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In Reply Refer To:
AESO/SE
22410-2008-F-0027
02-21-98-F-0399

November 2, 2007

Ms. Jeanine A. Derby, Forest Supervisor
Coronado National Forest
300 West Congress Street, 6th Floor
Tucson, Arizona 85701

Dear Ms. Derby:

On August 29, we received your August 23, 2007, biological assessment (BA) and request for reinitiation of formal consultation regarding the effects of continued livestock grazing on four allotments in the Santa Rita Ecosystem Management Area (EMA) on the endangered lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*) (LLNB), in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act). The four allotments (known collectively as the Helvetia group) are Helvetia, McBeth, Squaw Gulch, and Thurber. The LLNB was addressed in the October 24, 2002, Final Biological and Conference Opinion on Continuation of Livestock Grazing on the Coronado National Forest (02-21-98-F-0399-R1) (2002 BO) (see consultation history).

In addition, you requested our concurrence that the proposed action is not likely to adversely affect the threatened Chiricahua leopard frog (*Rana chiricahuensis*) (CLF) and Mexican spotted owl (*Strix occidentalis lucida*) (MSO) and its designated critical habitat (CH), and the endangered Northern aplomado falcon (*Falco femoralis septentrionalis*) and jaguar (*Panthera onca*). Our concurrences are provided in Appendix A attached to this document. Our 2002 BO remains unchanged except as indicated in the following sections in regard to the four Santa Rita EMA allotments.

DESCRIPTION OF THE PROPOSED ACTION

You propose one change to the action, which is to authorize continued livestock management and grazing by issuing new Annual Management Plans (AMPs) on the above-named allotments. These new AMPs will be in effect for 10 years from the date a National Environmental Protection Act (NEPA) decision is signed and new permits issued. A decision is expected to be made in late 2007. This will cover these allotments until 2017, five years past the term limit set in the 2002 BO (2012).

STATUS OF THE SPECIES

The status of the lesser long-nosed bat remains similar to that described in the 2002 BO.

ENVIRONMENTAL BASELINE

Data collected by your staff for these allotments over the past five years indicate rangeland conditions are very much improved since the 2002 BO. A summer day site discovered in 2007 is about five miles northeast of the Helvetia allotment. All other information remains the same.

EFFECTS OF THE ACTION AND CUMULATIVE EFFECTS

Effects of the action and cumulative effects are anticipated to remain the same as those consulted on in the 2002 BO, except that those effects will continue to occur five years past the coverage provided in the 2002 BO (2012).

CONCLUSIONS AND INCIDENTAL TAKE STATEMENTS

After reviewing the current status of the LLNB, the environmental baseline for the action area, the effects of the proposed action, and the cumulative effects, it is our biological opinion that the proposed action is not likely to jeopardize the continued existence of the LLNB. No critical habitat has been designated for this species, therefore, none will be affected. Our conclusion is based on the rationales given in our 2002 BO.

The Incidental Take Statement from the 2002 BO remains the same.

REINITIATION NOTICE

This concludes reinitiation of formal consultation on the actions outlined in your request. As provided in 50 CFR §402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of your action that affects listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) your action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

We appreciate your efforts to identify and minimize effects to listed species from this project. We also encourage you to coordinate the review of this project with the Arizona Game and Fish Department. For further information please contact Thetis Gamberg (520) 670-6150 (x231) or Jim Rorabaugh (520) 670-6150 (x230) of my Tucson staff.

Ms. Jeanine A. Derby

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Please refer to consultation number 22410-2008-F-0027 in future correspondence concerning this project.

Sincerely,

/s/ Steven L. Spangle
Field Supervisor

cc: Field Supervisor, Fish and Wildlife Service, Albuquerque, NM
Assistant Field Supervisor, Fish and Wildlife Service, Tucson, AZ
Assistant Field Supervisor, Fish and Wildlife Service, Flagstaff, AZ
Resource Assistant, U.S. Forest Service, Coronado National Forest, Tucson, AZ*
(Attn: Paula Medlock) (*e-mail transmission –hard copy not required Pmedlock@fs.fed.us)

Bob Broscheid, Habitat Branch, Arizona Game and Fish Department, Phoenix, AZ
Regional Supervisor, Arizona Game and Fish Department, Tucson, AZ

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APPENDIX A

CONCURRENCES

Chiricahua leopard frog

On October 24, 2002, we concurred that the effects of the Coronado National Forest (CNF) ongoing and long-term grazing were likely to adversely affect the Chiricahua leopard frog (CLF) on the McBeth allotment because there were CLF populations in stock tanks on the McBeth allotment. We concur herein that effects from the proposed action are now not likely to adversely affect CLF. The rationale for this concurrence is based on the following:

- Surveys conducted in 2005 and 2006 did not locate any CLF.
- The only known CLF population (2007) in the Santa Rita Mountains, which is very small and localized, is located in Louisiana Gulch, a distance of at least five miles from the McBeth allotment. We do not believe CLF will recolonize the McBeth allotment from this location.
- Proposed livestock grazing and livestock-management activities in subwatersheds that contain suitable or potentially habitat will contribute to the improvement of the subwatershed or will not contribute to a continued decline in subwatershed condition.
- Proposed livestock management activities will not result in increased public access to aquatic sites occupied or likely to be occupied by CLF, or increase the likelihood that non-native predators or chytrid fungi will colonize or be introduced to such aquatic sites.

Mexican spotted owl

On September 27, 2004, we concurred that the effects of the CNF ongoing and long-term grazing on the McBeth and Thurber allotments were not likely to adversely affect the threatened Mexican spotted owl (MSO) and its proposed critical habitat (2-21-98-F-0399-R4). Critical habitat was designated for the MSO August 31, 2004 (69 FR 53182).

We concur that the proposed action is not likely to adversely affect MSO or its critical habitat. The rationale for this concurrence has not changed since our September 27, 2004, concurrence regarding these allotments.

Northern aplomado falcon

On October 24, 2002, we concurred that the effects of the CNF ongoing and long-term grazing on all four allotments were not likely to adversely affect the Northern aplomado falcon. On July 26, 2006, the Arizona and New Mexico populations of the falcon were designated as non-essential experimental. For future reference, in regard to section 7 consultations on National Forest lands, these populations are now treated as if they were proposed for listing. Conferencing on proposed species is only required if a proposed Federal action is likely to jeopardize the species.

We concur that the proposed action is not likely to adversely affect the falcon. Our rationale has not changed since our October 24, 2002 concurrence.

Jaguar

On October 24, 2002, we concurred that the effects of the CNF ongoing and long-term grazing on all four allotments were not likely to adversely affect the jaguar.

We concur that the proposed action is not likely to adversely affect the jaguar. Our rationale for this concurrence has not changed since our October 24, 2002, concurrence.