WEST DAVIS CORRIDOR

Appendix 14B: Ecosystems Correspondence

State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

Office of the Governor
PUBLIC LANDS POLICY COORDINATION

JOHN HARJA
Director

September 28, 2009

Rebecka Stromness
Environmental Program Manager
Utah Department of Transportation
4501 South 2700 West
Box 148450
Salt Lake City, Utah 84114-8450

Subject: West Davis (North Legacy) Transportation Corridor Supplemental Study

Dear Ms. Stromness:

The State of Utah, through the Public Lands Policy Coordination Office (PLPCO), has reviewed this project. PLPCO makes use of the Resource Development Coordinating Committee (RDCC) for state agency review of activities affecting state and public lands throughout Utah. The RDCC includes representatives from the state agencies that are generally involved or impacted by public lands management. Utah Code (63J-4-501 *et seq.*) instructs the RDCC to coordinate the review of technical and policy actions that may affect the physical resources of the state and facilitate the exchange of information on those actions among federal, state, and local government agencies. The Utah Division of Wildlife Resources provides the following comments:

Utah Division of Wildlife Resources

UDWR Management Areas and Easements

Based on our review, we believe some of the preferred alignments may cross UDWR Wildlife Management Areas (WMA's). It appears that the eastern portion of Ogden Bay WMA would be bisected by Alignment #4. The proposed location of the alignment appears to bisect the 80 acre parcel, rendering it nearly unusable as a viable hunting area, and as wildlife habitat. If this alignment is chosen for the project, we recommend that it be moved to the east to avoid significantly impairing the wildlife values of this property.

Alignment #5 appears to be located immediately adjacent to, or within, the south-eastern edge of the Harold Crane WMA. We recommend that the alignment be moved further to the east

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to avoid impairing the uses of this property. If Alignment #5 is the preferred alignment, we recommend mitigation for temporary, permanent and cumulative impacts to this wildlife habitat. Alignment #5 is immediately adjacent to the Willard Bay Upland Game Area. The Willard Bay Upland Game Area (WBUGA) is owned by the U.S. Bureau of Reclamation (USBOR), and operated and managed for wildlife by UDWR. The Weber Basin Water Conservancy District (WBWCD) is also involved with moving water through the property. We recommend that the alignment be moved further to the east to avoid significantly impairing the uses of this property. If this alternative moves forward for further analysis, we suggest that the USBOR, WBWCD, and UDWR be contacted for more information regarding this area. In addition, UDWR has water rights and points of diversion near Alignment #5, and any alignment in this location should protect these downstream water rights

UDWR is a co-holder of a conservation easement on the "Rail Trail" that would be crossed by Alignments #5, 4, 3A, and 3B. The conservation easement protects the conservation values on the property. Crossing the conservation easement would virtually eliminate these values. These impacts should be analyzed and considered when selecting a final alignment for this corridor. If impacts to this property are unavoidable, we request to be contacted, along with Weber Pathways, the co-holder of the easement, to develop appropriate mitigation.

Habitat concerns

All of the alignments will cross a diversity of wetland habitats including emergent marshes, wet meadows, open water and playas. A detailed analysis for each alternative should include the type of wetlands present, the acreage of each wetland type, and current habitat quality. In addition, due to the significant amount of wetlands proposed for a direct loss, as well as those that will be indirectly impacted, UDWR requests involvement when mitigation options are developed.

Several streams may be crossed with bridges, depending upon which alignment is selected. The streams crossed may include the Weber River, First Salt Creek, Second Salt Creek, Third Salt Creek, Warm Springs Creek, the Little Weber River, Walker Slough and numerous other sloughs and small tributaries. Streams in this area are very close to the Great Salt Lake and become part of a "delta" system. River crossings should to be engineered to allow for both flood and debris flows, as well as to maintain flood plain connectivity. We recommend that free space bridges, with abutments located at the edges of the floodplains, be considered for all river crossings.

Species Concerns

Several of the alignments may cross habitats that support two state sensitive species, the bluehead sucker and the northern leopard frog, and the Yellow-billed cuckoo, a candidate species for listing under the U.S. Endangered Species Act. The bluehead sucker is currently managed under a multi-state Conservation Agreement and Strategy. The U.S. Fish and Wildlife Service is currently in a 12-month review to evaluate whether the northern leopard frog may be warranted for listing under the Endangered Species Act. We suggest that all the proposed river crossing locations be surveyed for the presence of these species.

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The State of Utah appreciates the opportunity to review this proposal and we look forward to working with you on future projects. Please direct any other written questions regarding this correspondence to the Resource Development Coordinating Committee at the address below, or call Judy Edwards at (801) 537-9023.

Sincerely,

John Harja
Director

cc: Carmen Bailey, Utah Division of Wildlife Resources

United States Department of the Interior
FISH AND WILDLIFE SERVICE
UTAH FIELD OFFICE
2369 WEST ORTON CIRCLE, SUITE 50
WEST VALLEY CITY, UTAH 84119

In Reply Refer To
FWS/R6
ES/UT
ER 10/99
2010-CPA-0032

March 19, 2010

Edward Woolford
Federal Highway Administration
2520 West 4700 South, Suite 9A
Salt Lake City, Utah 84118-1847

RE: Environmental Impact Statement for Proposed Transportation Improvement Project in Davis and Weber Counties, Utah

Dear Mr. Woolford:

We received notice of your intent to prepare an environmental impact statement (EIS) to address projected transportation demand in Davis and Weber counties, Utah (75 FR 3955). Although the exact limits of the study area were not defined, the area under consideration extends from about Parrish Lane (400 South) in Centerville in Davis County to about 1200 South in Marriott-Slaterville in Weber County and between Interstate 15 and the Great Salt Lake.

We appreciate your early coordination on this project, including the meeting with the resource agencies on January 19, 2010. We are providing the following comments for consideration in your alternative screening process, impact analysis, and development of avoidance and minimization measures. We look forward to working with you further in these efforts and, as a cooperating agency, providing our technical assistance relative to fish and wildlife resources.

Pursuant to our authorities under the National Environmental Policy Act (NEPA), the Migratory Bird Treaty Act (MBTA), the Endangered Species Act (ESA) of 1973, and the Fish and Wildlife Act of 1956, we have identified issues that should be addressed relative to fish and wildlife resources in the EIS. Section 1 of this letter identifies concerns that should be addressed in the EIS while section 2 addresses your ESA section 7 responsibilities.

Section 1

The area under consideration in the proposed EIS contains numerous wetlands, including emergent marsh, wet meadow, playa, riverine, seeps and springs. Wetlands and open water comprise less than five percent of the land mass in Utah (Sutter et al. 2005); however, they are

extremely valuable for a diverse assemblage of species including many macroinvertebrates, amphibians, reptiles, fish, birds, mammals, plants, and pollinators. Impacts to these habitats should be avoided to the greatest extent possible. Any unavoidable impacts should be fully mitigated by protecting and managing other similar habitats elsewhere.

The EIS should also consider the value of upland buffers around wetlands. Upland buffers provide a zone of protection between wetlands and encroaching development, reducing human disturbance to sensitive wildlife. They provide corridors for wildlife movement, nesting habitat adjacent to wetlands, and upland foraging habitat. Upland buffers also help protect water quality. The EIS should analyze impacts to both wetlands and adjacent uplands, and evaluate the effects of specific build alternatives on wildlife that use these habitats.

We recommend that potential alignments for various build alternatives be surveyed for the presence of springs. Springs provide habitat for rare and unique aquatic species and also provide hydrology to support vegetation for a variety of wildlife. Impacts to springs should be avoided to the maximum extent possible and unavoidable impacts fully mitigated. In addition, the preservation and restoration of springs, particularly within a wetland complex, may create opportunities for potential mitigation for unavoidable impacts of this project.

Riparian areas, including non-wetland riparian areas, are the most productive wildlife habitat type in North America and provide critical nesting and foraging habitat for migratory birds. Though lowland riparian habitat comprises less than 0.2% of the habitat in Utah, it supports a greater variety of wildlife and more sensitive species than any other habitat except wetlands (Sutter et al. 2005). Riparian vegetation plays an important role in protecting streams, reducing erosion and sedimentation, improving water quality, maintaining the water table, controlling flooding, and providing shade and cover. In light of their importance and relative scarcity, impacts to riparian areas should be avoided to the maximum extent possible and unavoidable impacts fully mitigated by restoration or protection of riparian habitats elsewhere.

The EIS should specifically address potential short-term and long-term impacts to migratory birds and their habitat. Executive Order 13186 on the Responsibilities of Federal Agencies to Protect Migratory Birds directs agencies to avoid or minimize adverse impacts on migratory bird populations and their habitats when conducting agency actions. The Executive Order also identifies the need to restore and enhance the habitat of migratory birds. Long-term impacts to migratory bird habitats, including indirect and cumulative effects should be mitigated, and the EIS should identify additional opportunities to restore and enhance bird habitat.

While the prohibitions of take under the MBTA apply year-round, we recommend that particular attention be given toward avoiding and minimizing impacts during the breeding season of migratory birds. For example, clearing vegetation used by nesting birds should occur outside of the nesting season. The EIS should also consider mitigating the interim loss of this habitat.

Design features of any build alternative should include best management practices to reduce future, unintentional take of migratory birds, such as birds being struck by vehicles. Design features should also consider how to avoid or reduce the potential need for intentional take of birds such as reducing the need to remove nests from bridges.

We recommend that particular emphasis be given to species on the U.S. Fish and Wildlife Service's 2008 List of Birds of Conservation Concern (BCC) and those identified as Priority Species by the Utah Partners in Flight (PIF). Recent bird surveys in the region indicate the potential for numerous species on these lists, including the American white pelican, American avocet, long-billed curlew, Wilson's phalarope, broad-tailed hummingbird, Brewer's sparrow, sage sparrow, loggerhead shrike, Northern harrier, Swainson's hawk, burrowing owl, bald eagle and yellow-billed cuckoo. Species on the BCC and PIF lists are considered high conservation priorities; to prevent further decline of these species, we encourage you to develop project alternatives to minimize impacts, identify conservation and mitigation measures to be incorporated in the alternatives, and include habitat improvements into the project plan where feasible. The *Utah Partners in Flight Avian Conservation Strategy* (Parrish et al. 2002) and the *Utah Comprehensive Wildlife Conservation Strategy* (Sutter et al. 2005) may be useful in preparing this analysis.

We recommend use of the *Utah Field Office Guidelines for Raptor Protection from Human and Land Use Disturbances* (Romin and Muck, 2002) which were developed, in part, to provide consistent application of raptor protection measures statewide and provide full compliance with environmental laws regarding raptor protection. Raptor surveys and mitigation measures are provided in the Raptor Guidelines as recommendations to ensure that proposed projects will avoid adverse impacts to raptors.

Roads have significant ecological effects, creating permanent negative impact to the land on which they are built and to wildlife habitats adjacent to the road. The proposed roadway is likely to have significant ecological impacts to migratory bird habitats associated with the Great Salt Lake ecosystem. The Great Salt Lake ecosystem is an irreplaceable and immitigable resource due to its location, size, and ecological features. It is part of the Western Hemispheric Shorebird Reserve Network (WHSRN), a distinction afforded to only five areas in the lower 48 states (Manomet 2007). To meet requirements of the WHSRN, an area must support more than 20,000 shorebirds, or 5% of a flyway population. The Great Salt Lake ecosystem easily exceeds the WHSRN standards, with impressive numbers of Wilson's phalarope (500,000; largest staging concentration in the world), red-necked phalarope (240,000), American avocet (250,000; exceeds any other wetland in the Pacific flyway), black-necked stilt (65,000; exceeds any other wetland in the Pacific flyway), and marbled godwit (30,000; the only staging area in the interior USA) (UDWR 2009).

Direct, indirect and cumulative ecological effects of all build alternatives should be fully analyzed in the EIS, particulary regarding migratory birds and their habitats. Effects may include: direct habitat loss; on-road mortality; displacement by noise, light and disturbance; fragmentation; hydrologic modification including possible impacts to groundwater from soil compaction; introduction and spread of noxious weeds; and water quality impacts (Forman and Alexander, 1998).

- The extent to which birds avoid habitats near a road varies by species. The EIS should determine which species may nest, forage or migrate in the area (particularly for BCC and PIF species) and analyze the extent to which a road corridor would fragment the available habitat and preclude (or reduce) these species from using the habitats.

- Roads can separate populations of less mobile wildlife such as amphibians, reptiles, pollinators, and small mammals, subdividing the population and potentially isolating populations genetically. Wildlife crossings (e.g., usable culverts and bridges where appropriate) should be incorporated into the road design to minimize these effects.

- Build alternatives will create surface disturbance which could introduce and spread invasive species. The EIS should evaluate this and should incorporate measures to prevent the introduction and proliferation of invasive species. Monitoring and control efforts should be implemented following construction. Revegetation seed mixes should contain in the following order: native plants; non-natives that will not naturalize; and/or species that are compatible with adjacent land uses.

We recommend the EIS analyze the potential effects of this project to induce land use changes. Population growth in Davis and Weber counties was rapid in the last decade resulting in the conversion of agricultural fields to commercial or residential. The EIS should analyze each alternative relative to its potential to induce development in the surrounding area.

We encourage UDOT and FHWA to explore mitigation opportunities in conjunction with other projects within and adjacent to the study area. Generally, we encourage the pooling of resources to consolidate mitigation into larger areas within the landscape as these often provide better habitat function and allow for more effective land management.

Section 2

Federal agencies have specific, additional responsibilities under section 7 of the ESA. A current species list can be obtained at http://www.fws.gov/utahfieldoffice/EndSpp.html, and we encourage agencies to review the list for changes at least every ninety days. Agencies should review the proposed action and determinate if the action may affect any listed species or their critical habitat. If it is determined by the Federal agency, with the written concurrence of the Service, that the action is not likely to adversely affect listed species or critical habitat, the consultation process is complete, and no further action is necessary unless project plans change or new information becomes available on species and critical habitat.

Formal consultation (50 CFR 402.14) is required if the Federal agency determines that an action is "likely to adversely affect" a listed species or will result in adverse modification of critical habitat (50 CFR 402.02). Federal agencies should also confer with the Service on any action which is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat (50 CFR 402.10). A written request for formal consultation or conference should be submitted to the Service with a completed biological assessment and any other relevant information (50 CFR 402.12).

Only a Federal agency can enter into formal ESA section 7 consultation with the Service. A Federal agency may designate a non-Federal representative to conduct informal consultation or prepare a biological assessment by giving written notice to the Service of such a designation. The ultimate responsibility for compliance with ESA section 7, however, remains with the Federal agency.

Your attention is also directed to section 7(d) of the ESA, as amended, which underscores the requirement that the Federal agency or the applicant shall not make any irreversible or irretrievable commitment of resources during the consultation period which, in effect, would deny the formulation or implementation of reasonable and prudent alternatives regarding their actions on any endangered or threatened species.

We appreciate the opportunity to provide these comments. If further assistance is needed or you have any questions, please contact Nathan Darnall, Ecologist and Migratory Bird Coordinator, at (801) 975-3330 extension 137.

Sincerely,

Larry Crist
Utah Field Supervisor

cc: Randy Jefferies, UDOT, 166 Southwell Street, Ogden, Utah 84404
COE – Bountiful (Attn: Jason Gipson) – by email
EPA – Denver (Attn: Julia McCarthy) – by email
EPA – Denver (Attn: Robin Coursen) – by email
FWS – Denver (Attn: Dave Carlson) – by e-mail
DWR – Ogden (Attn: Pam Kramer) – by email
OEPC – Denver (Attn: Ethel Smith) – by email
OEPC – Denver (Attn: Bob Stewart) – by email

References

Forman, R. T. and L. E. Alexander. 1998. Roads and their major ecological effects. Annu. Rev. Ecol. Syst. 29:207-31.

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DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.
Executive Director

CARLOS M. BRACERAS, P.E.
Deputy Director

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DEC 2012

☒ Concur No Effect
☐ Concur Not Likely to Adversely Affect
☐ No Comment
U.S.F.W.S. – Utah Field Supervisor
Date 1/14/2013

December 13, 2012

Larry Crist
Utah Field Supervisor
Utah Ecological Services Field Office
2369 Orton Circle, Suite 50
West Valley City, Utah 84119

Subject: "No Effect" Determination for West Davis Corridor EIS and Informal Section 7 Consultation

Dear Mr. Crist:

The Federal Highway Administration in cooperation with the Utah Department of Transportation is preparing an Environmental Impact Statement (EIS) for the West Davis Corridor (WDC) Project. The project is located in Davis and Weber Counties and includes the evaluation of eight action alternatives. Figure 1 shows the project study area with the proposed alternatives being evaluated in the EIS.

This letter describes the findings of the threatened and endangered species analyses that were conducted within the project study area under the Endangered Species Act (Act) of 1973. Our determination is that the proposed WDC Project would have "no effect" on federally listed Canada lynx (threatened) and June sucker (endangered). This letter is intended to fulfill the requirements of informal Section 7 consultation as described in the Act.

Federally Listed Species

Field surveys for wildlife habitat were conducted in the spring and summer 2010, 2011, and 2012. Field investigation consisted of on-site field reconnaissance and aerial photo interpretation.

The determination of effect for federally listed threatened and endangered species considers the expected impacts of the proposed action on these species and their habitat. It includes the direct and indirect effects of taking an individual of a listed species, adversely affecting a population of a listed species, or degrading designated critical habitat of a listed species.

In summary, two federally listed species were identified for evaluation within the study area. The two listed species, June sucker (endangered) and Canada lynx (threatened), are not found in the project area; therefore, there would be no effect to these species from the WDC Project.

Candidate Species

Three candidate species (least chub, greater sage-grouse, and yellow-billed cuckoo) were identified for evaluation in the study area.

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Least Chub. The least chub was listed in Weber and Davis Counties because of its recent introduction into managed refuges either in those counties or into refuges in watersheds that extend into those counties. Because these refuge sites are known and managed by the State of Utah and are outside the area of project impacts, no impacts to them or their hydrology sources is anticipated.

Greater Sage-Grouse. Habitat for greater sage-grouse does not exist in the study area. Therefore, there would be no effect to this species.

Yellow-Billed Cuckoo. One candidate bird species, the yellow-billed cuckoo (Coccyzus americanus), has some potential to be present in the study area because suitable habitat for this species still exists in the area. However, a lack of historical data placing it in the area suggests that the species could have a low likelihood of being present in the study area. Yellow-billed cuckoos are rare migrants in the Great Salt Lake area; they have low potential to be present in study area because of limited suitable riparian breeding habitat.

All of the WDC action alternatives would result in direct loss of less than 12 acres of low- to medium-quality riparian habitat. The greatest impact would be with Alternatives A3, A4, B3, and B4, which would convert about 8 acres of riparian habitat along Haight Creek in Farmington to roadway use. The Yellow-billed cuckoo likes large contiguous tracks of riparian habitat. The riparian habitat associated with Haight Creek potentially impacted by the WDC is not contiguous between I-15 and 950 North (a distance of about 2,000 feet). This habitat is segmented into four 500 foot segments by Shepard Lane (two land road), a house, and finally the D&RG rail trail. This habitat consists mostly of emergent marsh with a single row of trees along the edge between the steep slope above the marsh and the farm fields or housing developments surrounding it. In some areas, dense shrubs such as multiflora rose, Woods rose, coyote willow, and hawthorn dominate the edges instead of taller trees. The thin row of taller trees (25 to over 50 feet tall) is typically box elder, maple, walnut, cottonwood, and Russian olive.

Overall, no contiguous large high-quality riparian habitat would be affected with any of the action alternatives. To verify the presence or absence of yellow-billed cuckoo, UDOT will conduct USFWS approved yellow-billed cuckoo surveys in 2013 in potential suitable riparian habitats. UDOT will provide the results to USFWS and include the additional information on the yellow-billed cuckoo in the Final EIS.

Conclusion

It is, therefore, our determination that the proposed WDC Project would have "no effect" on the federally endangered June sucker and federally threatened Canada lynx. We understand that USFWS no longer provides concurrence on "no effect" determinations for listed threatened and endangered species. If you have any questions, please contact Vince Izzo at 406-396-6223.

Sincerely,

Randy Jefferies, P.E.
UDOT West Davis Corridor Project Manager

Region One Headquarters, 166 West Southwell Street, Ogden, Utah 84404
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cc: Vince Izzo, HDR
Brandon Weston, UDOT
Chris Lizotte, UDOT

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DEPARTMENT OF TRANSPORTATION

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October 3, 2013

Larry Crist
Utah Field Supervisor
Utah Ecological Services Field Office
2369 Orton Circle, Suite 50
West Valley City, Utah 84119

Subject: Yellow-Billed Cuckoo Survey and Evaluation for the West Davis Corridor EIS

Dear Mr. Crist:

This letter is a follow up to a letter sent to the U.S. Fish and Wildlife Service (USFWS) on December 13, 2012, and concurred with by USFWS on January 14, 2013. The previous letter described the findings of the threatened and endangered species analyses that were conducted within the project study area under the Endangered Species Act (Act) of 1973 and the USFWS concurred with the "No Effect" determination for listed species except for the candidate species yellow-billed cuckoo (YBCU). The USFWS requested that UDOT conduct USFWS approved studies for the candidate bird species, yellow-billed cuckoo (YBCU), in 2013 in potential suitable riparian habitats to determine if there would be any effect on YBCU from the WDC alternatives (this was also noted in the Draft EIS).

The 2013 YBCU survey efforts are described in detail in the attached *Technical Memorandum 25: 2013 Yellow-Billed Cuckoo Surveys*. To summarize the results of these efforts, no yellow-billed cuckoos were detected during the surveys conducted in 2013. Additionally, no contiguous, high-quality riparian habitat that could potentially be used by yellow-billed cuckoos would be removed by any of the WDC action alternatives. Therefore, our determination is that the proposed WDC Project would have "no effect" on the yellow-billed cuckoos.

This additional information on the yellow-billed cuckoo will also be included in the Final EIS for the WDC project.

If you have any questions, please contact Vince Izzo at 406-396-6223.

Sincerely,

Randy Jefferies, P.E.
Project Manager, UDOT Region 1

cc: Pam Kramer, UDWR
Brandon Weston, UDOT Environmental Services

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July 19, 2016

Larry Crist
Utah Field Supervisor
Utah Ecological Services Field Office
2369 Orton Circle, Suite 50
West Valley City, Utah 84119

Subject: Yellow-Billed Cuckoo Survey and Evaluation for the West Davis Corridor EIS Addendum

Dear Mr. Crist:

This letter is a follow up to the correspondence between the U.S. Fish and Wildlife Service (USFWS) and the Utah Department of Transportation (UDOT) regarding the West Davis Corridor (WDC) Project "no effect" determination. UDOT provided the USFWS a "no effect" determination for the WDC Project on December 13, 2012 which the USFWS concurred with on January 14, 2013. On October 3, 2013 UDOT provided the USFWS the results of a 2013 survey for the Western Yellow-Billed Cuckoo (WYBCU) within the WDC study area. To summarize the results of these efforts, no WYBCUs were detected during the surveys conducted in 2013 and no contiguous, high-quality riparian habitat exist within the study area. Based on the survey UDOT concluded that no high-quality nesting habitat that could potentially be used by WYBCU would be removed by any of the WDC action alternatives and therefore there would be "no effect" on the WYBCU.

In July 2016 the USFWS provided UDOT the June 2015 *Guidelines for the Identification of Suitable Habitat for the WYBCU in Utah* and requested that a re-evaluation of habitat be conducted based on these guidelines. HDR wildlife biologist Kurt Rautenstrauch, PhD conducted the re-evaluation which is attached to this letter. The re-evaluation concluded there is no suitable WYBCU nesting habitat within the WDC Project area. Based on the 2013 survey and the re-evaluation using the 2015 guidelines UDOT has determined that the proposed WDC Project would have "no effect" on the WYBCU.

This additional information on the WYBCU will also be included in the Final EIS for the WDC project.

If you have any questions, please contact Vince Izzo at 406-396-6223.

Sincerely,

Randy Jefferies, P.E.
Project Manager, UDOT Region 1

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cc: Pam Kramer, UDWR
Brandon Weston, UDOT Environmental Services

Memo

Date:	Tuesday, July 19, 2016
Project:	West Davis Corridor EIS, Utah
To:	Vince Izzo
From:	Kurt Rautenstrauch, PhD
Subject:	**2016 Re-Evaluation of Western Yellow-Billed Cuckoo Habitat within the West Davis Corridor Study Area**

Three sites within the West Davis Corridor (WDC) study area were surveyed for western yellow-billed cuckoos (*Coccyzus americanus*) (WYBCU) in 2013 (HDR Inc. 2013). No WYBCU were detected during the surveys, and it was concluded based on those results and descriptions of habitat characteristics available at that time (Halterman et al. 2010, Laymon and Halterman 1987, 1989) that riparian areas within the WDC study area are not suitable nesting habitat for the WYBCU.

Revised *Guidelines for the Identification of Suitable Habitat for WYBCU in Utah* have been compiled by the U.S. Fish and Wildlife Service based on information in Halterman et al. (2015). According to the guidelines, the following parameters, which are summarized in Table 1, characterize suitable breeding and nesting cuckoo habitat in Utah:

- Vegetation that is predominantly multi-layered, with riparian canopy trees and at least one layer of understory shrubby vegetation;
- Patches of multi-layered vegetation (as described above) that are at least 5 ha or greater in extent and separated from other patches of suitable habitat by at least 300 meters;
- Somewhere within a patch, the multi-layered riparian vegetation should be at least 100 meters wide by 100 meters long.; and,
- Open areas, or gaps of multi-layered vegetation within a patch are less than 300 meters.

To ensure that the conclusions reached in the 2013 evaluation of WYBCU habitat in the WDC study area remain valid, the characteristics of the three riparian areas, as described by HDR (2013) and summarized in Table 1, were compared to the revised *Guidelines*.

Farmington Creek – Riparian vegetation along Farmington Creek has an overstory of native trees but little or no understory. The 6.3-ha patch of riparian vegetation consists of a narrow (27–57 m width) band of vegetation immediately adjacent to the creek. The site is not suitable nesting habitat for the WYBCU because of the lack of understory and narrow width of the riparian vegetation.

Haight Creek – Most of this area is an open marsh with dense patches of shrubs and a sparse, open canopy of trees. Riparian overstory vegetation covers about 2.3 ha. The largest patch of that vegetation is about 150 m long by 50 to 90 m wide, and the remainder of the riparian overstory is 10–30 m wide. Because of the lack of overstory and small size and narrow width of the riparian vegetation, the site is not suitable nesting habitat for the WYBCU.

Howard Slough – This site is dominated by a dense, single-layered stand of non-native Russian olive. The riparian vegetation covers 2.3 ha and is 12 to 43 m wide. The riparian corridor at this site is too small and narrow to be suitable nesting habitat for WYBCU.

Table 1. Guidelines for Identification of WYBCU Habitat in Utah and Characteristics of Riparian Vegetation in the WDC Study Area.

	Vegetation	Structure	Patch Size	Patch Width
2015 WYBCU Habitat Guidelines for Utah				
2015 Guidelines	Native riparian or mixed native/exotic	Multilayer, with riparian canopy and at least one layer of shrubby understory	>5 ha of multilayer vegetation patches	>100 m wide (and 100 m long) somewhere in riparian patch
West Davis Corridor Riparian Areas				
Farmington Creek	Native riparian	Overstory present, very limited understory	6.3 ha	27–57 m wide
Haight Creek	Mixed native riparian and marsh	Sparse overstory, dense patchy understory	2.3 ha	10–30, with small area up to 90 m wide
Howard Slough	Exotic	Short dense overstory, dense understory	2.3 ha	12–43 m wide

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