



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
Carlsbad Fish and Wildlife Office  
6010 Hidden Valley Road  
Carlsbad, California 92011



M60050\_003755  
MCAS EL TORO  
SSIC NO. 5090.3.A

In Reply Refer To:  
FWS-OR-1682.11

Darren Newton  
Department of the Navy  
Base Realignment and Closure  
Program Management Office West  
1455 Frazee Road, Suite 900  
San Diego, California 92108-4310

AUG 1 2006

Subj: Informal Section 7 Consultation on Updated Remedial Investigation Activities at the Former Marine Corps Air Station (MCAS) El Toro, Orange County, California

Dear Mr. Newton:

This letter is in response to your July 14, 2006, letter describing proposed investigation and cleanup activities at the former MCAS El Toro, Orange County, California, and addressing potential effects to the federally threatened coastal California gnatcatcher (*Polioptila californica californica*, "gnatcatcher") and its designated critical habitat. Your July 14, 2006, letter is an update regarding ongoing investigative and cleanup activities on the former MCAS El Toro. The Service has concurred that previous investigative activities described in letters from the Navy dated March 22, 2001, and March 10, 2005 were not likely to adversely affect federally listed species.

Proposed activities in your July 14, 2006, letter include the mowing of an area in Site 1 that has been mowed consistently in the past. The area to be mowed is immediately adjacent to coastal sage scrub occupied by the gnatcatcher, but consists entirely of non-native grassland. Prior to the mowing, a reconnaissance survey will be conducted to ensure that there are no active nests from ground-nesting birds present in the proposed project footprint. A qualified biologist will be present during the mowing to ensure that there are no unanticipated impacts to gnatcatchers or surrounding coastal sage scrub habitat. The mowing is anticipated to take at most three days.

Following mowing, the Navy plans to detonate three items of munitions debris. The detonation will be contained in a sandbag enclosure in the middle of the valley in Site 1, about 150 feet from the nearest coastal sage scrub. No kickouts are anticipated. Following detonation, all left-over materials will be transported offsite. This activity will be conducted after the end of the gnatcatcher breeding season (i.e., after August 30) in 2006.

TAKE PRIDE  
IN AMERICA 

The Navy will also drill three new boreholes to monitor groundwater near the Site 2 landfill. Drilling activities are anticipated to last less than a week and will also be conducted after the end of the gnatcatcher breeding season (after August 30) in 2006. The proposed boring locations are about 150 feet from the nearest coastal sage scrub.

Finally, the Navy will place up to six 20,000-gallon water storage tanks, piping, and a trailer mounted treatment system to treat groundwater in Site 1, about 150 feet from the nearest coastal sage scrub. The treatment system may be in operation for up to several months.

For all of the above projects, onsite personnel will be familiarized with coastal sage scrub, and any coastal sage scrub located near proposed activities will be flagged and left undisturbed. No coastal sage scrub will be directly impacted by the proposed work. The proposed mowing may disturb gnatcatchers while the mower is in close proximity to the coastal sage scrub, but the mowing of the area is anticipated to take at most three days and will occur near the end of the gnatcatcher breeding season, so no disruption of breeding or rearing of young is anticipated. The detonation of munitions debris and drilling of boreholes will occur outside the gnatcatcher breeding season (February 15 to August 30), so these activities will not disrupt breeding activities. The operation of the groundwater treatment system is not anticipated to generate enough noise to disturb gnatcatchers in the closest coastal sage scrub, about 150 feet from the treatment system.

Based on the information provided and the implementation of the above measures, we concur that the proposed project is not likely to adversely affect the gnatcatcher or its designated critical habitat. Therefore, the interagency consultation requirements of section 7 of the Act have been satisfied. Although our concurrence ends informal consultation, obligations under section 7 of the Act shall be reconsidered if (1) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not previously considered, (2) this action is subsequently modified in a manner that was not considered in this assessment, or (3) a new species is listed or critical habitat designated that may be affected by the action.

We appreciate the updated information on investigative and cleanup activities at the former MCAS El Toro and your ongoing coordination. If you have any questions regarding this letter, please contact Jonathan Snyder of my staff at (760) 431-9440 x307.

Sincerely,



*for* Karen A. Goebel  
Assistant Field Supervisor