



DEPARTMENT OF THE NAVY
SOUTHWEST DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
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M60050.002249
MCAS EL TORO
SSIC # 5090.3

11015
Ser 5731.JL/003
OCT 07 1997

Mr. Gail Kobetich, Field Supervisor
Attn: Marjorie Nelson
U.S. Fish and Wildlife Service
2730 Loker Avenue West
Carlsbad, California 92008

Re: Landfill remediation and habitat restoration at Marine Corps Air Station El Toro

Dear Mr. Kobetich:

The U.S. Fish and Wildlife Service's (Service) Biological Opinion 1-6-97-F-14, dated June 12, 1997, was issued in response to the Department of the Navy's Biological Assessment and request for consultation (dated May 7, 1997) on the Installation Restoration Program (IRP) associated with landfill remediation activities on Marine Corps Air Station (MCAS) El Toro, Orange County. This letter reports on accomplishments in the remediation endeavor and discusses the timing of compliance with certain Terms and Conditions in the Service's Opinion.

Our Biological Assessment (BA) describes the anticipated impacts to sensitive coastal sage scrub vegetation (CSS), habitat for the federally threatened California Gnatcatcher (*Poliophtila californica*) (gnatcatcher), in the remediation areas: Magazine Road Landfill (IRP Site 2) and Communication Station Landfill (IRP Site 17). To date, we have substantially completed the interim actions outlined in the BA at these sites, including:

- a. Construction of security fencing to restrict access to the landfill sites.
- b. Earthwork to remove landfill materials and debris from surface drainage channels and construction of erosion protection structures for the channels. We completed as much of this field work as practicable outside of the gnatcatcher breeding season.
- c. Monitoring of CSS vegetation loss resulting from remediation work. Habitat areas disrupted at IRP Sites 2 and 17 comprise less than the total allowable acreage of CSS vegetation disturbance specified in the Opinion.
- d. Monitoring of gnatcatchers disturbed by construction activities at least twice per week during the groundwork phase. We have routinely submitted monitoring reports to your office.

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Item 1.4 under the Terms and Conditions of the Service's Opinion requires the submission of a revegetation plan within four months of the issuance of the Opinion and the initiation of revegetation activities within one year of issuance. However, the landfill areas are currently in a high state of disturbance and must remain in that state for several months due to the current public review and regulatory approval phases required for the final remediation Record of Decision and for closure (remediation) design, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act. We anticipate the detailed remedial design of the IRP areas will not be completed until 1999 with construction starting immediately thereafter. There is currently no contract for this work, which will include the final revegetation plan. Due to the protective function of long-term landfill caps, restoration with CSS will probably not be possible in these locations. Mitigation for project-related CSS losses may be achieved on adjacent, disturbed sections of El Toro, but the exact locations have yet to be determined.

The Department of the Navy remains committed to the common goal of biologically effective habitat restoration and mitigation on MCAS El Toro. The nature and amount of final mitigation will be determined by the specifications of the final remedial actions on the landfill sites. Effective mitigation (CSS restoration) will rely on the formulation of an appropriate model derived from vegetation sampling data collected on undisturbed portions of the station, which are currently being analyzed. We would like to work with the Service in establishing a schedule for completion of the various elements of the revegetation, as specified in Terms and Conditions item 1.4 of the Opinion.

We propose that all planning for and implementation of revegetation and mitigation be accomplished coincidentally with the development of the design of the final closure remedy for IRP Sites 2 and 17. We furthermore request a revision to Terms and Conditions item 1.4 in the Biological Opinion to reflect this change.

Please refer responses and questions regarding this letter to Mr. John Lovio of the Southwest Division Natural Resources Office, at the letterhead address or at (619) 532-1166.

Sincerely,



MICHAEL C. STROUD
Natural and Cultural Resources Lead

Copy to:

Mr. Joseph Joyce, AC/S Environmental (1AU), MCAS El Toro, P.O. Box 95001, Santa Ana, CA 92709-5001

Col Ritchie, AC/S BRAC, MCAS El Toro, P.O. Box 95001, Santa Ana, CA 92709-5001