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February 3, 1983

Colonel Paul W. Taylor
District Engineer
U. S. Army Corps of Engineers
P. O. Box 2711
Los Angeles, California 90053

Dear Colonel Taylor:

This is a reply to your request of January 5, 1983 for formal Section 7 consultation as provided by the Endangered Species Act. The action under consultation is Public Notice No. 83-175-TM which proposes to retain 1,500 cubic yards of fill material in a wetland adjacent to the Colorado River near Yuma, Arizona. This action may effect the endangered Yuma clapper rail (Rallus longirostris yumanensis). The following background information and biological opinion are founded upon information obtained by site inspections, previous Yuma clapper rail surveys, and data in our files.

Background Information

Public Notice No. 82-175-TM describes work that has already been completed. This activity consisted of the construction of a road (600 feet by 20 feet) and a parking area (325 feet by 60 feet). During the construction of the road a portion of a slough approximately 150 feet wide was filled. This area is known Yuma clapper rail habitat and rails were observed in the project vicinity during surveys conducted in 1982.

The Yuma clapper rail was listed as endangered on March 11, 1967. By that time, this species had expanded its distribution along the Colorado River because dams had created suitable marsh habitat. Expansion of Yuma clapper rail populations currently is limited by available habitat.

Rail habitat on the Colorado River consists of shallow water marshes containing dense stands of cattail (Typha latifolia) and bulrush (Scirpus acutus). Shallow water with mud flats readily available for feeding are preferred by rails. Cattail and bulrush stands dissected by narrow water channels several feet wide appear to be favored areas, whereas salt cedar (Tamarix spp.) stands are rarely utilized except in Mexico or where other suitable habitat is lacking. Preferred freshwater breeding habitat is adjacent to dry land and contains low density cattail and bulrush stands with downed vegetation. Data indicate most Yuma clapper rails migrate annually, leaving their nesting habitat along the Colorado River in September and October and returning in March and April. Apparently, they are nocturnal migrants and follow the Colorado River to areas in Mexico where they spend the winter; however, a few remain in the United States.

Current estimates indicate that the Yuma clapper rail population exceeds 1,700 birds distributed from the Colorado River delta in Mexico, northward to Topock Marsh, which is part of the Havasu National Wildlife Refuge, Arizona. The U. S. populations have areas of high density including Topock Marsh, Parker Division, Imperial National Wildlife Refuge, and Mittry Lake.

The primary impacts that have resulted from this project have been the loss of approximately 1 acre of rail habitat. In addition, the action allows for increased human disturbance to lower the value of the remaining rail habitat in the project vicinity. It is estimated that approximately 1-2 pairs of rails will be adversely affected by this activity.

Biological Opinion

Based upon this evaluation, it is my biological opinion that this project is not likely to jeopardize the continued existence of the Yuma clapper rail. However, the work was completed prior to entering into the consultation process and the impacts to the clapper rail which have been identified may have been minimized or eliminated had proper procedures been followed. In addition we are not requesting the unauthorized fill be removed since this activity would also have adverse impacts on the rails in the project area. But, if in the likely event that flooding will necessitate the fill being replaced, we request that consultation be reinitiated in order to prevent or minimize adverse impacts.

Sincerely,

Field Supervisor

cc: Director, (ES), Fish and Wildlife Service, Washington, DC
Regional Director, (AEV), (SE), Fish and Wildlife Service, Albuquerque,
New Mexico
Director, California Fish and Game Department, Sacramento, California
California Fish and Game Department, Blythe, California Attention:
Ron Powell
Director, Arizona Game and Fish Department, Phoenix, Arizona Attention:
Chief, Wildlife Management Division