United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
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Sacramento, California 95825-1846

In Reply Refer to:
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2014-I-0442

JUN 23 2014

Gregory S. Capra, P.E., LEED AP
6451 B Street
Beale AFB, California 95903-1708

Subject: Informal Consultation on the Flightline Stormwater Upgrade Project, Beale Air Force Base (AFB), Yuba County, California

Dear Mr. Capra:

This letter is in response to your June 11, 2014, letter, requesting concurrence with a determination that the Flightline Stormwater Upgrade Project (proposed project) at Beale AFB is not likely to adversely affect federally-listed species. Your request was received by the U. S. Fish and Wildlife Service (Service) on June 13, 2014. At issue are the effects of the proposed project on the federally-listed as threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and the federally-listed as endangered vernal pool tadpole shrimp (*Lepidurus packardi*) (henceforth, both referred to as vernal pool crustaceans). The proposed project is not located within critical habitat for the vernal pool crustaceans, therefore critical habitat will not be affected. This response is provided under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

The Service used the following to review your request: 1) your June 11, 2014, letter; 2) the Special Area Management Plan and associated Beale AFB programmatic biological opinion (81420-2009-F-1118-1); and 3) other information on file at the Service's Sacramento Fish and Wildlife Office.

Beale AFB proposes to upgrade the existing flightline stormwater system that flows east to west beneath the north end of the flightline by improving the inlet drainage channel, the outlet structure, and a portion of the channel downstream of the channel outlet. The proposed project area includes a channel within a landscape of disturbed annual grassland and vernal pools east and west of the flightline. The inlet channel is located east of the flightline on disturbed annual grassland between Doolittle Drive and the stormwater conduit inlet structure 150 feet north of Building 1029. The inlet channel is about 8 feet wide and 4 feet deep. The outlet channel is located about 930 feet west of the runway emerging from under an unnamed gravel road. The outlet channel is about 30 feet wide and 8 feet deep and is surrounded by vernal pools and annual grasslands.

The proposed project will involve the following activities:

Inlet Channel:

- The inlet channel will be repaired by installing buried 5-foot square box culverts to replace the existing open channel drainage starting at Doolittle Drive and continuing about 600 feet west toward the flightline.
- Three culverts will be buried and the area seeded with native grass mix as outlined in the Integrated Natural Resource Management Plan (INRMP).
- All construction access and staging would be within disturbed annual grassland.

Outlet Channel:

- The existing oil water separator at the outfall will be removed.
- The outlet channel will be restored by the removal of built-up sediment, cobble, and in-channel vegetation within the existing channel for about 750 feet.
- Removed sediment and vegetation will be transported off base for disposal.
- Construction access would be from an existing gravel road and the staging area would be from an existing paved area adjacent to and above the outfall.

Beale AFB has identified that the following avoidance, minimization and compensation measures will be implemented for the proposed action.

1) A biologist approved by the Service will conduct preconstruction surveys of all ground disturbance areas within sensitive habitats to determine if any federally-listed species may be present prior to the start of construction. These surveys will be conducted 2 weeks prior to the start of construction activities in any sensitive habitat. If any federally-listed species are found during the preconstruction surveys, the Service-approved biologist will contact the Service to determine how to proceed. At least 15 days prior to the onset of activities, Beale AFB will submit the name(s) and credentials of biologists who will conduct these preconstruction surveys. No project activities will begin until proponents have received written approval from the Service that the biologist(s) is qualified to conduct the work.
2) A Service approved biologist will monitor construction activities in or adjacent to sensitive habitats. The biological monitor will ensure compliance with the avoidance and minimization measures required to protect federally-listed species and their habitats. If federally-listed species are found that are likely to be affected by work activities, the Service approved biologist will have the authority to stop any aspect of the project that could result in unauthorized take of a federally-listed species. If the biological monitor exercises this authority, he/she must notify the Service by telephone and letter within one working day.
3) Environmental awareness training will be provided for all construction personnel working on the proposed project. Training will be provided at the start of work and within 15 days of any new worker arrival. The program will consist of a briefing on environmental issues relative to the proposed project. Training will be conducted by a Service approved biologist.
4) A biological monitor will ensure that the spread or introduction of invasive exotic plant species will be avoided to the maximum extent possible (see Beale AFB INRMP, [Beale AFB 2011]).

5) All wetlands/drainages/vernal pools will have erosion control measures (straw waddles, hay bales, silt fencing) installed when work is within 250 feet of a wetland or where hydrological continuity exists between the construction activities and the wetland. Construction boundaries within the buffer will be designated with fencing to ensure no equipment and/or construction workers access those protected areas.

6) No work will be conducted in the vicinity of vernal pools and streams between November 1st and May 1st, unless specifically approved by the Beale AFB Environmental Office who will field verify soil saturation, visual ponding, and expected surface disturbance. The Service will be notified of any work approved between November 1st and May 1st.

7) Off-road travel outside of the demarcated construction boundaries will be prohibited.

8) Motor vehicles and equipment will only be fueled and serviced in designated service areas. All fueling and maintenance of vehicles and other equipment and staging areas will occur at least 250 feet from any wetland/drainage habitat or water body. Prior to the onset of work, Beale AFB will prepare a plan to allow a prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

After reviewing the information provided, including on-site habitat, the potential for vernal pool crustaceans to be found at the project sites, and the proposed conservation measures described in the request, we concur with your determination that the proposed project, as described, is not likely to adversely affect the vernal pool crustaceans.

This concurrence is provided specific to this action area, and for the proposed project action only as originally described within the request.

This concludes our review of your proposed project and no further coordination with the Service under the Act is necessary at this time. Please note, however, that this letter does not authorize take of listed species. Section 9 of the Act prohibits the "take" (e.g., harm, harass, pursue, injure, kill) of federally-listed wildlife species. Therefore, unless new information reveals effects of the proposed project that may affect listed species in a manner or to an extent not considered, or a new species or critical habitat is designated that may be affected by the proposed project, no further action pursuant to the Act is necessary.

If you have any questions regarding this response, please contact Mark Littlefield, Chief, Watershed Planning Branch at the letterhead address or (916) 414-6600.

Sincerely,

Daniel Welsh
Acting Field Supervisor

cc:
Jamie N. Visinoni, Beale AFB, CA

Reference

Beale Air Force Base. 2011. (October). *Integrated Natural Resources Management Plan, Beale Air Force Base, California, August 2011 to August 2016.* Final. Updated by Beale Air Force Base, 9th Civil Engineer Squadron, Environmental Element. Beale AFB, CA.