



United States Department of the Interior



IN REPLY REFER TO:
FWS/R6/ES

FISH AND WILDLIFE SERVICE
Mountain-Prairie Region
134 Union Boulevard, Suite 670
Lakewood, Colorado 80228-1807

ECOSphere: 2023-0036316

Previous TAILS: 06E24000-2020-TA-0030, 2016-TA-0886, 2013-TA-0569, and 2010-TA-0421

February 3, 2023

Ron Beane
Senior Wildlife Biologist / Principal
ERO Resources Corporation
1842 Clarkson Street
Denver, Colorado 80218

Subject: Extension of the Denver Area Block Clearance Zone for Preble's meadow jumping mouse

Dear Ron Beane:

The U.S. Fish and Wildlife Service (Service) received your request for an extension and an expansion on January 16, 2023, regarding the **Denver Area Block Clearance Zone** for the federally threatened Preble's meadow jumping mouse (*Zapus hudsonius preblei*) in Denver, Colorado. We reviewed your request under the authority of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*).

We agree with your determination that renewing the Preble's meadow jumping mouse block clearance zone for Denver within the boundaries established in 2019 are appropriate. We base this determination on the best available trapping records and habitat evaluations, which indicate that the Preble's mouse does not likely occur within the block clearance zone. Additionally, the block clearance zone is not likely important to the recovery of the subspecies due to the dense, urban development that dominates the zone.

You also requested our review of additional areas north and west of the Denver Airport, where numerous presence/absence surveys and habitat assessments indicate that potential habitat is not present or that the subspecies has likely been extirpated from the area. These areas lack suitable riparian vegetation or wetland habitat typically associated with Preble's mouse, are severely fragmented and isolated from known populations and occupied habitat, and are surrounded by agricultural lands, commercial development, and residential development. Given the information you provided, we agree that it is highly unlikely that the Preble's mouse is currently present or will ever reoccupy these areas. In general, these areas are in Adams and Denver counties. All are more thoroughly described in your email and a report dated January 6, 2023. We agree that adding these areas to the block clearance zone is appropriate.

Based on our latest knowledge of Preble's mouse population distribution and occurrence, the Service agrees to extend the Denver Area Block Clearance Zone for five additional years. In designating a block clearance zone, we eliminate the requirement that individuals and agencies coordinate with us before impacting potential riparian habitats inside the zone. Due to the likely absence of the Preble's mouse, activities within the block clearance zone that may impact riparian habitats are not likely to adversely affect the species.

Please remember that the block clearance zone does not remove the protections of the ESA for any Preble's meadow jumping mice that may occur within the block clearance zone. Although extremely unlikely, any individuals found within the block clearance zone retain all the protections of the ESA and we would immediately modify the block clearance zone based on any new distribution information.

This continuation of the Preble's meadow jumping mouse block clearance zone for the Denver Area is effective for five years from the date of this letter. After five years, the clearance expires, and if you request renewal, we will review and update the block clearance zone as needed. The Service may adjust the boundaries of the block clearance zone at any time.

Although the wetlands and riparian habitats within the block clearance zone likely do not support the Preble's mouse, we emphasize that these habitats should be conserved, protected, and enhanced for migratory birds, fish, other wildlife, and for their ability to control floods, improve water quality, and provide recreational opportunities.

If new information becomes available that reveals Preble's meadow jumping mouse occupation within the Block Clearance mapped area provided to us on January 16, 2023, this office should be contacted to determine if further section 7 consultation will be required.

We appreciate your efforts to ensure conservation of threatened and endangered species. If we can be of any additional assistance, please contact Kate Lunz of the Colorado Field Office by email at kathleen_lunz@fws.gov.

Sincerely,

Liisa Niva
Eastern Colorado Supervisor
Colorado Ecological Services Field Office

CC: Mary L Powell