



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION IX
Arizona, California,
Hawaii, Nevada, Guam
American Samoa,
Northern Mariana Islands

201 Mission Street
Suite 1650
San Francisco, CA 94105-1839
415-744-3133
415-744-2726 (fax)

Mr. Kennon Corey
U. S. Fish and Wildlife Service, Southwest Region
777 E. Tahquitz Canyon Way, Suite 208,
Palm Springs, CA 92262

MAY 1 2013

RE: Request for Consultation under Section 7 of
the Endangered Species Act, Redlands Passenger
Rail Project, San Bernardino County, California

Dear Mr. Corey:

The Federal Transit Administration (FTA), in conjunction with the project sponsor, the San Bernardino Associated Governments (SANBAG), is requesting formal consultation under Section 7(a)(2) of the Endangered Species Act (ESA) for the Redlands Passenger Rail Project (the project), located in southwestern San Bernardino County, California. We are also requesting concurrence with our determination of effects for the project, which is presented in the Biological Technical Report (BTR), enclosed with this letter. FTA is the lead agency for compliance with the National Environmental Protection Act (NEPA) for this project.

The project is intended to provide passenger rail service between the University of Redlands and E Street in the City of San Bernardino. The project will include the construction of five stations along the rail alignment, replacement of existing railroad tracks and ties, reconstruction or rehabilitation of existing bridge structures, construction of a train layover facility, and auxiliary improvements such as parking, at-grade roadway crossings and pedestrian access.

The BTR details potential impacts to listed species and federally-designated critical habitat resulting from the proposed action. The term "action area" is used below to define the portions of the proposed action area that will result in direct impacts to habitat occupied by federally listed species and federally-designated critical habitat or that have the potential to indirectly impact federally listed species.

As detailed in the enclosed BTR, the proposed action area intersects designated critical habitat for the federally endangered San Bernardino kangaroo rat (*Dipodomys merriami parvus*) and the federally threatened Santa Ana sucker (*Catostomus santaanae*) at the Santa Ana River. The proposed action will impact approximately 2.85 acres of Unit 1 of San Bernardino kangaroo rat Critical Habitat, of which up to 0.70 acres may be permanent. These impacts may affect, but are not likely to adversely affect critical habitat for the species. The proposed action will also impact Santa Ana sucker Critical Habitat where the river provides a sediment source for occupied

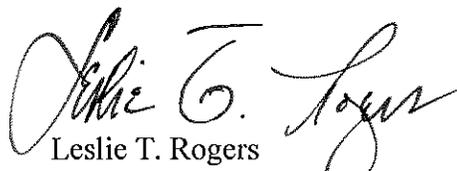
habitat downstream. These impacts may affect, but are not likely to adversely affect critical habitat for the species. Focused surveys did not detect San Bernardino kangaroo rat within the action area and Santa Ana sucker is not anticipated to occur within the action area due to the lack of suitable habitat. Therefore, the proposed project is not likely to affect San Bernardino kangaroo rat or Santa Ana sucker.

As described in the enclosed BTR, suitable habitat also occurs within the action area in the vicinity of the Santa Ana River for the federally endangered Least Bell's vireo (*Vireo bellii pusillus*) and federally endangered Southwestern Willow flycatcher (*Empidonax traillii extimus*). Focused surveys did not detect Southwestern Willow flycatcher within the action area, therefore the proposed action is not likely to affect the species. As described in the enclosed BTR, focused surveys identified four Least Bell's vireo territories, including at least one nesting pair, in the vicinity of the proposed action. Based on the proximity of the nesting pair, the proposed action may affect, and is likely to adversely affect the Least Bell's vireo.

Additionally, a single federally endangered Santa Ana River woolly star (*Eriastrum densifolium ssp. sanctorum*) was observed within the proposed action area and, as described in the enclosed BTR, the proposed action may affect, and is likely to adversely affect, the Santa Ana River woolly star.

Based on these determinations, we request initiation of formal consultation under Section 7 of the ESA for the Least Bell's vireo and Santa Ana woolly star. Please contact Mr. Hymie Luden, City and Regional Planner, of my staff regarding this consultation request at (415) 744-2732.

Sincerely,



Leslie T. Rogers
Regional Administrator

Enclosure: Redlands Passenger Rail Project Biological Technical Report (March 2013)



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262



In Reply Refer To:
FWS-SB-13B0313-13TA0380

AUG - 9 2013

Mr. Leslie T. Rogers
Regional Administrator
Federal Transit Authority
201 Mission Street, Suite 1650
San Francisco, California 94105-1839

Attention: Hymie Luden, City and Regional Planner

Subject: Formal Section 7 Consultation for Least Bell's Vireo and Santa Ana River Woolly-star for the Redlands Passenger Rail Project, San Bernardino County, California

Dear Mr. Rogers:

This letter acknowledges the receipt of your letter dated May 1, 2013, received by the Palm Springs Fish and Wildlife Office on May 6, 2013, requesting initiation of formal section 7 consultation to address impacts from the Redlands Passenger Rail Project (Project) under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). You have determined that the Project may affect, and is likely to adversely affect, the federally endangered least Bell's vireo (*Vireo bellii pusillus*, vireo) and Santa Ana River woolly-star (*Eriastrum densifolium* subsp. *Sanctorum*, woolly-star).

We received the draft biological technical report from HDR Engineering, Inc. (HDR) on May 28, 2013, and although comprehensive, it did not contain all the information needed to initiate formal consultation as outlined in the regulations governing interagency consultations (50 CFR §402.14). A site visit at the Project location was conducted on July 15, 2013, attended by the U.S. Fish and Wildlife Service (Service), California Department of Fish and Wildlife, and a Project representative from HDR, during which we discussed additional information necessary for the Service to initiate consultation. In order to complete the initiation package, we request the following information:

- A finalized biological technical report with the selected project design alternative and corresponding footprint acreage;
- A biological assessment identifying the listed species and critical habitat that may be present in the action area and an evaluation of project related direct and indirect effects to those species and/or critical habitat. The assessment of impacts should include a quantification of permanent and temporary impacts to woolly-star, vireo and designated vireo critical habitat and the permanent and temporary effects of project related noise to vireo;

- An assessment of potential impacts associated with the proposed diversion of the Santa Ana River away from the construction area and a detailed description of the method selected to accomplish the diversion. The assessment should include a hydrological analysis of the proposed diversion and any potential impacts to Santa Ana sucker critical habitat (i.e., changes to downstream movement of sand gravels or cobbles);
- A description of any minimization or avoidance measures to be implemented the benefit of woolly-star (e.g., seed collection prior to construction and active restoration following construction);
- A description of measures addressing the restoration/rehabilitation activities to be completed to minimize temporary and permanent impacts to vireo habitat, including proposed methodology, schedule for restoration activities, success criteria, and schedules for protocol presence/absence surveys in the restored areas following restoration. The restoration /rehabilitation measures can be provided separately in a draft Habitat Management Plan (HMP) or included in the biological assessment described above; and,
- A concurrence letter from U.S. Army Corps of Engineers confirming the Federal Transit Authority's designation as lead Federal agency for the section 7 consultation.

We will initiate formal consultation for the proposed Project after receiving the aforementioned information. Once we receive and review all the requested information, we will notify you of an estimated date by which we expect to complete the biological opinion. If you have any questions regarding this consultation or the consultation process in general, please contact William O'Neill of this office at 760-322-2070, extension 204.

Sincerely,



 Kennon A. Corey
Assistant Field Supervisor

cc:

Adam Klein, Environmental Specialist, Federal Transit Authority
Clint Meyer, Senior Environmental Planner, HDR Engineering, Inc.
Shannon Pankratz, Regulatory Specialist, U.S. Army Corps of Engineers



U.S. Department
of Transportation
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Mr. Kennon Corey
U. S. Fish and Wildlife Service, Southwest Region
777 E. Tahquitz Canyon Way, Suite 208,
Palm Springs, CA 92262
Attention: William O'Neill

DEC 12 2013

Re: Section 7 Endangered Species Act
Consultation, Redlands Passenger Rail
Project, San Bernardino County, CA

Dear Mr. Corey:

The Federal Transit Administration (FTA) requested the initiation of Section 7 consultation with the US Fish and Wildlife Service (the Service) in our letter, dated May 1, 2013 for the Redlands Passenger Rail Project (the project), located in southwestern San Bernardino County, California. On July 15, 2013, a field walk of the project site was conducted with representatives of the Service, the California Department of Fish and Wildlife and a project representative from HDR, the consultant for the San Bernardino Associated Governments (SANBAG). On August 9, 2013, we received a letter from the Service requesting additional information before the Section 7 consultation could formally begin.

In accordance with your August 9, 2013 letter, we are providing the Service with the requested information. This information includes the following:

- A Final Biological Technical Report (BTR) – Sent to the Service on July 24, 2013;
- A Biological Assessment (BA) – See Enclosure;
- A discussion of hydrological effects within Santa Ana River during construction and post-construct – See pages 3-23 through 3-25 of the BA and Appendix I of the BA;
- Avoidance/Minimization Measures for Santa Ana River woolly star - See page 3-5 of the BA;
- A Habitat Management Plan (HMP) – See Section 4 of the BA; and
- Concurrence from the U. S. Army Corps of Engineers (USACE) that FTA will act as the lead Federal agency for the Section 7 Consultation – See Enclosure.

As documented in the attached BA, the determination of effects to federally listed species are summarized below:

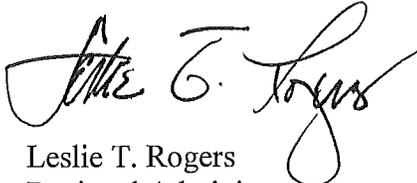
- least Bells vireo (*Vireo bellii pusillus*, FE) - likely to adversely affect;
 - San Bernardino kangaroo rat (*Dipodomys merriami parvus*, FE) - not likely to affect;
 - Santa Ana sucker (*Catostomus santaanae*, FT) - not likely to affect;
 - Southwestern willow flycatcher (*Empidonax traillii extimus*, FE) - not likely to affect;
- and

- Santa Ana River woolly star (*Eriastrum densifolium ssp. sanctorum*, FE) - likely to adversely affect.

As described in our May 1, 2013 letter (enclosed), the project encompasses an approximately nine mile corridor extending east from the City of San Bernardino to the City of Redlands within the southwestern corner of the County of San Bernardino. The project extends along an existing railroad right-of-way owned by SANBAG, and the project is intended to provide passenger rail service between the University of Redlands and E Street in the City of San Bernardino. The project will include the construction of five stations along the rail alignment, replacement of existing railroad tracks and ties, reconstruction or rehabilitation of existing bridge structures, construction of a train layover facility, and auxiliary improvements such as parking, at-grade roadway crossings and pedestrian access.

As the lead federal agency under the National Environmental Protection Action (NEPA), FTA requests that the Service initiate Section 7 consultation for the project and that the Service concur with these findings of effect. Should you have any questions regarding our request, please contact Dominique Paukowits, FTA Community Planner, at (415) 744-2735. Thank you for your cooperation in this matter.

Sincerely,



Leslie T. Rogers
Regional Administrator

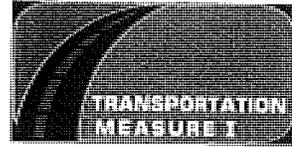
Enclosures: November 2013 Biological Assessment, Redlands Passenger Rail Project
August 21, 2013 Email from Shannon Pankratz, US Army Corps of Engineers
August 9, 2013 Letter from Kennon A. Corey (Assistant Field Supervisor, USFWS) to Leslie T. Rogers (Regional Administrator, FTA Region IX)
May 1, 2013 Letter from Leslie T. Rogers to Kennon A. Corey

cc: Mitch Alderman, SANBAG (via email)
Clint Meyer, HDR (via email)



San Bernardino Associated Governments

1170 W. 3rd Street, 2nd Fl, San Bernardino, CA 92410
Phone: (909) 884-8276 Fax: (909) 885-4407
Web: www.sanbag.ca.gov



•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

November 21, 2013

Raymond Sukys
Federal Transit Administration, Region 9
201 Mission St., Suite 1650
San Francisco CA 94105

Subject: Redlands Passenger Rail Project – Request to Initiate Formal Section 7 Consultation

Dear Mr. Sukys,

The San Bernardino Associated Governments (SANBAG) is proposing the Redlands Passenger Rail Project (project) to address the transit needs of the Redland Corridor consistent with SANBAG's Measure I Strategic Plan and the Southern California Association Governments' (SCAG) Regional Transportation Plan (2012). SANBAG plans to pursue federal funding for the project from the Federal Transit Administration (FTA), Region 9, and as a result, is currently preparing a joint Environmental Impact Statement and Environmental Impact Report (EIS/EIR) with FTA for the project.

As part of FTA's role as the federal lead agency under the National Environmental Policy Act (NEPA), FTA is required to consult with other federal agencies that have jurisdiction by law over one or more aspects of the project. This includes the U. S. Fish and Wildlife Service (USFWS), which is responsible for regulating the 'take' of federally threatened and endangered species. Based on the findings of a Biological Assessment (November 2013) prepared for the project, there is a potential for project-related activities to result in direct and indirect impacts to habitat occupied by federally listed species and federally-designated critical habitat. The BA specifically concluded that the project is not likely to affect the Federally endangered (FE) San Bernardino kangaroo rat (*Dipodomys merriami parvus*), Federally threatened (FT) Santa Ana sucker (*Catostomus santaanae*), and FE Southwestern willow flycatcher (*Empidonax traillii extimus*). The BA also concluded that the project is likely to adversely affect the FE least Bells vireo (*Vireo bellii pusillus*) and FE Santa Ana River woolly star (*Eriastrum densifolium* ssp. *sanctorum*).

Based on these findings, SANBAG hereby requests that FTA initiate formal consultation with the USFWS per the requirements of Section 7 of the Endangered Species Act for the least Bell's vireo and Santa Ana woolly star. Please contact Mr. Justin Fornelli, Chief of Rail and Transit, or myself with any questions regarding this request at (909) 884-8276.

Sincerely,

Mitchell A. Alderman, P.E.
Director of Transit and Rail Programs

cc: Justin Fornelli, SANBAG
Mike Boraks, HDR
Clint Meyer, HDR

Klein, Adam CTR (FTA)

From: Pankratz, Shannon L SPL <Shannon.L.Pankratz@usace.army.mil>
Sent: Wednesday, August 21, 2013 9:33 AM
To: Klein, Adam CTR (FTA); Clint.Meyer@hdrinc.com
Subject: RE: Redlands Passenger Rail Project (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Hello Adam,

We concur the Federal Transit Authority (FTA) would be the lead federal agency for the Section 7 consultation process with USFWS for the Redlands Passenger Rail Project, as FTA is the lead federal agency under NEPA. In cooperation and coordination with FTA, it is appropriate for FTA as the lead Federal agency to act on the Corps' behalf to ensure the impacts associated with our federal action(s) are adequately addressed in the overall Section 7 coordination.

Thanks,
Shannon

Shannon Pankratz
U.S. Army Corps of Engineers, Regulatory Division
915 Wilshire, Suite 13060
Los Angeles, CA 90017
Phone: 213.452.3412
Fax: 213.452.4196

Assist us in better serving you!

You are invited to complete our customer survey, located at the following link: <http://per2.nwp.usace.army.mil/survey.html>

Note: If the link is not active, copy and paste it into your internet browser.

-----Original Message-----

From: adam.klein.ctr@dot.gov [mailto:adam.klein.ctr@dot.gov]
Sent: Tuesday, August 20, 2013 5:06 PM
To: Pankratz, Shannon L SPL; Clint.Meyer@hdrinc.com
Subject: [EXTERNAL] FW: Redlands Passenger Rail Project

Shannon - per our conversation on the phone today, here is the original email from USFWS with their letter requesting a concurrence letter from USACE regarding designating FTA as lead agency for the Section 7 consultation process. As we discussed, since we are still in the EIS preparation phase, USACE would not be involved in the project at this stage, and it is appropriate for FTA to be the lead federal agency for the Section 7 consultation with USFWS.

I will get back in touch with USFWS and provide them with this information. Thanks again for your help on this challenging and exciting project.

Adam

Adam Klein

Senior Environmental Specialist

Resource Management Concepts, Inc., supporting

Federal Transit Administration Region IX

201 Mission Street, Suite 1650

San Francisco, CA 94105

Tel: 415-744-0141

From: Morales, Jackie [mailto:jackie_morales@fws.gov]

Sent: Monday, August 12, 2013 11:55 AM

To: Klein, Adam CTR (FTA); clint.meyer@hdrinc.com; shannon.l.pankratz@usace.army.mil

Cc: Karin Cleary-Rose; William O'Neill

Subject: Redlands Passenger Rail Project

Please see attachment for Formal Section 7 Consultation for Least Bell's Vireo and Santa Ana River Woolly-star for the Redlands Passenger Rail Project, San Bernardino County, California.

Thank you

Jackie Morales

Secretary

Palm Springs Fish and Wildlife Office

777 E. Tahquitz Canyon Way, Suite 208

Palm Springs, California 92262

Office 760-322-2070



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services

Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262



In Reply Refer To:
FWS-SB-13B0313-13TA0380

AUG - 9 2013

Mr. Leslie T. Rogers
Regional Administrator
Federal Transit Authority
201 Mission Street, Suite 1650
San Francisco, California 94105-1839

Attention: Hymie Luden, City and Regional Planner

Subject: Formal Section 7 Consultation for Least Bell's Vireo and Santa Ana River Woolly-star for the Redlands Passenger Rail Project, San Bernardino County, California

Dear Mr. Rogers:

This letter acknowledges the receipt of your letter dated May 1, 2013, received by the Palm Springs Fish and Wildlife Office on May 6, 2013, requesting initiation of formal section 7 consultation to address impacts from the Redlands Passenger Rail Project (Project) under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). You have determined that the Project may affect, and is likely to adversely affect, the federally endangered least Bell's vireo (*Vireo bellii pusillus*, vireo) and Santa Ana River woolly-star (*Eriastrum densifolium* subsp. *Sanctorum*, woolly-star).

We received the draft biological technical report from HDR Engineering, Inc. (HDR) on May 28, 2013, and although comprehensive, it did not contain all the information needed to initiate formal consultation as outlined in the regulations governing interagency consultations (50 CFR §402.14). A site visit at the Project location was conducted on July 15, 2013, attended by the U.S. Fish and Wildlife Service (Service), California Department of Fish and Wildlife, and a Project representative from HDR, during which we discussed additional information necessary for the Service to initiate consultation. In order to complete the initiation package, we request the following information:

- A finalized biological technical report with the selected project design alternative and corresponding footprint acreage;
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- An assessment of potential impacts associated with the proposed diversion of the Santa Ana River away from the construction area and a detailed description of the method selected to accomplish the diversion. The assessment should include a hydrological analysis of the proposed diversion and any potential impacts to Santa Ana sucker critical habitat (i.e., changes to downstream movement of sand gravels or cobbles);
- A description of any minimization or avoidance measures to be implemented the benefit of woolly-star (e.g., seed collection prior to construction and active restoration following construction);
- A description of measures addressing the restoration/rehabilitation activities to be completed to minimize temporary and permanent impacts to vireo habitat, including proposed methodology, schedule for restoration activities, success criteria, and schedules for protocol presence/absence surveys in the restored areas following restoration. The restoration /rehabilitation measures can be provided separately in a draft Habitat Management Plan (HMP) or included in the biological assessment described above; and,
- A concurrence letter from U.S. Army Corps of Engineers confirming the Federal Transit Authority's designation as lead Federal agency for the section 7 consultation.

We will initiate formal consultation for the proposed Project after receiving the aforementioned information. Once we receive and review all the requested information, we will notify you of an estimated date by which we expect to complete the biological opinion. If you have any questions regarding this consultation or the consultation process in general, please contact William O'Neill of this office at 760-322-2070, extension 204.

Sincerely,



 Kennon A. Corey
Assistant Field Supervisor

cc:

Adam Klein, Environmental Specialist, Federal Transit Authority
Clint Meyer, Senior Environmental Planner, HDR Engineering, Inc.
Shannon Pankratz, Regulatory Specialist, U.S. Army Corps of Engineers



U.S. Department
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**Federal Transit
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Mr. Kennon Corey
U. S. Fish and Wildlife Service, Southwest Region
777 E. Tahquitz Canyon Way, Suite 208,
Palm Springs, CA 92262

MAY 1 2013

RE: Request for Consultation under Section 7 of
the Endangered Species Act, Redlands Passenger
Rail Project, San Bernardino County, California

Dear Mr. Corey:

The Federal Transit Administration (FTA), in conjunction with the project sponsor, the San Bernardino Associated Governments (SANBAG), is requesting formal consultation under Section 7(a)(2) of the Endangered Species Act (ESA) for the Redlands Passenger Rail Project (the project), located in southwestern San Bernardino County, California. We are also requesting concurrence with our determination of effects for the project, which is presented in the Biological Technical Report (BTR), enclosed with this letter. FTA is the lead agency for compliance with the National Environmental Protection Act (NEPA) for this project.

The project is intended to provide passenger rail service between the University of Redlands and E Street in the City of San Bernardino. The project will include the construction of five stations along the rail alignment, replacement of existing railroad tracks and ties, reconstruction or rehabilitation of existing bridge structures, construction of a train layover facility, and auxiliary improvements such as parking, at-grade roadway crossings and pedestrian access.

The BTR details potential impacts to listed species and federally-designated critical habitat resulting from the proposed action. The term "action area" is used below to define the portions of the proposed action area that will result in direct impacts to habitat occupied by federally listed species and federally-designated critical habitat or that have the potential to indirectly impact federally listed species.

As detailed in the enclosed BTR, the proposed action area intersects designated critical habitat for the federally endangered San Bernardino kangaroo rat (*Dipodomys merriami parvus*) and the federally threatened Santa Ana sucker (*Catostomus santaanae*) at the Santa Ana River. The proposed action will impact approximately 2.85 acres of Unit 1 of San Bernardino kangaroo rat Critical Habitat, of which up to 0.70 acres may be permanent. These impacts may affect, but are not likely to adversely affect critical habitat for the species. The proposed action will also impact Santa Ana sucker Critical Habitat where the river provides a sediment source for occupied

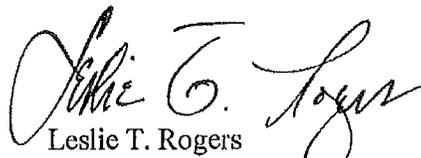
habitat downstream. These impacts may affect, but are not likely to adversely affect critical habitat for the species. Focused surveys did not detect San Bernardino kangaroo rat within the action area and Santa Ana sucker is not anticipated to occur within the action area due to the lack of suitable habitat. Therefore, the proposed project is not likely to affect San Bernardino kangaroo rat or Santa Ana sucker.

As described in the enclosed BTR, suitable habitat also occurs within the action area in the vicinity of the Santa Ana River for the federally endangered Least Bell's vireo (*Vireo bellii pusillus*) and federally endangered Southwestern Willow flycatcher (*Empidonax traillii extimus*). Focused surveys did not detect Southwestern Willow flycatcher within the action area, therefore the proposed action is not likely to affect the species. As described in the enclosed BTR, focused surveys identified four Least Bell's vireo territories, including at least one nesting pair, in the vicinity of the proposed action. Based on the proximity of the nesting pair, the proposed action may affect, and is likely to adversely affect the Least Bell's vireo.

Additionally, a single federally endangered Santa Ana River woolly star (*Eriastrum densifolium ssp. sanctorum*) was observed within the proposed action area and, as described in the enclosed BTR, the proposed action may affect, and is likely to adversely affect, the Santa Ana River woolly star.

Based on these determinations, we request initiation of formal consultation under Section 7 of the ESA for the Least Bell's vireo and Santa Ana woolly star. Please contact Mr. Hymie Luden, City and Regional Planner, of my staff regarding this consultation request at (415) 744-2732.

Sincerely,


Leslie T. Rogers
Regional Administrator

Enclosure: Redlands Passenger Rail Project Biological Technical Report (March 2013)



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262



In Reply Refer To:
FWS-SB-13B0313-14TA0145

JAN 31 2014

Mr. Leslie T. Rogers
Regional Administrator
Federal Transit Administration
201 Mission Street, Suite 1650
San Francisco, CA 94105-1839

Attention: Ms. Dominique Paukowits, FTA Community Planner

Subject: Initiation of Formal Section 7 Consultation for least Bell's vireo and Santa Ana woolly-star for The Redlands Passenger Rail Project, San Bernardino County, California

Dear Mr. Rogers:

This letter acknowledges the receipt of your letter dated December 12, 2013, received by the Palm Springs Fish and Wildlife Office on Dec. 16, 2013, re-requesting initiation of formal section 7 under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). The consultation concerns the possible effects of the construction, operations and maintenance of the Redlands Passenger Rail Project (Project) on the federally endangered least Bell's vireo (*Vireo bellii pusillus*) and the Santa Ana woolly-star (*Eriastrum densifolium ssp sanctorum*).

On May 6, 2013, the Palm Springs Fish and Wildlife Office received your initial letter requesting section 7 consultation. Following a Project site visit on July 15, 2013, with the US Fish and Wildlife Service (Service), HDR, Inc., San Bernardino Associated Governments (SANBAG), and California Department of Fish and Wildlife (CDFW), issues were discovered that needed to be addressed prior to the Service initiating consultation. On August 9, 2013, the Service responded to your letter requesting additional information to complete the Section 7 initiation package for the Project. On January 7, 2014, the updated biological assessment was received by the Service.

Sufficient information to initiate consultation was contained in the documents provided or is otherwise accessible for our consideration and reference, therefore consultation was initiated on January 7, 2014. Section 7 of the Act allows us up to 90 days to conclude formal consultation with your agency and an additional 45 days to prepare our biological opinion (unless we mutually agree to an extension). We expect to issue the biological opinion on or before May 22, 2014. Please refer to file number FWS-SB-13B0313-14F0146 in any future correspondence for this consultation.

Mr. Leslie Rogers (FWS-SB-13B0313-14TA0145)

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Although we have adequate information to initiate formal consultation, we may request clarification of project details during the consultation period. Please note that after initiation of formal consultation, the Act requires that the Federal action agency make no irreversible or irretrievable commitment of resources that limits future options. This practice ensures that agency actions do not preclude the formulation or implementation of reasonable and prudent alternatives that avoid jeopardizing the continued existence of endangered or threatened species or destroying or modifying their critical habitat.

We appreciate the opportunity to comment on this proposed action. If you have questions, please contact William O'Neill of this office at 760-322-2070, extension 204.

Sincerely,

A handwritten signature in black ink, appearing to read "Kennon A. Corey", written over a horizontal line.

Kennon A. Corey
Assistant Field Supervisor

cc:

Clint Meyer, HDR Inc
Kim Freeburn, CDFW
Mitch Alderman, SANBAG
Justin Fornelli, SANBAG