DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
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Ser BPMOW.drp/0685
AUG 3 2010

Mr. Chris Nagano
United States Fish & Wildlife Service
2800 Cottage Way, Room W2605
Sacramento, CA 95825

Dear Mr. Nagano:

In accordance with the requirements of Section 7 of the Endangered Species Act, the Department of the Navy is seeking your concurrence through informal consultation that certain ground-disturbing fieldwork to be performed at thirteen sites at the former Naval Weapons Station Seal Beach Detachment Concord (NAVWPNSTA Concord) by the Department of the Navy is not likely to adversely affect the threatened California red-legged frog (*Rana. aurora draytonii*) or the threatened California tiger salamander (*Ambystoma californiense*). This fieldwork will be conducted in accordance with the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to investigate contamination and the presence of munitions at former NAVWPNSTA Concord. Field work is planned to be conducted from September through October of this year. As we discussed during the meeting on May 11 of this year, there are a number of CERCLA-related activities at sites within former NAVWPNSTA Concord where there is potential to adversely affect threatened species and these will be addressed through formal consultation with your office at a later date. The thirteen sites discussed herein are listed below.

- Former Inland Burn (FIB) Area
- Guam Way
- IA-100 North
- Area West of IA-100
- Area North of IA-100
- IA-100 South
- Building IA-27
- Building 93
- Unocal Pipeline Site
- Northern Railroad Excavation A
- Northern Railroad Excavation B
- Northern Railroad Excavation C
- Bermed Area

Ground-disturbing fieldwork at these sites should not adversely affect California red-legged frog (CRLF) or California tiger salamander (CTS) because one or more of the following conditions will be met:

1) The site is surrounded by dispersal barriers that should prevent migration of CRLF into the site and sites are far from the nearest known breeding pond.
2) Ground disturbing activities extending to a depth greater than 12 inches below ground surface (bgs) will be performed at least 25 feet from burrow entrances or gopher mounds.
3) Ground disturbing activities extending to a depth less than 12 inches bgs will be performed using non-mechanized equipment at least 5 feet from burrow entrances or gopher mounds.

A biologist under direction of a 10(a) permitted biologist will be onsite monitoring for the presence of CTS and CRLF during fieldwork. Table 1 (Enclosure 1) presents the size of each site, the surface area of ground disturbance planned at each site, the potential affect on CRLF and/or CTS, and the mitigating condition that will prevent the CTS and/or CRLF from being affected. Phase 2 activities shown on Table 1 will only be performed if results from the Phase 1 activities indicate they are necessary. Figure 1 (Enclosure 2) shows the known occurrences of the CRLF, dispersal barriers, and wetland areas. The CRLF's habitat overlaps and encompasses the entire habitat of the CTS; therefore, the conditions that will protect the CRLF will also be protective of the CTS. The Concord CTS Upland Habitat Study Report (EDAW, 2008) previously submitted to the US Fish & Wildlife Service shows the CTS habitat designations.

Dispersal Barrier Protected Sites

Two sites, Former Inland Burn (FIB) Area and the Guam Way Site, are within an area surrounded by dispersal barriers (Contra Costa Canal and Willow Pass Road) (Figure 1). Contra Costa Canal is concrete lined canal with moving water that acts as a complete dispersal barrier on the north, south, and west of this area. Willow Pass Road is on the east side of this area and forms a partial dispersal barrier. Willow Pass Road, which has a security fence on each side and relatively heavy daytime traffic, is considered a partial barrier because dispersal may occur during late night hours when there is low traffic flow. FIB and Guam Way are approximately 1,600 and 600 feet, respectively, from Willow Pass Road and far (approximately 1.5 miles) from the nearest known breeding pond. This area is outside the mapped CTS habitat so ground-disturbing activities would have no effect on that species. Reconnaissance surveys have never identified CRLF or CTS within this area. Given these factors, CRLF and CTS are not expected to inhabit this area.

Because the CTS and CRLF are not expected to inhabit this area, fieldwork at FIB and Guam Way will not need to be limited by the presence of burrows. However, as an added precaution, the Navy will have a biologist onsite to check for the presence of CRLF and CTS prior to performing ground-disturbing activities.

Sites with CRLF or CTS Potentially Present

Eleven sites are located in areas where the CRLF and/or CTS may be present. Ground disturbing work at these sites will be performed at distances from burrow entrances or gopher mounds sufficient to mitigate potential adverse effects to CRLF or CTS. Boreholes, trenches, or potholes extending greater than 12 inches bgs will be located at least 25 feet away from burrow entrances or gopher mounds. This distance of 25 feet was established based on the professional experience of a Section 10(a) permitted biologist consulting on this project who has not encountered burrow complexes extending more than approximately 20 feet from burrow entrances or gopher mounds. Boreholes and potholes extending less than 12 inches bgs will be located at least 5 feet away from burrow entrances or gopher mounds. Since all boreholes and potholes extending less than 12 inches bgs will be dug using non-mechanized tools, maintaining a distance of 5 feet from burrow entrances or gopher mounds should be sufficient to ensure burrow complexes are not disturbed. If burrows are encountered, the borehole or pothole will be re-located. A biologist will oversee all field work to minimize the potential for encountering burrows.

The Navy conducted burrow surveys at each of these 11 sites in June and July of 2010. The burrow and gopher mound locations shown on these maps (Enclosure 3) were used as the basis to determine which ground-disturbing activities can be conducted at sufficient distances from burrow entrances or gopher mounds. If Phase 2 activities at the Unocal Pipeline Site, Northern RR Excavation C and/or The Bermed Area cannot be conducted at a sufficient distance from burrow entrances or gopher mounds those sites will be included in the formal consultation.

Ground Disturbing Activities

The planned ground disturbing activities include boreholes, trenches, potholes, and grading and are described below. Table 1 lists which activities will be performed at each site.

Boreholes less than 12 inches deep will be excavated using a hand trowel. The hand trowel will create an approximately 4-inch diameter hole. These hand-dug boreholes will be located at least 5 feet from burrow entrances or gopher mounds. For boreholes that will extend greater than 12 inches deep, a direct-push drill rig mounted on a large pickup truck will be used to drill the borehole. A 2-inch diameter probe will be pushed into the ground to the necessary depth. The pickup truck will stay on paved surfaces as much as possible. When off-pavement access is required, the path to and from the sample locations will be cleared by the biologist to ensure that burrows are not disturbed. All boreholes that extend greater than 12 inches deep will be located at least 25 feet from burrow entrances or gopher mounds.

Trenches will be excavated using a backhoe (with rubber tires, not track-mounted) equipped with an approximately 3 foot wide bucket. The backhoe will stay on paved surfaces as much as

possible. When off-pavement access is required, the path to and from the sample locations will be cleared by the biologist to ensure that burrows are not disturbed. All trenches will be located at least 25 feet from burrow entrances or gopher mounds.

Potholes approximately 1 foot wide by 2 feet long will be dug using a shovel or small mechanical excavator. Potholes are being dug to allow for the placement of inert metal objects that will be used to assist in quality assurance/control for geophysical investigations. Potholes that will extend less than 12 inches bgs will be excavated with a shovel and located at least 5 feet from burrow entrances or gopher mounds. Potholes that will extend greater than 12 inches deep will be excavated with a shovel or excavator (if needed) and located at least 25 feet from burrow entrances or gopher mounds.

Grading will only be performed at FIB which is in the area that is surrounded by complete and partial dispersal barriers (Figure 1). FIB is approximately 1,600 feet from the partial dispersal barrier (Willow Pass Road). The scraper will remove soil to a depth of approximately 12 inches bgs and send the soil through a screening mechanism that will remove any munitions debris. The locations of the grading will not be adjusted for burrow entrances or gopher mounds since FIB is an area where CRLF or CTS are not expected to be found.

Summary

The investigations described above and identified in Table 1 are not likely to adversely affect the CRLF or CTS. At FIB and Guam Way, dispersal barriers and the distances to each site, should prevent CRLF and CTS from being present in these sites. At the other eleven sites, the locations of ground disturbing activities will be adjusted so they are sufficient distance from burrow entrances and gopher mounds to prevent adversely impacting CRLF and CTS. In addition, a biologist under direction of a Section 10(a) permitted biologist will be onsite for all ground disturbing work to evaluate the potential presence of CRLF and CTS.

We respectfully request your concurrence and/or comments on this informal consultation by August 30, 2010. Fieldwork will begin in September 2010 if comments are not received beforehand. Thank you for your efforts in this matter. If you require additional information, please contact Kathy Stewart at (619) 532-0796 or kathryn.stewart@navy.mil.

Sincerely,

JOHN HILL
Base Closure Manager
By direction of the Director

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Enclosures: 1. Table 1 – Planned Investigations Not Likely to Affect CTS and CRLF
2. Figure 1 - Map of Informal Consultation Sites.
3. Burrow maps for project sites (Sheets 1 through 10).

References:
EDAW. 2008. Final California Tiger Salamander Upland Habitat Study Report, Naval Weapons Station Seal Beach Detachment Concord, Contra Costa County, California, December

Copy to:
United States Environmental Protection Agency, Region 9 (Attn: Ms. Melinda Garvey)
California Department of Toxic Substances Control, Region 1 (Attn: Mr. Jim Pinasco)
California Regional Water Quality Control Board, SFBAY (Attn: Mr. Alan Friedman)
California Department of Fish and Game (Attn: Ms. Carolyn Rech)
California Department of Fish and Game (Attn: Ms. Randi Adair)
California Department of Fish and Game (Attn: Mr. Liam Davis)
City of Concord (Attn: Mr. Michael Wright)