



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011



In Reply Refer To:
FWS-OR-13B0287-13TA0274

MAY 09 2013

Mr. Rob Thompson
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, California 92708

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Southwest Costa Mesa Trunk Sewer Project, Cities of Costa Mesa and Newport Beach, Orange County, California

Dear Mr. Thompson:

We have reviewed the NOP for the proposed Southwest Costa Mesa Trunk Sewer Project in the cities of Costa Mesa and Newport Beach, California. The proposed project includes construction of a primary sewer line and associated connecting lines, and the abandonment of eight existing pump stations. The NOP identifies five potential project alternatives to be evaluated in the DEIR. With the exception of the "no project" alternative, all of the alternatives include installation of facilities within Talbert Regional Park, which is part of the Reserve System (Reserve) established under the Central Coastal Orange County Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP).

We offer the following comments and recommendations regarding project-associated biological impacts based on our review of the NOP, our knowledge of declining habitat types and species within Orange County, and as a signatory to the NCCP/HCP. We provide these comments pursuant to the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), and in keeping with our agency's mission to work "with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people."

To facilitate the evaluation of the proposed project from the standpoint of fish and wildlife protection, we request that the DEIR contain the following specific information:

1. A description of the environment in the vicinity of the project from both a local and regional perspective, including an aerial photograph of the area with the project site outlined.
2. A complete discussion of the purpose and need for the project and each of its alternatives.
3. A complete description of the proposed project including both the temporary and permanent limits of project-related disturbance.
4. An evaluation of the consistency of the proposed project with the NCCP/HCP.

5. Quantitative and qualitative assessments of the biological resources and habitat types that will be affected by the proposed project and its alternatives. These assessments should include direct, indirect, and cumulative project impacts from all facets of the project (i.e., construction, operation, and maintenance) to fish and wildlife and their associated habitats. The analysis of cumulative impacts should address proposed developments in the surrounding area.

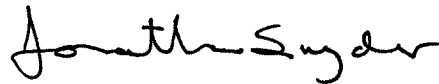
Assessments should include a list of Federal candidate, proposed, or listed species, State-listed species, and locally sensitive species that are on or near the project site. They should also include a detailed discussion of these species, including information pertaining to the local status and distribution. The analysis of impacts to biological resources should include detailed maps and tables summarizing the specific acreages and locations of all habitat types, as well as the number and distribution of all Federal candidate, proposed, or listed species, State-listed species, and locally sensitive species, within the project's or its alternatives' area of potential effect.

Several federally listed species are known to occur in the vicinity of the project: coastal California gnatcatcher (*Poliptila californica californica*), least Bell's vireo (*Vireo bellii pusillus*), California least tern (*Sternula antillarum browni*), and light-footed clapper rail (*Rallus longirostris levipes*). Biological surveys should be conducted for these species in any appropriate habitat on and adjacent to the project site.

6. A detailed discussion of the measures taken to avoid, minimize, and offset impacts to biological resources. Mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats should be discussed. Mitigation should emphasize avoidance and reduction of project impacts. We recommend additional alternatives are explored that will avoid impacts to preserved habitats in Talbert Regional Park.
7. An assessment of potential impacts to wetlands and jurisdictional waters of the United States. The EIR should disclose all impacts to jurisdictional waters and wetlands, and proposed measures to be taken to avoid and minimize impacts, and mitigate unavoidable impacts. The assessment should also discuss any project-related changes in hydrology.

We appreciate the opportunity to comment on the subject NOP. If you have any questions regarding these comments, please contact Christine Medak of this office at 760-431-9440, extension 298.

Sincerely,



for Karen A. Goebel
Assistant Field Supervisor

cc:

Marilyn J. Fluharty, California Department of Fish and Wildlife
Dave Mayer, California Department of Fish and Wildlife