



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ecological Services  
Carlsbad Fish and Wildlife Office  
6010 Hidden Valley Road  
Carlsbad, California 92011



In Reply Refer To:  
FWS-WRIV-08B0230-0810228

FEB 29 2008

Michelle Jones  
Environmental Scientist  
State Water Resources Control Board  
Division of Financial Assistance  
P.O. Box 944212  
Sacramento, California 95814

Subj: Informal Consultation for Beaumont Cherry Valley Water District Recycled Water System (State Revolving Fund (SRF) Loan No. C-06-5157-110), Riverside County, California

Dear Ms. Jones:

This letter acknowledges our receipt of your letter dated August 24, 2007, requesting our concurrence with your determination that the installation of the Beaumont Cherry Valley Water District Recycled Water System is not likely to adversely affect federally listed species. This project is partially funded by a grant from the U.S. Environmental Protection Agency, which has delegated responsibility to consult on federally listed species to the State Water Resources Control Board. Our comments below are based on: 1) the information provided in your letter; 2) the Beaumont Cherry Valley Water District Recycled Water System Project State Revolving Fund Loan Federal Requirements ("Water System Report", July 11, 2007); 3) electronic mail correspondence among State Water Resources Control Board, Parsons biological consultants, and the Carlsbad Fish and Wildlife Office (CFWO); and other information received pertaining to this project. A complete project file is maintained at the CFWO.

The proposed project would consist of construction and operation of a system of recycled water pipelines and associated structures to support the Beaumont Cherry Valley Water District planned recycled water distribution. The subject project is located in the City of Beaumont as depicted on figure 3 of the Water System Report. The project consists of several sections described as Priority's 1 through 6. Priority 1 is the construction of a 2 million-gallon water storage tank; Priority 2 is an 8,400 foot water pipeline originating in Brookside Avenue and extending from Cherry Valley Avenue to 8<sup>th</sup> Street; Priority 3 is a 2,600 foot water pipeline (Cherry Avenue to Starlight); Priority 4 is a 1 million-gallon reservoir and a 4,300 gallon/minute booster pump station; Priority 5 is a 33,100 foot pipeline that would extend from

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4<sup>th</sup> Street to Potrero Drive then north to Desert Lawn and Champions Drive and then to Cherry Valley Boulevard; and Priority 6 is a 3,000 foot pipeline that would be installed from Ring Ranch Road to Marshall Creek to Oak Valley Parkway.

The federally listed least Bell's vireo (*Vireo bellii pusillus*; "LBV"), southwestern willow flycatcher (*Empidonax traillii extimus*; "SWFL"), coastal California gnatcatcher (*Poliophtila californica californica*), Stevens' kangaroo rat (*Dipodomys stephensi*; SKR), and slender horned-spineflower (*Dodecahema leptoceras*), occur in or near the project impact areas. The majority of LBV and SWFL habitat in the area of the project is associated with Coopers Creek which is supported by the same water source as will supply the recycled water system, (i.e. the City of Beaumont's Treatment Facility).

Most of the proposed action would impact areas that are currently developed with the exception of Priority 5. Priority 5 would be installed adjacent to Coopers Creek and cross San Timoteo Creek. However, Priority 5 will be constructed mostly within the proposed extension of Potrero Road. The proposed extension of Potrero Road would occur prior to construction of Priority 5. Impacts associated with this future road extension will include consultation with the USFWS, by the appropriate entity, if necessary. The portion of Priority 5 that will not be within the Potrero Road Extension is the section that will cross San Timoteo Creek.

The following measures have been incorporated into the project design to avoid impacts to federally listed species: 1) Flows to Coopers Creek will not be less than 1.8 million gallons per day, the equivalent of flows discharged in 2003 (C. J. Butcher, General Manager, Beaumont Cherry Valley Water District via electronic email dated November 27, 2007); 2) The project will be designed to avoid habitat for any federally listed species; 3) Priority 5 will be constructed within the future extension of Potrero Road; 4) Priority 5 construction will occur such that construction will be a minimum of 185 meters from CAGN, LBV, and SWFL habitat. Given these measures are implemented, we concur that the project may effect but is not likely to adversely affect the federally listed species.

This completes our informal consultation, however, obligations under section 7 of the Endangered Species Act, as amended, should be reconsidered if: 1) you are unable to implement all agreed upon and recommended avoidance and conservation measures; 2) 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; 3) this action is subsequently modified in a manner that was not considered; or 4) a new species is listed or critical habitat designated that may be affected by the action.