

FINDING OF NO SIGNIFICANT IMPACT

ISSUANCE OF AN ENDANGERED SPECIES SECTION 10(a)(1)(A) PERMIT FOR ENHANCEMENT OF SURVIVAL OF THE CHIRICAHUA LEOPARD FROG (*Rana chiricahuensis*) DURING IMPLEMENTATION OF THE SAFE HARBOR AGREEMENT IN THE MALPAI BORDERLANDS AREA OF ARIZONA AND NEW MEXICO

The U.S. Fish and Wildlife Service (Service) prepared a biological opinion and associated National Environmental Policy Act (NEPA) documents for the issuance of a Section 10(a)(1)(A) enhancement of survival permit for a Safe Harbor Agreement for the Chiricahua Leopard Frog in the Malpai Borderlands Area of Arizona and New Mexico.

Proposed Action

The proposed action is the issuance of a permit (TE-073684-0) under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended, (Act) to the Cooperators to authorize incidental take of the Chiricahua leopard frog during implementation of a Safe Harbor Agreement (Agreement) for the benefit of the covered species (enhancing and/or restoring habitat for listed species).

The proposed conservation measures conducted on private lands in the Malpai Borderlands area of Arizona and New Mexico, will comply with all local, State, and Federal environmental laws and regulations addressing environmental impacts associated with habitat manipulation.

The Agreement includes the following measures expected to result in net conservation benefits to the Chiricahua leopard frog during the 50 year permit term:

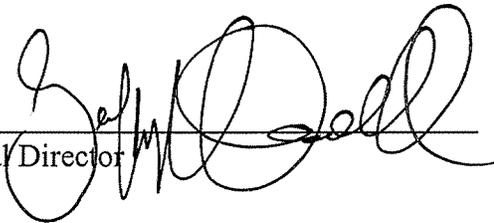
- Management of existing leopard frog populations,
- Establishment of new populations through reestablishment and translocation (increase in leopard frog distribution and numbers),
- Improvements in leopard frog habitat quality and reliability (through stock tank improvements) application of accepted scientific principles—involving captive propagation and rearing, metapopulation dynamics, genetics, and disease treatment and prevention,
- Demonstrate that livestock ranching and leopard frog management can be compatibly integrated – to set an example.

Details of these activities are provided in the Agreement.

Determination

Based upon information contained in the Agreement, the Biological Opinion, associated NEPA documents, discussions with the Cooperators, and other supporting data in the Service's files, the U.S. Fish and Wildlife Service has determined that this action is not a major Federal action that would significantly affect the quality of the human environment within the meaning of section 102 (2)(c) of the National Environmental Policy Act of 1969. Accordingly, the preparation of an Environmental Assessment or Environmental Impact Statement on the proposed action is not warranted.

It is my decision to issue the Section 10(a)(1)(A) permit for the Enhancement of Survival for the Chiricahua Leopard Frog in the Malpai Borderlands Area of Arizona and New Mexico.

ACTING
Regional Director  Date 4/20/04