



United States Department of the Interior
Fish and Wildlife Service
Ecological Services
Carlsbad Fish and Wildlife Office
2730 Loker Avenue West
Carlsbad, California 92008



In Reply Refer to:
FWS-LA-1566.1

Karen DeGannes, CPUC
c/o MHA Environmental Consulting, Inc.
4 West Fourth Avenue, Suite 303
San Mateo, California 94402

APR 18 2001

Re: Draft Mitigated Negative Declaration for the Southern California Gas Company
Decommissioning and Sale of the Montebello Gas Storage Facility, City of Montebello,
Los Angeles County, California

Dear Ms. DeGannes:

The U. S. Fish and Wildlife (Service) has reviewed the Draft Mitigated Negative Declaration (MND) received March 16, 2001, for the decommissioning and sale of the Montebello Gas Storage Facility (MGSF), in the city of Montebello, Los Angeles County. The proposed project is located on two sites south of Interstate 10. The east site consists of 11 acres and is located southwest of the intersection of Jefferson and Montebello Boulevards. The main facility contains 29 acres and is located northwest of Howard Avenue. A small portion of the west site lies within the jurisdiction of the City of Monterey Park.

We offer the following comments and recommendations regarding project-associated biological impacts based on our review of the initial study and our knowledge of declining habitat types and species within Los Angeles County. We provide these comments 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." Specifically, we administer the Endangered Species Act (Act) of 1973, as amended. Section 7 of the Act requires Federal agencies to consult with the Fish and Wildlife Service (Service) should it be determined that their actions may affect federally listed threatened or endangered species. Section 9 of the Act prohibits the "take" (e.g., harm, harassment, pursuit, injury, kill) of federally listed wildlife. "Harm" is further defined to include habitat modification or degradation where it kills or injures wildlife by impairing essential behavioral patterns including breeding, feeding, or sheltering. Take incidental to otherwise lawful activities can be permitted under the provisions of sections 7 (Federal consultations) and 10 (permits) of the Act. We also provide comments on public notices issued for a Federal permit or license affecting the Nation's waters pursuant to the Clean Water Act.

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The project proposes: 1) the recovery and sale of cushion gas within the facility; 2) the decommissioning of the MGSF facilities including abandonment of wells and removal or demolition of equipment, buildings, and other site improvements; and 3) sale of all MGSF assets including the main facility, east site, and 14 townsite lots. According to the document, a reasonably foreseeable action of the project's full implementation is the subsequent development of the MGSF properties in accordance with existing land use regulations. This potentially includes 22 single family homes within the City of Montebello and a small industrial/manufacturing/service commercial use on the two MGSF lots located within the City of Monterey Park.

The sites consist of 4.94 acres of coastal sage scrub, 1.37 acres of chaparral, 2.62 acres of mulefat scrub, 0.53 acres of willow woodland, 4.31 acres of ruderal/nonnative grassland, and 28.97 acres of developed or ornamental areas. No focused surveys for sensitive plant or wildlife species were conducted. The only site visits by a biologist were on September 12 and December 21, 2000. Because these visits were conducted well outside of the flowering period of most sensitive plants, the status of sensitive plant species on the property remains undetermined. In addition, the significance of the proposed project on sensitive biological resources cannot accurately be assessed due to the lack of focused surveys.

Although no protocol surveys were conducted on the property, the federally threatened coastal California gnatcatcher (*Poliioptila californica californica*, "gnatcatcher") was detected on the east site. Any project-related impacts that destroy or modify occupied coastal sage scrub may result in the incidental take of gnatcatchers. As stated previously, take incidental to otherwise lawful activities can be authorized under sections 7 (Federal consultations) and 10 (habitat conservation plans) of the Act. A potential Federal nexus exists for formal section 7 consultation with the U. S. Army Corps of Engineers and their permitting program under the Clean Water Act. However, if a Federal nexus does not exist for this specific project, we recommend that the applicant proceed with the development of a habitat conservation plan and application for an incidental take permit under section 10(a)(1)(B) of the Act.

Past projects involving well abandonment and decommissioning of former oil and gas fields in southern California, including the removal of all above and below grade facilities, has resulted in significant adverse environmental impacts. We agree with the conclusion of the Draft MND that abandonment activities on the MGSF represent a significant impact (Page 4.4-16). However, as the status of sensitive plant and animal species on the site has not been adequately assessed, adequate avoidance, minimization, and mitigation measures cannot be proposed at this time. We recommend that the acreages of impacts to each vegetation type be measured based on known locations of infrastructure to be removed. We also recommend that focused surveys be conducted for all sensitive plant and animal species that may occur on the properties.

The proposed project has potentially significant adverse environmental effects, and these impacts have not been reduced to a level below significant through the proposed mitigation. Therefore, we recommend that the Draft MND be revised to address the above concerns, or that an environmental impact report be prepared.

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We appreciate the opportunity to comment on the above-referenced Draft MND. If you have any questions pertaining to these comments, please contact Kevin Clark at (760) 431-9440.

Sincerely,



Karen A. Evans
Acting Assistant Field Supervisor

cc: Brad Henderson, CDFG
