State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 481-0167
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director

January 14, 2014

Scott Quinnell
Department of Transportation
464 4th Street, 6th Floor, MS 822
San Bernardino, CA 92401

Subject: Notification of Lake or Streambed Alteration No. 1600-2013-0087-R6
Hathaway Bridge Replacement EA: 33630 EFIS: 08000000608

Dear Mr. Quinnell:

The Department had until November 24, 2013 to submit a draft Lake or Streambed Alteration Agreement (Agreement) to you or inform you that an Agreement is not required. The Department did not meet that date. As a result, by law, you may now complete the project described in your notification without an Agreement.

Please note that pursuant to Fish and Game Code section 1602(a)(4)(D), if you proceed with this project, it must be the same as described and conducted in the same manner as specified in the notification and any modifications to that notification received by the Department in writing prior to December 3, 2013.This includes completing the project within the proposed term and seasonal work period and implementing all avoidance and mitigation measures to protect fish and wildlife resources specified in the notification. If the term proposed in your notification has expired, you will need to re-notify the Department before you may begin your project. Beginning or completing a project that differs in any way from the one described in the notification may constitute a violation of Fish and Game Code section 1602.

Also note that while you are entitled to complete the project without an Agreement, you are still responsible for complying with other applicable local, state, and federal laws. These include, but are not limited to, the state and federal Endangered Species Acts and Fish and Game Code sections 5650 (water pollution) and 5901 (fish passage).

Finally, if you decide to proceed with your project without an Agreement, you must have a copy of this letter and your notification with all attachments available at all times at the work site. If you have any questions regarding this matter, please contact Kimberly Freeburn-Marquez at (909) 945-3484 or Kim.Freeburn@wildlife.ca.gov

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Kimberly Freeburn Marquez

Guidelines for Protection

- Stay within project limits.
- Check your equipment (mechanical and autos) for Boas before moving them.
- Check around duff (piled leaves and litter), and lose woody materials (wood shavings, logs, twigs, etc.) for Boas before moving or disturbing the piles.
- Keep work area clear of unnecessary debris, trash, and leaf litter, so that Boas are more visible. A clear area discourages them from entering.
- Firearms and domestic pets are not permitted on site.
- Do not touch, handle or harass Boas.
- Report all Boa sightings to Resident Engineer or Caltrans Biologist.

Courtesy of CaliforniaHerps.com

FOR MORE INFORMATION:

R. Hoyer's Rubber Boa site:
http://www.rubberboas.com

California Department of Fish and Game:
http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp

California Herps Boa. Page:
http://www.californiaherps.com/snakes/pages/c.umbratica.html

Caltrans

Caltrans Biology

District 8 Office
464 4th Street
San Bernardino, CA
92401
www.caltrans.ca.gov

Southern Rubber Boa

Courtesy of CaliforniaHerps.com

Caltrans Biology

Information Brochure

Southern Rubber Boa

(*Charina bottae umbratica*)

PROTECTED

The southern rubber boa has been listed as a "State Threatened" species since 1971 by the California Department of Fish and Game. It is protected by Section 2080 of the Fish and Game Code which prohibits "take" of any species that the commission determines to be an endangered species or a threatened species. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

This species is also a United States Forest Service Species of Concern and must not be harassed.

VIOLATIONS

"Take" may result in: a fine of $5,000 or imprisonment in the county jail for a period of a year, or both the fine and imprisonment.

Juvenile Courtesy of CaliforniaHerps.com

PHYSICAL DESCRIPTION:

Adult colors range from variations of light brown to a dark chocolate brown. Their bellies are most often a light yellow. Babies are born pink and slightly transparent and gradually darken with age. Southern Rubber Boa males typically max out at 18 inches, and females at 22 inches.

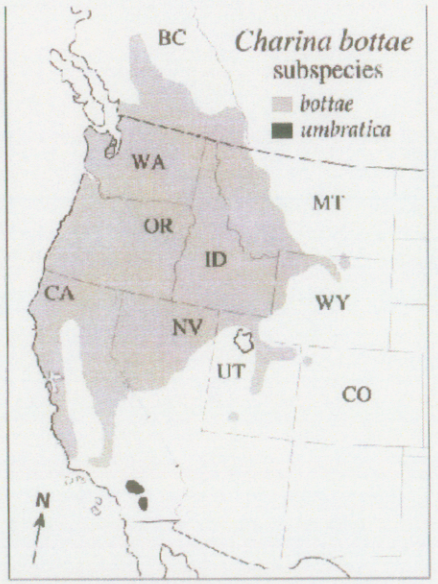
Adult Male Courtesy of CaliforniaHerps.com

BEHAVIOR:

Rubber boas are **not venomous and will not strike in defense**! They are docile snakes, as a defense they 'musk' (excrete very smelly substance from their vent). These animals are **active during evening hours** or **heavily overcast days** with high humidity and air temperatures in the 50–70 F range. They hibernate from November through February. They rarely move swiftly and **spend the vast majority of time under logs, rocks, and underground in rock openings or rodent burrows.**

HABITAT:

Southern Rubber Boas inhabit Oak-conifer and mixed-conifer forests at elevations of 5,000 to 8,200 ft. Large downed logs, well-developed litter/duff layers, and rock outcroppings are considered important for cover.



Distribution of Species:
The species in question is in Black. These spots correspond to the San Bernardino and San Jacinto Mtn. Ranges of Southern California
(http://www.rubberboas.com/Content/range.html)