposing to prepare an archeological Research Design and Treatment Plan that will govern the testing, evaluation, and assessment of project impacts on these resources. If buried materials are unearthed during construction, work in the vicinity of the find would be halted until a qualified archeologist can assess their significance. I would propose that we consult further about the manner in which the undertaking should take into account prospective effects on historic era archeological properties that might be eligible for inclusion on the NRHP.

FTA is seeking my comments on its determination of the effects the proposed project will have on historic properties in accordance with 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act. My review of the FOE documentation leads me to make the following comments on the proposed project:

- I concur with FTA's determination that the following properties would be adversely affected by the proposed undertaking due to the demolition of said properties or the removal of structures adjacent to said properties during implementation of the undertaking:
 - 191 2nd Street, San Francisco.
 - 580-586 Howard Street, San Francisco.
 - 165-173 2nd Street, San Francisco.
 - 163 2nd Street, San Francisco.
 - The following contributing elements of the San Francisco-Oakland Bay Bridge
 - 425 Mission Transbay Transit Terminal

- Bridge #34-116F - Upper Deck San Francisco Approaches or North Connector.
- Bridge #34-118L - Upper Deck San Francisco Approaches or Center Ramps.
- Bridge #34-118R - San Francisco Approaches or Lower Deck On-Ramp.
- Bridge #34-119Y - Transbay Terminal Loop
- Bridge #34-120Y - Harrison Street Overcrossing

Although I can concur that the proposed undertaking, as described, will adversely affect the aforementioned properties it remains unclear how extensive the project's effects are to the entirety of the San Francisco-Oakland Bay Bridge, the two historic districts and the conservation district noted above. Is there evidence that either of these districts or the Bay Bridge (as listed in the National Register) are compromised by the removal of contributing properties to the extent that they may no longer retain sufficient integrity to qualify for inclusion on the NRHP? Please provide me, at your earliest possible convenience, any documentation that would clarify the NRHP eligibility status of these district properties once the proposed project is implemented.

Regarding FTA's finding of no adverse effect for the remaining NRHP-eligible properties located within the project APE, I cannot provide comments on this determination. The finding may be of little if any relevance given the overall context of the project's effects on historic properties and does not appear to have sufficient support in the FOE documentation.

I look forward to further consultation focused on a consideration of ways in which any adverse effects of the undertaking on historic properties could be avoided, minimized and mitigated.

Thank you for seeking my comments on your project. I look forward to further consultation with FTA regarding the effects of this undertaking on historic properties. If you have any questions, please contact staff historian Clarence Caesar by phone at (916) 653-8902, or by e-mail at ccaes@ohp.parks.ca.gov.

Sincerely,



Dr. Knox Mellon
State Historic Preservation Officer

Dec-09-03 09:25am From:FTA 9

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STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

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November 25, 2003

REPLY TO: FTA011108A

RECEIVED
DEC - 2 2003Leslie T. Rogers, Regional Administrator
Federal Transit Administration
Region IX
201 Mission Street, Suite 2210
SAN FRANCISCO CA 94105-1839Re: Finding of Effect, Transbay Terminal/Caltrain Downtown Extension/Redevelopment
Project, City and County of San Francisco.

Dear Mr. Rogers:

Thank you for submitting to our office your November 14, 2003 letter in response to my September 29, 2003 letter regarding the Federal Transit Administration's (FTA) Finding of Effect (FOE) for the proposed Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project in the City and County of San Francisco. In my September 29, 2003 letter I concurred with FTA's determination that:

- Four (4) architectural properties that were contributing elements to the Second and Howard Streets Historic District would be adversely affected by the proposed project.
- The Transbay Transit Terminal would be adversely affected by the proposed project.
- Five bridge structures (#34-116F, #34-118L, #34-118R, #34-119Y, and #34-120Y) associated with the Upper and Lower Approaches of the San Francisco-Oakland Bay Bridge will be adversely affected by the proposed project.

FTA has noted the absence in my letter of one property, 589-591 Howard Street, from the list of National Register-eligible properties that were noted in the FOE as being adversely affected by the proposed project. Due to this oversight, I have re-examined the FOE documentation and can now concur with FTA's determination that the property located at 589-591 Howard Street will be adversely affected by the proposed project.

In my letter I also raised questions regarding the extent of the project's effects on the entire National Register of Historic Places (NRHP) eligible San Francisco-Oakland Bay Bridge (Bay Bridge) and the aforementioned historic district. Specifically, I raised questions regarding any evidence whether the historic district or the Bay Bridge was compromised by removal of contributing properties to the extent that they may no longer retain sufficient

integrity to qualify for inclusion on the NRHP. FTA has responded to these questions with the following comments:

- It is FTA's opinion that despite the San Francisco-Oakland Bay Bridge East Span Seismic Project and the proposed removal of the aforementioned bridge approaches outlined in this project, the Bay Bridge will retain sufficient integrity to continue to be eligible for the NRHP. What is not clear is whether FTA will support or contest the findings of the Federal Highway Administration's (FHWA) re-evaluation of the Bay Bridge as required under Stipulation III (F)(3) of the 2000 Memorandum of Agreement for the San Francisco-Oakland Bay Bridge East Span Seismic Retrofit Project if that study finds the structure no longer eligible for inclusion on the NRHP. I am pleased to note that FTA is prepared to insert a similar stipulation into a draft MOA addressing the re-examination of the integrity of individual and/or collective historic properties that are adversely affected by this undertaking.

Regarding the reference in my letter to FTA needing to provide additional information regarding its finding of no adverse effect for 28 of the 39 historic properties (the Rincon Point/South Beach Historic Warehouse Industrial District) located within the project Area of Potential Effects (APE), a re-reading of the FOE documentation leaves me to conclude that FTA did provide sufficient documentation to demonstrate the following regarding its effects findings:

- 350-360 Townsend and the contributing structures comprising the Rincon Point/South Beach Historic Warehouse Industrial District will not be adversely affected by the introduction of visual or audible elements that would diminish the integrity of the district's significant historic features. This finding will have additional merit if FTA implements its plan to provide for the underpinnings of buildings, where needed, to prevent structural damage during construction of the underground elements of the project. I agree with FTA that the proposed placement of the underground tunnel through this district is such that it will not introduce elements that will adversely affect the property's integrity of design, materials, setting, and association. As a result of this re-examination of the FOE documentation, FTA is not required to provide additional information on its findings.

I am pleased to note that FTA has forwarded a copy of its draft MOA for my review and comment. I will provide comments on its content in a timely manner.

Thank you again for seeking my comments on your project. If you have any questions, please contact staff historian Clarence Caesar by phone at (916) 653-8902, or by e-mail at ccaes@ohp.parks.ca.gov.

Sincerely,

Dr. Knox Mellon
State Historic Preservation Officer

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GSA FPMR (41 CFR) 101-11.6

# of pages	2
TO	M. PANG
FROM	WIGGINS
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FAX #	415-744-2726
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1250 754001 311-7443	



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



MAR 9 2004

ER 02/986

Mr. Leslie Rogers
Regional Administrator
Federal Transit Administration
201 Mission Street
San Francisco, California 94105

Dear Mr. Rogers:

This is in response to a request for the Department of the Interior's (Department) review and comment on the administrative draft version of the Final Environmental Impact Statement/Report (EIS/Report) and Section 4(f) Evaluation for the **Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project**, City and County of San Francisco, California. The Department offers the following comments and recommendations for your consideration.

SECTION 4(f) COMMENTS

Based on the information provided in the EIS/Report, it is apparent that no public parkland, refuge, or similar site would be affected by either of the action alternatives. Therefore, there are no Section 4(f) considerations with regard to recreational sites.

The National Park Service's Pacific West Regional Office has reviewed this administrative draft document identifying and analyzing a "no action" alternative as well as "action" alternatives for individual components of the proposed project. A locally preferred Stacked Drift Tunneling/West Ramp alternative is also deemed to be the environmentally superior alternative.

In regard to cultural resources, each of the "action" alternatives entails demolition of historic buildings. The locally preferred alternative would have significantly less impact on other listed historic structures in comparison with the Cut and Cover Trench/West Ramp alternative.

Several options were withdrawn from full analysis because they would fall short of meeting the expressed purpose and need for action. None of the withdrawn options offered a feasible and prudent alternative for avoiding the identified effects on cultural resources.

-2-

The locally preferred Stacked Drift alternative slates six historic structures for demolition. Three of the resources slated for demolition - Transbay Terminal (425 Mission Street), Bay Bridge Approaches, and Bus Ramps - have been designated contributing resources to the San Francisco-Oakland Bay Bridge, a multi-component property listed on the National Register of Historic Places (NRHP). According to the draft Memorandum of Agreement (MOA) included in the EIS/Report, the California Legislature has granted a specific exemption to State law prohibiting the demolition of historic structures as follows:

"The Legislature thereby approves demolition of the Transbay Terminal building at First & Mission Streets in the City and County of San Francisco, including the associated ramps, for construction of a new terminal at the same location..." (AB 812, 2003).

SUMMARY COMMENTS

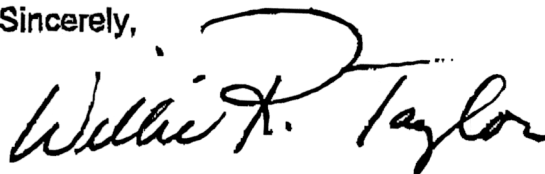
Our concerns are twofold. First, three of the structures slated for demolition (and not addressed by AB 812) - 165-173 Second Street, 191 Second Street, 580-586 Howard Street - have been designated as contributing resources in the Second & Howard Streets District. Demolition of these three structures in the Second & Howard Streets District also result in isolation of four additional contributing resources in the District, adding to the adverse impact of the undertaking on the integrity of the District. While it is clear that the proposed undertaking will adversely affect all six properties, not enough information has been provided in the EIS/Report materials to determine the overall effect of the proposed demolition on the integrity of the Second & Howard Streets District or the Bay Bridge District (as listed on the NRHP).

Second, the MOA Section III (F) stipulates that a reevaluation of the Bay Bridge District shall occur within 180 days of completion of the undertaking to determine whether the nomination should be amended or whether the bridge no longer qualifies for listing and should be removed from the NRHP. The MOA states that the Transbay Joint Powers Administration will conduct the evaluation in consultation with the SHPO. A similar clause is not included for the Second & Howard Street Historic District in the Mitigation Section IV of the MOA. From the information provided, it is unclear whether an evaluation was completed to assess the potential impact of the proposed undertaking on the Second & Howard Street Historic District, or if not, what was the basis for this result. If an evaluation has not been done, our recommendation would be to complete this process for the Second & Howard Street District.

-3-

The Department of the Interior has no objection to Section 4(f) approval of this project, provided the measures to minimize harm mentioned above are included in the project plans and implementation. Because this Department has a continuing interest in this project, we are willing to cooperate and coordinate with you on a technical assistance basis in further project evaluation and assessment. For additional information regarding our comments, please contact Ms. Elaine Jackson-Retondo, PhD, Cultural Resources, National Park Service, Oakland, California; telephone 510-817-1428.

Sincerely,



Willie R. Taylor
Director, Office of Environmental Policy
and Compliance

cc:

Ms. Marie Pang
Caltrain
Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
P.O. Box 3006
San Carlos, CA 94070-1306