



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Colorado Field Office
755 Parfet Street, Suite 361
Lakewood, Colorado 80215

IN REPLY REFER TO:
ES/CO: T&E/PMJM/Other
Mail Stop 65412

FEB - 3 2005

Kirsta Scherff-Norris
Colorado Springs Utilities
121 South Tejon Street, 4th Floor
PO Box 1103, Mail Code 940
Colorado Springs, Colorado 80947-0940

Dear Ms. Scherff-Norris:

Based on the authority conferred to the U.S. Fish and Wildlife Service (Service) by the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*), the Service has reviewed your written request of December 14, 2004, regarding an extension of the "Block Clearance Zone" for the federally-threatened Preble's meadow jumping mouse, *Zapus hudsonius preblei* (Preble's), within the **Cottonwood Creek Block Clearance Zone** within a portion of the Colorado Springs metropolitan area and adjacent unincorporated El Paso County, Colorado. The Service concurs with your conclusion that extension of the existing "block clearance" zone, as depicted in the original exclusion area granted on April 4, 2002, is appropriate. A "block clearance" zone is one in which the Service has determined that the species in question is not likely to currently exist.

The Service's Interim Survey Guidelines for the Preble's Meadow Jumping Mouse (May 21, 1999) recommend that habitat assessments or trapping surveys be conducted in potentially suitable habitats in affected counties to assure compliance with the Act. In designating a block clearance zone, the Service eliminates the need for individuals or agencies to coordinate with the Service prior to conducting activities in habitats that otherwise would be deemed to have the potential to support Preble's. The establishment of this block clearance zone is based on the likely absence of Preble's within the area, and it appears to be little likelihood that any of the area would be of importance in any future plan to recover the species. Should Preble's be discovered within the block clearance zone it would be subject to full protection under the Act and the Service would consider modification of the zone as appropriate.

The original area designated as the exclusion zone on Cottonwood Creek in April, 2002, includes Cottonwood Creek bounded in the west from 40 meters downstream of the centerline of the I-25 bridges (approximately 110 meters upstream of the confluence with Monument Creek) (SE ¼ SE ¼ Section 7, T13S, R66W) and in the east by the crossing of Black Forest Road (SE ¼ SE ¼ Section 31, T12S, R66W), including all tributaries to their headwaters.

The Service concurs with the exclusion zone extension based upon 6 negative trapping surveys conducted within this area for Preble's according to the monitoring schedule established in the original clearance. Colorado Springs Utilities, Federal Highway Administration, and Colorado Department of Transportation have conducted monitoring in the area near the confluence of Cottonwood Creek and Monument Creeks twice per year (June and August) between 2002 and 2004. These trapping results were evaluated with other trapping surveys which have not had any Preble's captures in the area.

Additionally, your letter proposed a modification of the monitoring schedule as described in the original clearance, due to the history of negative trapping results in this area. At this time, the Service agrees with your proposal to monitor the area near the confluence of Cottonwood Creek and Monument Creeks one time per year during the month of August between 2005 and 2008, or until a regional habitat conservation plan for the area is approved by the Service, whichever comes first. If mice are found in the area, the Service will be notified and the area of exclusion will be re-evaluated.

Effective the date of this letter, the block clearance zone will be renewed for an additional 3 years, or until a regional habitat conservation plan for the area is approved by the Service, whichever comes first. After three years the Service will review the clearance, any additional information, and may renew the clearance as deemed appropriate. Based on additional information, the clearance zone may be expanded or adjusted periodically. We will have maps of the block clearance zone available on our web site (<http://www.r6.fws.gov/preble>) and at our office. We will also have the supporting data and summaries of the trapping surveys available as part of the administrative record for this project.

The Service emphasizes that while wetlands and riparian habitats within the block clearance zone do not support Preble's, they should be conserved and enhanced for other values including fish and wildlife habitat, flood control, and maintenance of water quality.

Please note that Preble's was proposed for delisting on February 2, 2005 in the *Federal Register* (Vol. 70 No. 21 FR 5404). Until a final determination is made, Preble's will continue to be fully protected under the ESA. If we can be of further assistance, please contact Barbara Spagnuolo of my staff at (303) 275-2370.

Sincerely,



Susan C. Linner
Colorado Field Supervisor

cc: Federal Highway Administration, CO Federal Aid Division: William Jones
City of Colorado Springs: Lisa Ross
El Paso County Environmental Services: Mike Bonar
U.S. Army Corps of Engineers, Southern CO Regulatory Office
FWS/CFO: Pete Plage
FWS/CFO: Alison Michael
FWS/CFO: B. Spagnuolo