



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
650 Capitol Mall, Suite 5-100
Sacramento, California 95814-4700

MAY 31 2016

Refer to NMFS No: WCR-2016-4669

Ms. Nancy A. Haley
Chief, CA North Branch
Regulatory Division
U.S Army Engineer District, Sacramento
Corps of Engineers
1325 J Street
Sacramento, CA 95814-2922

Re: Endangered Species Act Section 7(a)(2) Concurrence Letter and Magnuson-Stevens
Fishery Conservation and Management Act Essential Fish Habitat Response for the
Placer Vineyards Specific Plan

Dear Ms. Haley:

This letter responds to your January 5, 2016 request for concurrence from the NOAA's National Marine Fisheries Service (NMFS) pursuant to Section 7 of the Endangered Species Act (ESA) for the subject action. Your request qualified for our expedited review and concurrence because it met our screening criteria and contained all required information on your proposed action and its potential effects to listed species and designated critical habitat.

We reviewed your consultation request document and related materials. Based on our knowledge, expertise, and the materials you provided, we concur with your conclusions that the proposed action is not likely to adversely affect the NMFS ESA-listed species and/or designated critical habitat.

This letter underwent pre-dissemination review using standards for utility, integrity, and objectivity in compliance with applicable guidelines issued under the Data Quality Act (section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001, Public Law 106-554). The concurrence letter will be available through NMFS' Public Consultation Tracking System <https://pcts.nmfs.noaa.gov/pcts-web/homepage.pcts>. A complete record of this consultation is on file at the NMFS California Central Valley Office.

Reinitiation of consultation is required and shall be requested by the U.S Army Corps of Engineers or by NMFS, where discretionary Federal involvement or control over the action has been retained or is authorized by law and (1) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered; (2) the identified action is subsequently modified in a manner that causes an effect to the listed



species or critical habitat that was not considered in this concurrence letter; or if (3) a new species is listed or critical habitat designated that may be affected by the identified action.

NMFS also reviewed the proposed action for potential effects on essential fish habitat (EFH) designated under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), including conservation measures and any determination you made regarding the potential effects of the action. This review was pursuant to section 305(b) of the MSA, implementing regulations at 50 CFR 600.920, and agency guidance for use of the ESA consultation process to complete EFH consultation. In this case, NMFS concluded the action would not adversely affect EFH. Thus, consultation under the MSA is not required for this action.

Please direct questions regarding this letter to Jonathan Schram at (916) 930-5617, or via email at jonathan.schram@noaa.gov.

Sincerely,



William W. Stelle, Jr.
Regional Administrator

Cc: Division Chron File: 151422-WCR2014-SA00150

Electronic cc: Mr. Chris Fitzer, ESA Biological Resources, CFitzer@esassoc.com
Mr. Clark Morrison, Cox, Castle & Nicholson LLP, cmorrison@coxcastle.com