

## **SOUTHWEST ENDANGERED SPECIES ACT TEAM ANNUAL ACCOMPLISHMENT REPORT FOR 2007**

Calendar Year 2007 accomplishments by the Southwest Endangered Species Act (SWESA) Team were:

1. In cooperation with the U.S. Fish and Wildlife Service's National Conservation Training Center (NCTC), the SWESA Team conducted two Biological Assessment Workshops in Albuquerque, New Mexico, and two in Phoenix, Arizona, in January 2007 and October 2007, respectively. The purpose of these workshops was to provide instruction and tools needed to prepare biological assessments, biological evaluations, and similar documents for Endangered Species Act section 7 consultations with the U.S. Fish and Wildlife Service. The SWESA Team and NCTC updated and prepared instructional materials for the course. The training cadre consisted of biologists from the New Mexico and Arizona Ecological Services Field Offices, Bureau of Land Management, U.S. Navy (Department of Defense), Natural Resources Conservation Service, and Bureau of Reclamation. These workshops received partial funding from the U.S. Forest Service Regional Office in Albuquerque, and logistical support was provided by the Phoenix Office of the Bureau of Indian Affairs and the U.S. Fish and Wildlife Service's Wildlife and Sport Fish Restoration Program. A total of approximately 125 biologists completed these four workshops, with representation by many Native American Tribes, Arizona and New Mexico Departments of Game and Fish and other State agencies, Bureau of Indian Affairs, Forest Service, Bureau of Reclamation, Department of Defense, U.S. Army Core of Engineers, National Park Service, Bureau of Land Management, Natural Resources Conservation Service, and private consultants, among others. Course evaluations demonstrated that the workshops received high ratings and that the participants would recommend it to colleagues. The total number of biologists and others who have participated in this training in Albuquerque and Phoenix since its inception in 2003 is approximately 660 individuals. NCTC is now offering this course nationally to help fill requests.
2. A final draft of the Considerations for Making Effects Determinations (CMED) document for the Chiricahua leopard frog (*Rana chiricahuensis*) was completed by the SWESA Team in March 2007. The general goals of the CMED are to focus the effects analysis of proposed Federal activities on critical elements, reduce uncertainty in determining effects, and improve and facilitate section 7 consultations under the Endangered Species Act. The CMED is a guide to assess potential effects of a proposed action to a species, and is used in conjunction with site-specific information to make final determinations of effects. This project was funded by the Department of Defense Legacy Program. The SWESA Team is continuing to collaborate on final improvements to the CMED document, and is planning for its use by biologists within the range of the Chiricahua leopard frog by developing a CMED training module and protocol to monitor implementation.
3. Since its completion in September of 2006, the Species at Risk (SAR) report, prepared by the SWESA Team, has received wide distribution and been utilized by a number of agencies, organizations, and private individuals. The SAR report was distributed to employees at the U.S. Fish and Wildlife Service, Bureau of Land Management, National

Park Service, Forest Service, Bureau of Indian Affairs, Bureau of Reclamation, Natural Resources Conservation Service, U.S. Army Corps of Engineers, Department of Defense, Tribal entities, and the States of New Mexico and Arizona. The SAR report has been posted on several State and Federal agency websites, and can also be found on the websites of private companies that provide information and services to private consulting firms preparing environmental documents. The SAR report was also utilized by the State of New Mexico early in the development of their Wildlife Conservation Plan, and by the Department of Defense in the development of various conservation efforts on military bases in the Southwest, cooperatively developed with the U.S. Fish and Wildlife Service.

The SWESA Team will remain a Southwest Strategy (SWS) affiliate and will continue the multi-year Biological Assessment Workshop training effort sponsored by SWS member agencies, as well as other projects that facilitate implementation of the Endangered Species Act and help conserve species of concern in the Southwest. Provided as an attachment to this report are several examples of projects in Arizona or New Mexico where streamlining techniques and early coordination were used to improve the section 7 consultation process with the U.S. Fish and Wildlife Service.

## **Examples of Section 7 Consultation Streamlining and Related Activities in New Mexico and Arizona for 2007**

Throughout Arizona and New Mexico, Federal agencies are working with the U.S. Fish and Wildlife Service to agree upon more effective and efficient compliance with the Endangered Species Act. These efforts were initiated due to the growing volume of work associated with section 7 consultations in times of reducing agency staff to perform that work. In contrast to a “traditional” section 7 consultation, these “streamlining” techniques can take different forms. For example:

- Many similar projects may be ‘batched’ into a single consultation, rather than separate consultations for each project.
- A ‘programmatic’ consultation may set the framework for design of future projects. Guided by the framework, projects are assured to fall into the realm of ‘no effect’ or ‘not likely to adversely affect’ listed species.
- A ‘consultation agreement’ may be entered into to document the timelines and analyses required for a complex consultation.

In addition to the specific examples below, many Federal agencies are employing the method of “early coordination.” This practice involves U.S. Fish and Wildlife Service staff early in the development of a project, so their suggestions to reduce project effects to listed species can be incorporated into the original design of the project, rather than added later. These meetings and field visits also give U.S. Fish and Wildlife Service biologists an opportunity to share information on how best to prepare an analysis of the effects in the section 7 documentation. The net result is consultation with fewer delays for additional information, and better-designed projects with reduced impacts to listed species.

1. The Bureau of Land Management in Arizona’s Yuma District, as part of the Department of Homeland Security’s effort to achieve the President’s initiative to secure the border by the end of 2008, was tasked with considering a right-of-way authorization for vegetation treatments. The treatments were planned on public lands along the Limitrophe Division of the Lower Colorado River between the Northern and Southern International Boundaries with Mexico. The thick, dense stands of saltcedar with some patches of mesquite, cottonwood, and willow, were known to harbor illegal border crossing activities and drug running. Many other violent crimes were rampant in this area facilitated by the cover of dense brush. Law enforcement authorities, firefighters, recreationists, and others were at extreme risk until the cover could be reduced. The Bureau of Land Management, the Border Patrol through the Army Corps of Engineers, and U.S. Fish and Wildlife Service and others worked together to design the project, minimize impacts, and front-end-load mitigation in the project to ensure that both the NEPA process and the ESA section 7 consultation on the project would proceed in a streamlined manner. The formal consultation was accomplished within 14 days of the U.S. Fish and Wildlife Service receiving an amended biological assessment and in time for much of the work to be completed prior spring migration of endangered Southwestern willow flycatchers through the area, relieving the Border Patrol of the potential need to

wait many months before the next window of opportunity would arrive. The cooperation of all concerned, extensive early coordination, and constant communication-- the basic tenets of the Southwest Strategy approach to streamlining section 7 consultations, were all employed to bring the project to completion.

2. In July 2007, the U.S. Forest Service Southwestern Region, in conjunction with the U.S. Fish and Wildlife Service and five utility companies - Arizona Power Service, Garkane, Navopache, Salt River Project, and Western Area Power Administration - completed an ESA section 7 programmatic consultation for hazard vegetation removal along power line corridors on the Apache-Sitgreaves, Coconino, Kaibab, Tonto and Prescott National Forests in Arizona. This Phase I consultation was part of a two-step interagency effort initiated in 2006 with the signing of a consultation agreement by all parties. A Phase II consultation is expected to be completed in 2008, which will address all utility vegetation maintenance, including hazard vegetation removal activities for a 10-year period. It is anticipated that this partnership and programmatic approach to consultation will save time and financial resources for the Forest Service, U.S. Fish and Wildlife Service, and the utility companies by greatly reducing the amount of project level ESA section 7 consultations that will be necessary over the next 10 years. Furthermore, the utilities will be implementing a number of conservation measures as part of their actions to eliminate and reduce impacts to federally listed, proposed and candidate species. This effort is receiving national attention, particularly among the utility companies with the publication of an article in the May/June 2007 edition of *Electric Perspectives* magazine.
  
3. In 2007, the New Mexico Ecological Services Field Office of the U.S. Fish and Wildlife Service developed a suite of Best Management Practices for Customs and Border Protection to use as part of streamlining section 7 consultations for their activities along the International Boundaries. Customs and Border Protection activities include construction and maintenance of border security facilities and law enforcement operations within a 25-mile zone of the International Boundaries. These Best Management Practices include measures to avoid, minimize, and mitigate for Customs and Border Protection tactical infrastructure effects to federally listed species and their habitats. By incorporating the Best Management Practices into the project action, Customs and Border Protection would minimize the effects of their activities on federally listed species and reduce the time necessary to complete section 7 consultations, Biological Resource Plans, and Environmental Stewardship Plans. In New Mexico, there are 11 federally listed animals or plants that may occur within the 25-mile border zone. These species include the jaguar (*Panthera onca*), lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*), Mexican long-nosed bat (*Leptonycteris nivalis*), Mexican gray wolf (*Canis lupus baileyi*), Chiricahua leopard frog (*Rana chiricahuensis*), New Mexico ridge-nosed rattlesnake (*Crotalus willardi obscures*), southwestern willow flycatcher (*Empidonax traillii extimus*), Mexican spotted owl (*Strix occidentalis lucida*), northern aplomado falcon (*Falco femoralis septentrionalis*), and Sneed's pincushion cactus (*Coryphantha sneedii* var. *sneedii*). All of these species have ranges that overlap with Arizona and/or Texas. Therefore, the New Mexico Ecological Services Field Office coordinated with Ecological Services Field Offices in Arizona and Texas to develop Best Management Practices for these species for use in each State.

4. In April 2007, Fort Bliss and the U.S. Fish and Wildlife Service's Ecological Services Offices in New Mexico and Texas completed section 7 consultation on the Supplemental Programmatic Environmental Impact Statement for proposed changes in land use and development of infrastructure and facilities on Fort Bliss. Fort Bliss is a multiple-mission Army installation located on approximately 1.12 million acres in Texas and New Mexico. These proposed changes would result in an increase of up to 30,000 military personnel assigned to Fort Bliss by 2011, including new and upgraded facilities and infrastructure to support additional personnel, dependents, vehicles and equipment, and operations of the incoming units. During section 7 consultation, regular early coordination and an in-depth site visit by the two Ecological Services Offices in New Mexico and Texas were used by Fort Bliss to incorporate conservation measures into the proposed action that eliminated adverse effects on the endangered Sneed's pincushion cactus (*Escobaria sneedii* var. *sneedii*), endangered Kuenzler's hedgehog cactus (*Echinocereus fendleri* var. *kuenzleri*), and the then-threatened bald eagle (*Haliaeetus leucocephalus*). Early coordination also resulted in the incorporation of conservation measures into the proposed action to protect habitat for the nonessential experimental population of the northern aplomado falcon (*Falco femoralis septentrionalis*).
5. The Department of Defense is concerned about the large number of species at risk (SAR) that occur on military lands and the potential for proactive conservation of such species in lieu of listing that could further encroach on the military mission. As part of Department of Defense's commitment to ecosystem-based approaches for managing its land and water resources, the Department of Defense SAR – AZ/NM Military Ranges project was initiated through the Department of Defense Legacy program. Arizona and New Mexico include some of the largest military ranges and installations in the nation and include a high diversity of SAR on military lands. Building upon the experience of earlier Department of Defense SAR Legacy projects, we expanded to the next level of working with multiple military ranges and bases in Arizona and New Mexico. Each cluster of military ranges developed a Project Leadership Team with the U.S. Fish and Wildlife Service and State fish and game agency to focus on a group of SAR in reevaluating the scientific information and to develop habitat-based management reports, working with each State's Natural Heritage Program. These teams reviewed the science and management of the selected SAR, used these reports to support their existing INRMPs, promote outreach, and develop partnerships outside the military fence line to further conserve these species with adjacent landowners, Federal agencies, Tribes, and States. All four Project Leadership Teams agreed to become permanent Conservation Partnership Teams to continue to support the military mission, INRMPs, and to expand ongoing species conservation work and develop larger landscape level partnerships with land-managing agencies, the Southwest Endangered Species Act (SWESA) Team, Tribes and other interested parties, such as Bat Conservation International and The Nature Conservancy. The military conservation partnership teams participated in the Department of Defense Southwest Threatened and Endangered Species and At Risk Species Workshop in Tucson in October 2007.