

STATE OF COLORADO  
Bill Owens, Governor  
DEPARTMENT OF NATURAL RESOURCES  
**DIVISION OF WILDLIFE**

AN EQUAL OPPORTUNITY EMPLOYER

Bruce McCloskey, Acting Director  
6060 Broadway  
Denver, Colorado 80216  
Telephone: (303) 297-1192



G-002  
R3

*Sent w/ <sup>(4)</sup> attached reference studies*

- 1) 2002 Flycatcher survey San Luis Valley, CO *For Wildlife- For People*
- 2) 2003 Flycatcher survey San Luis Valley, CO *Annual Report 2 March 2004*
- 3) Presence/Absence Surveys San Juan Rec. Unit *Sept. 2003*
- 4) Presence/Absence survey Southern UTE Indian Tribal lands *Sept. 2003*

Steve Spangle, Field Supervisor  
Arizona Ecological Services Office  
U.S. Fish and Wildlife Service  
2321 West Royal Palm Road, Suite 103  
Phoenix, AZ 85021

Dear Mr. Spangle

This letter is in response to the "Notice of Scoping Meetings and Intent to Prepare an Environmental Assessment for the Proposed Designation of Critical Habitat for the Southwestern Willow Flycatcher" (FR Doc. 04-1151). We appreciate the opportunity to provide input to this proposal.

The Colorado Division of Wildlife (CDOW) has supported several efforts to better document and understand the abundance, distribution, and habitat use/availability in Colorado. We believe that these efforts contribute to an enhanced understanding of Southwestern Willow Flycatcher (SWF) ecology and management in Colorado, and should be carefully considered when evaluating the designation of critical habitat in the state. A summary of these efforts follows and detailed supporting material is enclosed, in response to the information requested in the Federal Register Notice.

CH 3A

**Rio Grande Recovery Unit, San Luis Valley Management Unit**

In 2002, CDOW cooperatively funded presence/absence surveys in the San Luis Valley in south central Colorado. Twenty-six areas were surveyed at Alamosa National Wildlife Refuge (NWR), Rio Grande National Forest (RGNF), and Colorado Division of Wildlife State Wildlife Areas (SWA). The greatest number of SWF was detected at Rio Grande SWA (max 26 individuals) and Alamosa NWR South Survey Route (max 19 individuals). Additional SWF were also observed at Alamosa NWR North Survey Route, Higel SWA, Hot Creek SWA, and Sego Springs SWA. No SWF were observed at La Jara SWA, Poso Creek SWA, or any RGNF lands.

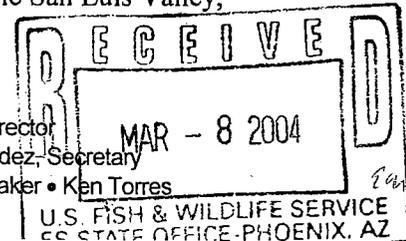
L05

In 2003, CDOW cooperatively funded presence/absence surveys in the San Luis Valley in south central Colorado. Twenty-two areas were surveyed at Alamosa NWR, Lil' Pop (USFWS), RGNF, CDOW SWAs, and BLM Saguache. The greatest number of SWF was detected at Rio Grande SWA (max 29 individuals) and Alamosa NWR South Survey Route (max 24 individuals). Additional SWF were also observed at Higel SWA, Sego Springs SWA, and Lil' Pop. No SWF were observed at La Jara SWA, Poso Creek SWA, or any RGNF or BLM Saguache lands.

L06

Complete details for surveys conducted during 2002-2003 in the San Luis Valley, Colorado are located in the attached reports "Southwestern Willow Flycatcher Surveys in the San Luis Valley, Colorado, 2002" and "Southwestern Willow Flycatcher (*Empidonax trailii extimus*) Surveys in the San Luis Valley, Colorado, 2003".

DEPARTMENT OF NATURAL RESOURCES, Russell George, Executive Director  
WILDLIFE COMMISSION, Rick Enstrom, Chair • Philip James, Vice-Chair • Olive Valdez, Secretary  
Members, Bernard Black • Tom Burke • Jeffrey Crawford • Brad Phelps • Robert Shoemaker • Ken Torres  
Ex-Officio Members, Russell George and Don Ament



2004

Cooperative funding has been secured by CDOW and USFWS to support on-going SWF surveys in the San Luis Valley in 2004. At this time, discussions are continuing to determine where survey efforts will be distributed. Priority survey needs are to (1) continue to document significant populations at Alamosa NWR and Rio Grande SWA, (2) further investigate presence/absence at other SWA's which have apparently suitable habitat that may be more heavily used if the effects of drought diminish, and (3) further investigate presence/absence at RGNF and BLM Saguache sites with potentially suitable habitat to document the possible distribution of SWF in the northern SLV and at higher elevation sites.

WF2

### Upper Colorado Recovery Unit, San Juan Management Unit

In 2003, CDOW funded presence/absence surveys in the San Juan Management Unit in southeastern Colorado. Surveys were conducted within 5 major river drainages (Animas, Florida, Piedra, Pine, and San Juan Rivers) where potentially suitable habitat was present on Bureau of Reclamation, privately-owned, and Southern Ute Indian Tribal (SUIT) lands. One *Empidonax* flycatcher was detected on the Piedra River, one Willow Flycatcher was detected at LePlatt's Pond on the Pine River, and Willow Flycatchers were detected at 4 survey sites on the Pine River on SUIT lands.

LO7

Complete details for CDOW-funded surveys conducted in 2003 in the San Juan Management Unit can be found in the attached reports "Presence/Absence Survey for Southwestern Willow Flycatcher in the San Juan Recovery Unit, Colorado" and "Presence/Absence Surveys for Southwestern Willow Flycatcher on Southern Ute Indian Tribal Lands in the San Juan Recovery Unit, Colorado".

### CDOW Riparian and Wetland Mapping Project

The Colorado Division of Wildlife supports a Riparian and Wetland Mapping Project to provide detailed GIS-based mapping of wetland and riparian habitats throughout Colorado. The detailed riparian habitat information developed through this project may be useful in identifying and modeling potentially suitable habitat for SWF in Colorado. Details regarding the project can be found at <http://ndis1.nrel.colostate.edu/riparian/riparian.htm>

LO2

In the San Juan Management Unit, several quadrangles were identified for priority mapping for SWF in the State of Colorado fiscal year 2003-2004. This information is currently being processed and will be completed by June 30, 2004. Details of quadrangles currently being processed can be found at <http://ndis1.nrel.colostate.edu/riparian/StatusMap.html>

Areas for riparian mapping in the San Luis Valley Management Unit have been submitted as priorities for fiscal year 2004-2005. The Rio Grande, Chama, Alamosa, and Conejos River drainages were submitted as priorities, with the suggestion to complete mapping from the Colorado/New Mexico border and work upstream.

We understand that Drs. Mark Sogge and Jim Sedgewick will be continuing their work using genetics and sonograms to better understand the distributions of subspecies of SWF. They plan to collect samples in the San Luis Valley and San Juan Management Units in 2004. In the context of designating critical habitat in Colorado, it will be important to gain an improved understanding of the distributions and interactions between the *extimus* and *adastis* subspecies in Colorado.

WF2

The Rio Grande Conservation District (RGCD) has undertaken an effort to develop a Habitat Conservation Plan (HCP) for SWF in the San Luis Valley of Colorado. CDOW is supportive of this effort and will work with the RGCD and private landowners to facilitate development of the HCP. We believe that the HCP is a viable way to provide adequate protection for SWF while allowing for ongoing water delivery and agricultural activities.

PR2

Active, voluntary participation by local landowners and other interested parties in the San Luis Valley is critical for development of a successful HCP. The CDOW Private Lands Habitat Specialist is facilitating interaction with private landowners and agricultural interests in the San Luis Valley. Maintaining an active, mutually respectful relationship with these important constituents will enhance opportunities for conservation of SWF habitat in the San Luis Valley.

We, along with other partners in the state, were dismayed with the lack of adequate notice and scheduling of the Public Scoping Meetings regarding the proposal to designate critical habitat. The Federal Register Notice was published January 21, 2004. The scoping meeting in Colorado was held January 29, 2004. This did not allow us or many of our partners adequate time to make travel arrangements or prepare information for the scoping meeting. Furthermore, it did not allow adequate time to discuss the intent of these meetings with our important private landowner constituents. Additionally, geography and climate made it very difficult to obtain adequate participation from both the San Luis Valley and San Juan Management Units in a single meeting. Because of this poor scheduling, we feel that information collected at the scoping meeting likely does not accurately reflect the perspectives of individuals and organizations that will be necessary for successful recovery of SWF in Colorado. The most effective conservation strategies for SWF will require a commitment to meet the needs of all potential conservation partners involved in this issue.

PR 39

The need to designate critical habitat for SWF in Colorado should carefully considered. Current estimates of abundance on public lands alone in the San Luis Valley suggest that recovery goals may already be met. The developing HCP will help to meet the needs of SWF in the San Luis Valley. Throughout southern Colorado, distributions of the *extimus* and *adastis* subspecies are currently poorly understood, and the distribution of SWF may possibly be less than currently thought. Colorado represents the fringe of the SWF range and we question what additional conservation benefit designation of critical habitat will have for recovery of the species in the state.

PR 22

WF 2  
PR 10  
LO 63

Once again, we appreciate the opportunity to provide input in this process. Please feel free to contact me if you need any additional information or assistance.

Sincerely,



David Klute, Ph.D.  
All-bird Conservation Coordinator  
Colorado Division of Wildlife  
Phone: 303-291-7320  
Email: David.Klute@state.co.us

CC: Bruce McCloskey, Acting Director, Colorado Division of Wildlife  
Jeff Ver Steeg, Wildlife Branch Administrator, Colorado Division of Wildlife  
Larry Nelson, Species Conservation Section Manager, Colorado Division of Wildlife  
Ken Morgan, Private Lands Habitat Specialist, Colorado Division of Wildlife  
Tom Blickensderfer, Endangered Species Program Director, Colorado Department of Natural Resources