



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region, California Central Valley Office
650 Capitol Mall, Suite 5-100
SACRAMENTO, CA 95814

In response refer to NMFS ECO#: WCRO-2025-01976

February 26, 2026

Dominic Vitali
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California Department of Transportation, District 1
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Eureka, California 95501-3700
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Re: Erratum—Endangered Species Act Section 7(a)(2) Condensed Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the HUM 254 Culvert Rehabilitation Project (01-0H240).

Dear Mr. Vitali:

On January 22, 2026, NOAA's National Marine Fisheries Service (NMFS) completed an Endangered Species Act Section 7(a)(2) Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act (MSA) Essential Fish Habitat (EFH) response for the HUM 254 Culvert Rehabilitation Project (Project) and issued the biological opinion and MSA response to the California Department of Transportation (Caltrans)¹ on January 22, 2026. Shortly thereafter, Caltrans realized there are inadvertent errors in the biological opinion that needed to be corrected.

The minor, non-substantive errors in the biological opinion do not warrant a reinitiation of consultation, but nevertheless should be corrected to avoid confusion. The errors in the proposed action in the biological opinion do not conflict with NMFS' effects analysis. The errors in the Terms & Conditions do not conflict with NMFS' post-construction reporting requirements for revegetation monitoring. The work window for pile driving in Chadd in Mowry creeks is consistent with the in-water work window (June 15 to October 15), which is protective of salmonids. Although the replacement ratio for trees is 1:1, rather than 3:1, the action area has a canopy cover within the action area will not be substantially reduced. Larger, mature redwoods at PM 8.13 will remain while smaller trees will be removed, which would not reduce the canopy cover in the action area. The new box culvert at PM 8.13 will be larger than described in the

¹ Pursuant to 23 USC 327, and through a series of Memorandum of Understandings (MOU) beginning June 7, 2007, the Federal Highway Administration (FHWA) assigned and Caltrans assumed responsibility for compliance with Section 7 of the federal Endangered Species Act (ESA) and the Magnuson-Stevens Fishery Conservation and Management Act (MSA) for the federally-funded highway projects in California. Therefore, Caltrans is considered the federal action agency for consultations with NMFS for federally funded projects involving FHWA. Caltrans proposes to administer federal funds for the implementation of the proposed project. Thus, per the aforementioned MOU, Caltrans is considered the federal action agency for this project.



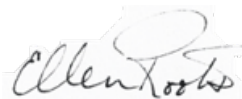
proposed action; however, the larger design does change our effects analysis. There will be beneficial stream changes with grading near the new culvert at PM 8.13. Post-project conditions reporting vegetation health and survivorship, natural recruitment of native vegetation (if any), and any maintenance or replanting needs will be reported by January 15 in Years 1, 3, and 5 for the first five years following project construction, rather than every year following project construction.

NMFS' procedures allow for the correction of errors in a consultation document that are clearly non-substantive, such that they do not warrant a reinitiation evaluation, but nevertheless should be corrected to avoid confusion. Reinitiation of consultation is required where discretionary Federal agency involvement or control over the action has been retained or is authorized by law and if: (1) the amount or extent of incidental taking specified in the incidental take statement is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in the opinion; (3) 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 the biological opinion; or (4) a new species is listed or critical habitat designated that may be affected by the identified action (50 CFR 402.16). Based on the above, NMFS concludes the errors in the biological opinion are non-substantive, could cause confusion if left uncorrected and, therefore, require correction, but not reinitiation of consultation.

Thus, per the aforementioned procedure, NMFS is providing an Erratum (Enclosure 1) with corrections of typographical errors that will replace the associated text in the January 22, 2026 biological opinion. There will be no changes made to the original biological opinion, and the previously issued biological opinion remains in effect, including its effective date. Upon receipt of this letter and Erratum, both should be attached to the January 22, 2026 biological opinion and considered a part of the original consultation.

Thank you for coordination with NMFS regarding this clarification. Please direct questions regarding this letter to Page Vick, Santa Cruz, California via email at page.vick@noaa.gov or (916) 930-3728.

Sincerely,



Ellen Roots, M.S.
Chief, North Central Valley Branch
California Central Valley Office

Enclosure

cc: Leigh Douglas, Caltrans, Leigh.Douglas@dot.ca.gov
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e-file:151422WCR2025SR00168 & 151422-WCR2026-SA0013

Enclosure 1

Errata with corrections to the January 22, 2026 Endangered Species Act Section 7(a)(2) Concurrence Letter and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the HUM 254 Culvert Rehabilitation Project (01-0H240). Text modifications are highlighted as bold, italicized, and underlined font (new), and bold strikethrough (replaced, or deleted).

Erratum 1.

In the proposed action section of the biological opinion, the sentence currently states (Page 3):

“Pile driving will occur from June 15 to July 31 for Mowry and Chadd creeks.”

The sentence is revised as follows:

“Pile driving will occur from June 15 to ~~July 31 for Mowry and Chadd creeks~~ October 15 at Chadd Creek and from August 6 to October 15 at Mowry Creek.”

Erratum 2.

In the proposed action section of the biological opinion, the sentence currently states (Page 3):

“The existing culvert at PM 8.13 will be replaced with a 10-foot long and 8-foot-tall upsized reinforced concrete box culvert”

The sentence is revised as follows:

“The existing culvert at PM 8.13 will be replaced with a 10-foot long and ~~8~~10-foot-tall upsized reinforced concrete box culvert”

Erratum 3.

In the proposed action section of the biological opinion, the sentence currently states (Page 4):

“Up to 10 riparian trees will be removed at PM 40.81.”

The sentence is revised as follows:

“~~Up to~~ Approximately 10 riparian trees will be removed at PM 40.81.”

Erratum 4.

In the proposed action section of the biological opinion, the sentence currently states (Page 8):

“All in-stream pile driving activities will be limited to June 15 to July 31 to avoid adult and smolt migration and minimize exposure to rearing salmonids.”

The sentence is revised as follows:

“All in-stream pile driving activities will be limited to ~~June 15 to July 31~~ the in-water work window (June 15 to October 15 at Chadd Creek and August 6 to October 15 at Mowry Creek) to avoid adult and smolt migration and minimize exposure to rearing salmonids.”

Erratum 5.

In the proposed action section of the biological opinion, the sentence currently states (Page 9):

“The trees will be replaced at a 3:1 ratio.”

The sentence is revised as follows:

“~~The~~ Riparian trees will be replaced at a ~~3~~ 1:1 ratio.”

Erratum 6.

In the proposed action section of the biological opinion, the sentence currently states (Page 9):

“Caltrans will remove 10 trees at Chadd Creek and 2 redwood trees at Mowry Creek.”

The sentence is revised as follows:

“Caltrans will remove approximately 10 trees at Chadd Creek, ~~and 2 redwood~~ trees at Mowry Creek, and 2 trees at PM 8.13.”

Erratum 7.

In the Terms & Conditions section of the biological opinion, the sentence currently states (Page 15):

“Reports documenting post-project conditions of vegetation installed at the site shall be prepared and submitted annually on January 15 for the first five years following project completion,

unless the site is documented to be performing poorly, then monitoring requirements shall be extended. Reports will document vegetation health and survivorship and percent cover, natural recruitment of native vegetation (if any), and any maintenance or replanting needs.”

The sentence is revised as follows:

“Reports documenting post-project conditions of vegetation installed at the site shall be prepared and submitted **annually** on January 15 ***in Years 1, 3, and 5*** for the first five years following project completion, unless the site is documented to be performing poorly, then monitoring requirements shall be extended. Reports will document vegetation health and survivorship ~~and percent cover~~, natural recruitment of native vegetation (if any), and any maintenance or replanting needs.”