



# United States Department of the Interior

U.S. Fish and Wildlife Service  
2321 West Royal Palm Road, Suite 103  
Phoenix, Arizona 85021-4951  
Telephone: (602) 640-2720 FAX: (602) 640-2730



In Reply Refer To:

AESO/SE  
2-21-00-F-364

September 19, 2000

## MEMORANDUM

TO: Area Manager, Bureau of Reclamation, Phoenix, Arizona (Attn: Chief,  
Environmental Resource Management Division)

FROM: <sup>ACTING</sup>  
Field Supervisor

SUBJECT: Emergency Reinitiation of Consultation on Geological Field Investigations  
Associated with Design of a Fish Barrier and Permanent Low-Water Crossing on  
Blue River, Arizona

This memorandum is in response to a September 15, 2000, telephone request from your office for emergency reinitiation of consultation, under the Endangered Species Act, for the subject action. The August 22, 2000, biological opinion on that action concluded that the action would not jeopardize the continued existence of the loach minnow (*Tiaroga cobitis*) or destroy or adversely modify the critical habitat of that species, nor would it destroy or adversely modify the critical habitat of spikedace (*Meda fulgida*). Critical habitat involved is on the Blue and San Francisco Rivers in Greenlee County, Arizona.

### REINITIATION HISTORY

Reclamation reinitiated consultation on an emergency basis, via telephone on September 15, 2000. In that conversation Reclamation stated there had been serious difficulties transporting the backhoe into the project area and it was not possible to get it back out along the entry route. The route along Forest Road 212 is 4-wheel drive and has several very steep pitches. Part of the way in, the backhoe trailer became uncontrollable on the steeper pitches and there was a significant risk of losing the equipment off the side of the road. The backhoe was removed from the trailer and driven, under its own power, to the project site. Even then, it had to negotiate some of the steep grades backward in order to progress. The backhoe did succeed in reaching the project site and completing the project. However, it could not be removed along Forest Road 212.

Reclamation proposed to remove the backhoe by driving it down the San Francisco River for 4.5 miles to meet a 4-wheel drive track. That track extends downstream along the river for 8.5 miles until it meets with a county-maintained dirt road along the river above Clifton. That track, its use and County and Forest Service maintenance, was the subject of an April 15, 1997, biological opinion. Reclamation has contacted the Forest Service and received verbal concurrence from

them on this change in the project. Written confirmation of that concurrence will be obtained by Reclamation and forwarded to the Service.

The Service agreed to allow the backhoe to be driven down the San Francisco River track as an emergency reinitiation of consultation. This was documented by a telephone record, which was faxed to Reclamation immediately following the telephone conversation on September 15, 2000.

## REINITIATED BIOLOGICAL OPINION

### I. DESCRIPTION OF THE PROPOSED ACTION

All portions of the proposed action remain as in the August 22 biological opinion except that the backhoe will be driven down the San Francisco River from the mouth of the Blue River, as described under the Reinitiation History.

### II. STATUS OF THE SPECIES (Range-wide)

No changes are made to this section as a result of the reinitiation.

### III. ENVIRONMENTAL BASELINE

The change in the proposed action changes the action area of the consultation. The action area under the reinitiation includes an additional 8.5 miles of the San Francisco River from the RU inholding downstream to the County road on the river above Clifton. Environmental baseline information for this section of the river is similar to that already discussed in the August 22 opinion for the San Francisco River. Additional information can be found in an April 15, 1997, biological opinion on maintenance of the track along the river between the County road and the RU inholding.

### IV. EFFECTS OF THE ACTION

Effects from the additional vehicular use in the San Francisco River will be the same as those already addressed for vehicular use on the San Francisco and Blue Rivers in the earlier action area. However, the level of impact in the addition area will be lesser since it involves only the backhoe. The area impacted by these effects will be greatly increased, with 13 miles of the San Francisco River added to the 2.5 miles in the original action.

Only 4.5 of these 13 miles are presently closed to vehicular use. Effects in this area would be similar to those discussed for the lower Blue River. For the remaining 8.5 miles, the effects would be the same as those discussed for the San Francisco River between Martinez Ranch and the Blue River.

## V. CUMULATIVE EFFECTS

This section remains unchanged from the August 22 opinion.

## VI. CONCLUSION

After reviewing the current status of the loach minnow and spikedace, the environmental baseline for the action area, the effects of the proposed action, as amended for this reinitiation, and the cumulative effects, it is the Service's biological opinion that implementation of the action, as proposed, is not likely to jeopardize the continued existence of the loach minnow. It is also the Service's biological opinion that the proposed action is not likely to destroy or adversely modify the critical habitat of loach minnow or spikedace.

### REINITIATED INCIDENTAL TAKE STATEMENT

Please see the August 22, 2000 biological opinion for the definition of take and other information.

#### AMOUNT OR EXTENT OF TAKE

Anticipated direct take of loach minnow will be increased by the change in the proposed action. Direct mortality of adult, juvenile, and larval loach minnow and eggs due to crushing by use of a vehicle in the water will be extended from 2.5 miles of stream to 15.5. In the lower 8.5 miles of this, the vehicle entry into the stream will be at existing road crossings, of which there are approximately 26. The probability of take of loach minnow will also increase due to the presence of machinery and associated possible accidental release of petroleum products within the longer reach of river, although the transitory nature of the additional action will make accidental release less likely than at the actual work site on the Blue River. The August 22 conclusion that there will be no take of spikedace is unchanged.

The three criteria given in the August 22 incidental take statement to quantify incidental take will still apply, although they are extended to the increased action area.

#### EFFECT OF THE TAKE

The increased incidental take of loach minnow, as indicated in the accompanying reinitiated biological opinion, is not likely to result in jeopardy to loach minnow or destruction or adverse modification of critical habitat of spikedace or loach minnow.

#### REASONABLE AND PRUDENT MEASURES

Area Manager

4

The reasonable and prudent measures remain unchanged.

#### TERMS AND CONDITIONS FOR IMPLEMENTATION

The eleven terms and conditions in the August 22 incidental take statement are expanded to apply to the additional action area and the corresponding increase in incidental take. No additional terms and conditions are needed.

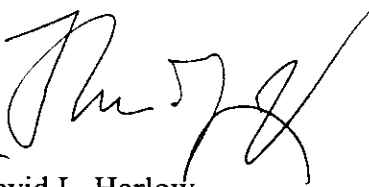
#### CONSERVATION RECOMMENDATIONS

This section remains unchanged

#### REINITIATION NOTICE

The provisions in the reinitiation notice of the August 22, 2000, biological opinion also apply to this reinitiated biological opinion.

If we can be of further assistance, please contact Sally Stefferud (x235) or Sherry Barrett (520/640-4617) of my staff.

for   
David L. Harlow

cc: Regional Director, Fish and Wildlife Service, Albuquerque, NM (ARD-ES)  
Project Leader, Fish and Wildlife Service, Pinetop, AZ  
Field Supervisor Leader, Fish and Wildlife Service, Albuquerque, NM  
Forest Supervisor, Apache-Sitgreaves National Forests, Springerville, AZ  
District Ranger, Apache-Sitgreaves National Forests, Duncan, AZ

Director, Arizona Department of Game and Fish, Phoenix, AZ  
Director, New Mexico Department of Game and Fish, Santa Fe, NM

bluebarrierreinitiation:SES:bh