



United States Department of the Interior



FISH AND WILDLIFE SERVICE
COLORADO FIELD OFFICE/LAKEWOOD
P.O. BOX 25486, DENVER FEDERAL CENTER
DENVER, COLORADO 80225-0486

IN REPLY REFER TO

ES/CO: CDOT

TAILS: 06E24000-2015-I-0213

DEC 23 2014

Jeff Peterson
Colorado Department of Transportation
4201 East Arkansas Avenue, Shumate Building
Denver, Colorado 80222

Dear Mr. Peterson:

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 reviewed your November 17, 2014, request for us to adopt the conference concurrence on improvements at the Kingsview intersection as a final consultation document. The proposed project is located on SH340 between mile markers 1.5 and 2.0 south of Fruita, Mesa County, Colorado. On October 30, 2014, we agreed that the effects of the project would not jeopardize the continued existence of the threatened Gunnison sage-grouse (*Centrocercus minimus*) (06E24000-2015-I-0016) because the project effects are expected to be temporary and minor such that they couldn't be meaningfully evaluated and because it is unlikely that the species would regularly use the degraded roadway right-of-way habitat for feeding, breeding, or sheltering; therefore, impacts due to the project are expected to be discountable and insignificant. Your proposed conservation measures including re-seeding temporarily disturbed habitat with native species will further reduce the effect of the project.

According to your letter, neither the project description nor the habitat or land use have changed, and all proposed minimization/conservation measures will still be implemented. After reviewing the project description, habitat description, and anticipated impacts to the species, we hereby adopt the October 30, 2014, conference concurrence as a final concurrence; thus, CDOT and FHWA have met their requirements under section 7 of the ESA.

Please note that reinitiation of consultation will be required if:

1. New information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion;
2. The agency action is subsequently modified in a manner that causes an adverse effect to the listed species or critical habitat that was not considered in this opinion; or
3. A new species is listed or critical habitat designated that may be affected by the action.

In addition, if the proposed project has not commenced within one year, please contact the Colorado Field Office to request a review and an extension.

If the Service can be of further assistance, please contact Alison Deans Michael of my staff at (303) 236-4758.

Sincerely,



Susan C. Linner
Colorado Field Supervisor

cc: FWS, GJ (Kurt Broderdorp)
Michael

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