



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Division of Ecological Services

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In Reply Refer To:
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March 30, 2011

Memorandum

To: Mr. Stephen Tryon, Field Manager, Bureau of Land Management, Oklahoma Field Office

From: Dixie Bounds, Ph.D., Field Supervisor *Kenneth D. Frayis*

Subject: Review of the Tishomingo Wild Horse Grassland Pasture Facility Project, Johnston County, for appendage with the April 1, 2010, Wild Horse Long Term Holding Facility Programmatic Biological Opinion

This is in response to the Bureau of Land Management's (BLM) March 14, 2011, memorandum requesting the U.S. Fish and Wildlife Service (Service) to append the Tishomingo Wild Horse Grassland Pasture Facility (WHGPF) in Johnston County to the April 1, 2010, Wild Horse Long Term Holding Facility Programmatic Biological Opinion (WHLTHF-PBO). The proposed action is to pasture and care for 600 head of wild horses on 3,233 acres of non-federal land near Tishomingo, Oklahoma. The BLM has determined that the proposed project is consistent with the WHLTHF-PBO and reasonable and prudent measures and associated terms and conditions.

The Service has reviewed the biological information submitted by your office describing the effects of the proposed project on the endangered American burying beetle (ABB). This memorandum is submitted in accordance with section 7 of the Endangered Species Act (ESA), National Environmental Protection Act (NEPA), and the Migratory Bird Treaty Act (MBTA).

The findings and recommendations in this consultation are based on: (1) WHLTHF-PBO; (2) Tishomingo Draft EA for the Tishomingo WHGPF (EA, NM-040-2011-004); (3) meetings between the Service and BLM; (4) telephone conversations between the Service and BLM; and (5) information in our files. A complete administrative record is on file at the Service's Oklahoma Ecological Services Field Office.

The Service has determined that it is appropriate to append this project to the Service's April 1, 2010, WHLTHF-PBO and associated incidental take statement. The Service concurs with BLM that the WHLTHF-PBO, together with the appended documentation, fulfills the consultation requirements for implementation of the Tishomingo WHGPF.

The Service is tracking losses of habitat permitted under the Programmatic Consultation, and conservation measures minimizing losses, within the geographic area covered in the WHLTHF-PBO. The WHLTHF-PBO estimates the amount of anticipated temporary incidental take will not exceed 200,000 acres over a 10-year

period. To date, including the Tishomingo WHGPF, 145,584 acres of incidental temporary take has potentially occurred. Approximately, 54,400 acres remain until reinitiation of consultation is required.

The Service does not have any additional comments regarding EA for the Tishomingo WHGPF.

Please contact Hayley Dikeman of my staff at (918)382-4519 if you have questions regarding this response.

cc: Oklahoma Department of Wildlife Conservation, Wildlife Division, Oklahoma City, OK