



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Paul Souza
Regional Director
U.S. Fish & Wildlife Service
Pacific Southwest Region Headquarters
2800 Cottage Way
Sacramento, CA 95825

SUBJECT: Designation of Non-Federal Representative for Consultations under Section 7 of the Endangered Species Act

Dear Paul Souza:

I am writing to confirm that the U.S. Environmental Protection Agency, Region 9 (EPA) is designating the California State Water Resources Control Board (SWRCB) as our non-federal representative for purposes of conducting informal consultation and preparing a Biological Assessment or Biological Evaluation under Section 7 of the Endangered Species Act (ESA) for certain projects that may be funded by the California Drinking Water State Revolving Fund (DWSRF), the California Clean Water State Revolving Fund (CWSRF), the Emerging Contaminants in Small or Disadvantaged Communities Grant (EC-SDC) program, and the Small, Underserved and Disadvantaged Communities Grant (SUDC) program (collectively, the “Programs”). This designation applies to all projects in the state of California receiving assistance through the CWSRF, DWSRF, EC-SDC, and SUDC programs.

Projects supported with funds made available by federal CWSRF and DWSRF capitalization grants, and projects supported by EC-SDC and SUDC grant funds, referred to as federally-assisted projects, must comply with Section 7 of the ESA implementing regulations. Roles and responsibilities for EPA and the SWRCB for complying with the ESA are detailed in a letter from EPA to the Deputy Director of the Division of Financial Assistance at the SWRCB, Joe Karkoski, dated May 12, 2025, a copy of which is enclosed.

Per 50 CFR 402.08, if a Biological Assessment is prepared by a non-federal representative, EPA will continue to provide guidance and supervision and shall independently review and evaluate the scope and contents to ensure that it meets applicable standards and guidelines. EPA is ultimately responsible for compliance with Section 7. In carrying out its responsibilities as EPA’s designated non-federal representative, the SWRCB will provide EPA with copies of consultation letters, all substantial communications with your agency and all associated analyses and recommendations.

If you require additional information or have questions regarding this designation, please contact Elizabeth Borowiec, State and Municipal Infrastructure Section Manager at (415) 972-3419 or Luis Garcia-Bakarich, Drinking Water Section Manager at (415) 972-3237.

Sincerely,

/s/ May 12, 2025

Hector Aguirre, acting on behalf of
Tomás Torres, Director, Water Division

cc: Vicky Ryan, Arcata Field Office, USFWS
Nora Papian, Arcata Field Office, USFWS
Tamara Ward, San Francisco Bay-Delta Field Office, USFWS
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