

Dry- and Wet-Season Sampling for Federally Listed Large Branchiopods

**DRY-SEASON SAMPLING
FOR
FEDERALLY-LISTED LARGE BRANCHIOPODS
AT THE
CONNECTION SLOUGH AREA
OF THE
2-GATES PROJECT**



Prepared for: **MOSAIC ASSOCIATES, LLC**
647 Tennent Avenue, Suite 102
Pinole, CA 94564
Contact: Judy Bendix
(510) 964-0394

Prepared by: **HELM BIOLOGICAL CONSULTING, LLC**
2273 Nolen Drive
Lincoln, CA 95648
Contact: Brent Helm
(916) 543-7397

February 2009



"I certify that the information in this survey report and attached exhibits fully and accurately represent my work."

Todd F. Wood

Signature

A handwritten signature in blue ink, appearing to read "Todd F. Wood", written over a horizontal line.

Date 2-13-09



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INTRODUCTION

Helm Biological Consulting, LLC was contracted by Mosaic Associates, LLC to conduct dry-season sampling for large branchiopods (fairy shrimp, tadpole shrimp, and clam shrimp) that are listed as threatened or endangered under the federal Endangered Species Act (e.g., vernal pool fairy shrimp [*Branchinecta lynchi*] and vernal pool tadpole shrimp [*Lepidurus packardii*]) at the Connection Slough Area of the 2-Gates Project .

The Connection Slough Area of the 2-Gates Project is located west of McDonald Island, north of Mildred Island, and southeast of Connection Slough, San Joaquin County, California. Additionally, the Connection Slough Study Area is located in an unsectionalized portion off the Bouldin Island U.S. Geological Survey 7.5 Minute Topographical Quadrangle Map (center coordinates in North American Datum 1983 Universal Transverse Mercator Zone 10 North: Easting 596109.7 and Northing 4252148.6) (Figure 1).

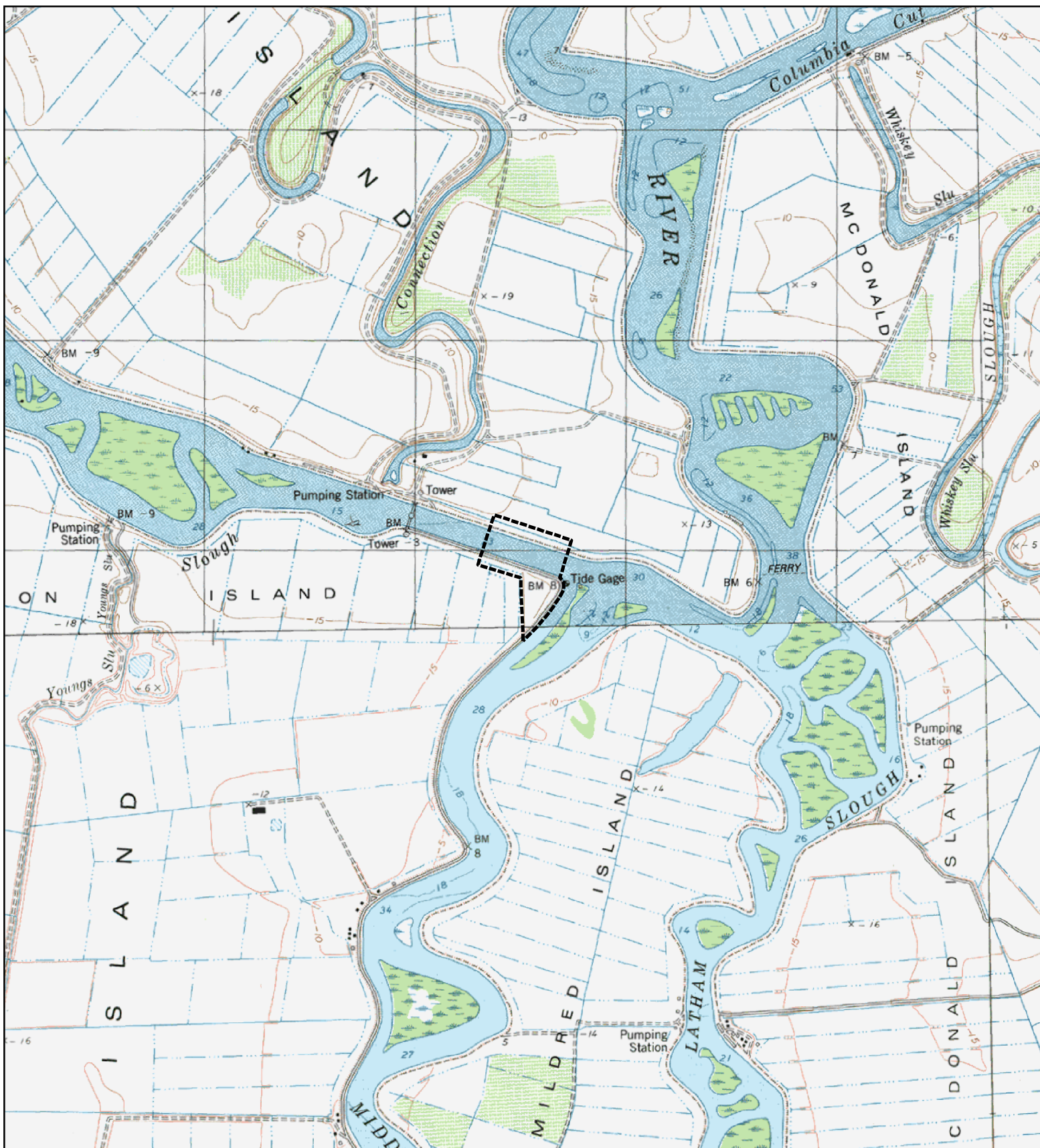
The 2-Gate Project consists of a fish protection plan intended to reduce the take of Delta smelt and other listed fish species, in compliance with the federal and state Endangered Species Acts. Entrainment of Delta smelt at the State Water Project (SWP) and Central Valley Project (CVP) export pumps would be reduced by the installation and operation of two operable gates in the central Delta. The project would also increase the certainty of water supply, and improve water quality. The 2-Gate Project is a five-year pilot project that is fully removable once installed.

Two gates would be installed in two separate locations, one on Old River and the other on Connection Slough. A wetland delineation has been conducted by Mosaic Associates,



LLC, and a single 0.5 acre seasonal wetland feature within the Connection Slough Area was assessed as potential to support the vernal pool fairy shrimp and vernal pool tadpole shrimp.

This report discusses the methods and results of the dry-season sampling for the presence of federally-listed large branchiopod at the Connection Slough Area of the 2-Gates Project.



Property Center Coordinates in NAD 1983 UTM Zone 10 N
 Easting 629442.5 Northing 4207129.5

1:24,000
 1 inch equals 2,000 feet

 Study Area



Prepared By:
 Date: 10-1-08



HELM
 BIOLOGICAL CONSULTING, LLC
 2273 Nolen Drive, Lincoln, CA 95648

Figure 1. Connection Slough Area of the 2-Gate Project Location
 (Source: U.S. Geological Survey Bouldin Island 7.5 minute Topographical Quadrangle Map)



METHODS

Mr. Todd Wood conducted dry-season sampling on October 29, 2008 as authorized by the U.S. Fish and Wildlife Service (USFWS) (Appendix A). Sampling was conducted under permit TE-795930-5 of Section 10(a)(1)(A) of the federal Endangered Species Act, 16 U.S.C. 1531 *et seq.*, and its implementing regulations. Methods generally followed USFWS's Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods (1996) and are described below.

Dry-season sampling involved the collection of 20 sub-samples of soil, mainly from the lowest topographic areas within the basin considered potential habitat for federally-listed large branchiopods by Mosaic and Associates, LLC. Soil samples were placed in liter size plastic freezer bags and marked with the project name, basin number, and date. The soil was then transported to Helm Biological Consulting's, LLC laboratory for processing and analysis.

In the laboratory, a brine solution was prepared by mixing table salt (NaCl) with lukewarm tap water in a large container. The collected soil material was placed in the brine solution. The soil material was then gently worked by hand to breakdown any persistent soil structure. The organic material rising to the top of the brine solution was skimmed off and placed in a 710-micron diameter pore-size sieve stacked atop a 75-micron diameter pore-size sieve. The soil material was processed through the top sieve by flushing it with lukewarm tap water while gently rubbing it with a soft-bristle brush. The soil retained from the 75-micron diameter pore size sieve was then removed and thinly (≈ 1.0 mm) spread into plastic petri dishes.

The contents of each petri dish were examined under a 10 to 252-power zoom binocular microscope. A minimum of 0.5-hour was spent searching the contents of each petri dish for large branchiopod cysts (embryonic eggs). Helm Biological Consulting's, LLC large branchiopod cyst reference collection and scanning electron micrographs of cysts (Hill and Shepard 1998, Mura 1991, and Gilchrist 1978) were used to identify and compare any cysts observed within the soil samples.



RESULTS

Visual examinations of the soil collected from the basin on site did not reveal any evidence of federally-listed large branchiopods (e.g., cysts or carapaces of *Lepidurus* sp.) (Exhibit A). The soils supported only evidence of insects exoskeletons (mainly ants) and flatworm cysts (microturbellaria).

Representative photographs of the basins on site are in Appendix B.



Legend

-  Study Area
-  Coastal and Valley Freshwater Marsh
-  Seasonal Wetland
-  Ruderal Herbaceous
-  Agricultural
-  Open Water

Exhibit A. Habitats on the Connection Slough Study Area.
Basemap Source: CASIL 2005.

Mapscale: 1:2,100 (1 inch = 175 feet)

0 100 200 400 600 800 Feet



Mosaic Associates LLC
647 Tennent Ave., Suite 102
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Ph: (510) 964-0394 Fax: (510) 964-0396



LITERATURE CITED

- Gilchrist, B. M. 1978. Scanning electron microscope studies of the egg shell in some Anostraca (Crustacea: Branchiopoda). *Cell Tiss. Res.* 193: 337-351.
- Hill, R. E., and W. D. Shepard. 1998. Observation on the identification of California anostracan cysts. *Hydrobiologia* 359: 113-123.
- Mura, G. 1991. SEM morphology of resting eggs in the species of the genus *Branchinecta* from North America. *J. Crust. Biol.* 11: 432-436.
- U. S. Fish and Wildlife Service. 1996. Interim Survey Guidelines to Permittees for Recovery Permits under Section 10 (a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods. 11 pp.



APPENDIX A. USFWS AUTHORIZATION LETTER

From: David_Kelly@fws.gov
To: bhelm69485@aol.com
Cc: Susan_P_Jones@fws.gov; Mary_Hammer@fws.gov
Subject: Authorization to conduct wet and dry season VPb surveys at Connection Slough in San Joaquin County
Date: Thu, 16 Oct 2008 2:40 pm

By this electronic mail message and in response to your recent request (October 1, 2008, fax), Mr. Brent Helm (TE-795930-5) is authorized to conduct:

Dry-season survey and follow-up wet season survey of vernal pool branchiopods (including Branchinecta spp.) per the conditions of his Recover Permit, under the Endangered Species Act and the Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods (USFWS; April 19, 1996) at the Connection Slough area of the 2-Gate Project in San Joaquin County.

Please remember to have all biologists carry a copy of their permit while doing the work, and to follow the terms and conditions of the permit and the survey protocol, including the reporting requirements. In your report, please include which surveys were authorized, the names of all persons involved the surveys, their recovery permit numbers, and the date of this authorization, to help ensure that we correctly record the fulfillment of the reporting requirement under this authorization. Please let us know if the surveys are not performed as authorized, or if they are done by a different permittee under a separate authorization.

Please keep in mind that the Service can authorize surveys that establish presence, but not surveys where the purpose is to determine absence when there is a reason to believe that the species can be present even when they are not detected. Such reasons would include species characteristics that make it hard to detect, habitat suitability, and proximity to known occurrences of the species. Therefore, if additional information becomes available to us that indicate that listed crustaceans are likely to be present at the project site, the Service may determine that the species are present even if your surveys have failed to detect individuals or cysts. Please keep in mind; all soil samples collected for dry-season sampling must be collected during the dry season. The dry season is defined generally as that time between April 15th and until the first qualifying rain event on or before October 15th, defined as a frontal precipitation of more than one half of an inch for 24 hours.

Please send separate copies of the report(s) to the San Joaquin Valley Branch (Attn. Mary Hammer) and David Kelly (of this office) at the time of any formal or informal consultation under section 7 of the Endangered Species Act with the Fish and Wildlife Service.

Please reference track number 84120-2009-TA-0051 in future correspondence concerning this sampling.
Thank you.

David Lee Kelly
Fish and Wildlife Biologist
Recovery Branch
US Fish and Wildlife Service
2800 Cottage Way
Sacramento, CA 95825
Ph. (916) 414-6492



APPENDIX B. REPRESENTATIVE PHOTOGRAPH



2-Gates Project – The seasonal wetland found on site photograph taken facing northwest.



April 20, 2009

Mr. David Lee Kelly
Recovery Branch
U.S. Fish and Wildlife Service
2800 Cottage Way, W-2605
Sacramento, CA 95825-1846

RE: RESULTS OF THE 2008/2009 WET-SEASON SAMPLING FOR
FEDERALLY-LISTED LARGE BRANCHIOPODS AT THE CONNECTION
SLOUGH AREA OF THE 2-GATES PROJECT.

Dear Mr. Kelly:

Wet-season sampling was conducted at the Connection Slough Area of the 2-Gates Project during the 2008/2009 wet-season (Figure 1). Sampling was conducted by Dr. Brent Helm and Mr. Todd Wood under permit TE-795930-5 of Section 10(a)(1)(A) of the federal Endangered Species Act, 16 U.S.C. 1531 *et seq.*, and its implementing regulations. Site visits were conducted on November 14, 2008; December 24, 2008; January 8 and 30, 2009; February 18, 2009; and March 5, 2009 after all major storm events of the 2008/2009 wet-season. The site supports one ½ acre basin on the south side of Connection Slough which never had ponded water during any of the wet-season visits (Exhibit A). Similar results were obtained from dry-season sampling conducted by Helm Biological Consulting, LLC in 2008 (only ant exoskeletons and microturbellaria cysts were observed), indicating a more xeric environment. In conclusion, the basin on site is not considered potential habitat for federally-listed large branchiopods based on our observations during the 2008/2009 wet-season and the results of 2008 dry-season sampling.

This letter constitutes our 90-day report, as per our section 10(a)(1)(A) permit requirements, for wet-season sampling efforts at the Connection Slough Area of the 2-Gates Project.

If you need additional information, please call us at (916) 543-7397. Thank you for your time and consideration in this matter.

Sincerely,



A handwritten signature in blue ink, appearing to read "Brent Helm".

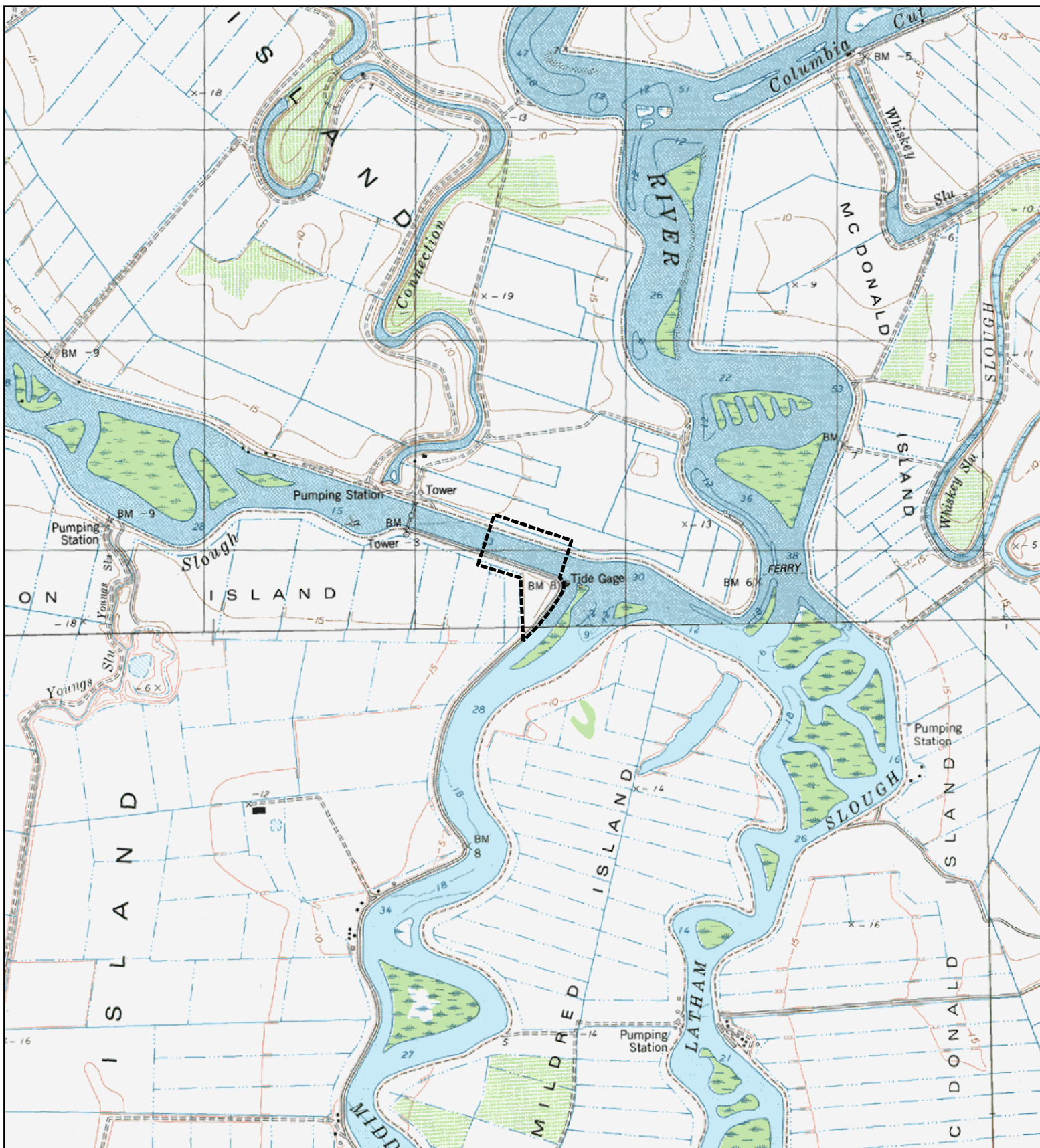
Brent Helm, Ph.D.
Senior Ecologist

and

A handwritten signature in blue ink, appearing to read "Todd Wood".

Todd Wood
Wetland Ecologist

CC: Judy Bendix of Mosaic Associates, LLC



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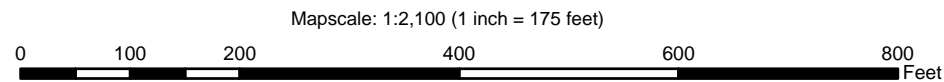
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Exhibit A. Habitats on the Connection Slough Study Area.
Basemap Source: CASIL 2005.



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