



United States Department of the Interior

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Arizona Ecological Services Office

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In reply refer to:

AESO/SE

22140-2011-F-0233-R001

September 20, 2019

Ms. Debra Mollet, District Ranger
Williams Ranger District
Kaibab National Forest
742 South Clover Road
Williams, Arizona 86046

Dear Ms. Mollet:

Thank you for your August 5, 2019, electronic mail seeking consultation reinitiation for the Bill Williams Mountain Restoration Project (BWMP) on the Williams Ranger District of the Kaibab National Forest (NF) in Coconino County, Arizona. The Forest Service initially consulted with the Fish and Wildlife Service (FWS) on this project and we issued a non-jeopardy, non-adverse modification biological opinion (Consultation #22410-2011-F-0233) on May 5, 2015, for potential effects resulting to the threatened Mexican spotted owl (*Strix occidentalis lucida*) and its critical habitat from mechanical thinning and burning activities.

The primary purpose of the BWMP is to improve the health and sustainability of forested conditions on and surrounding Bill Williams Mountain by reducing hazardous fuels and moving vegetation conditions in the project area toward desired conditions. The project would improve watershed conditions contributing to the City of Williams water supply, reduce the risk of high severity, stand-replacing wildfire, and reintroduce fire into the ecosystem (as well as other objectives identified in the December 10, 2015, Environmental Impact Statement [EIS]).

The need to reinitiate consultation on the project is due to the following changes:

- We worked with the Forest Service to change the Bill Williams Mexican spotted owl Protected Activity Center (PAC) boundary into two PACs based on survey data (the Bixler and Cataract PACs);
- The Forest Service proposes to increase the acres thinned using helicopters to 342 acres (an increase in 317 acres from the previous consultation);
- The Forest Service proposes to add of two temporary roads (0.35 mile) in the PAC; and,
- There is a need for an additional 2.6 acres of landings in the PAC, and 5.1 acres of landings in recovery habitat.

Based upon our new analysis to the proposed action as described above, the changes to our existing biological opinion for the project are to the Description of the Proposed Action, the Status of the Species, the Environmental Baseline, the Effects Section and one sentence under 'Amount of Take' in the Incidental Take Statement. The Cumulative Effects, non-jeopardy conclusion, and the actual Incidental Take Statement would not change. The modified sections amend our May 5, 2015, biological opinion and are included in Appendix A of this letter.

Thank you for your continued collaboration and partnership. No further section 7 consultation is required for this project at this time. Should project plans change, or if information on the distribution or abundance of listed species or critical habitat becomes available, this determination may need to be reconsidered. In all future correspondence on this project, please refer to consultation number 22140-2011-F-0233-R001.

If you require further assistance or you have any questions, please contact Shaula Hedwall (928-556-2118) or Rachel Williams (928-556-2050).

Sincerely,



Jeffery A. Humphrey
Field Supervisor

cc (electronic):

Chief, Habitat Branch, Arizona Game and Fish Department, Phoenix, AZ
Regional Supervisor, Arizona Game and Fish Department, Flagstaff, AZ
Forest Supervisor, Kaibab National Forest, Williams, AZ
Forest Biologist, Kaibab National Forest, Williams, AZ
District Biologist, Williams Ranger District, Kaibab National Forest, Williams, AZ
Director, Aha Makav Cultural Society Fort Mojave Indian Tribe, Mohave Valley, AZ
Chairperson, Havasupai Tribe, Peach Springs, AZ
Director, Hopi Cultural Preservation Office, Kykotsmovi, AZ
Director, Cultural Resources Department, Hualapai Tribe, Peach Springs, AZ
Director, Historic Preservation Department, Navajo Nation, Window Rock, AZ
Director, San Carlos Tribal Historic Preservation Office, San Carlos, AZ
Director, Cultural Resources Department, Tonto Apache Tribe, Payson, AZ
Director, Cultural Resources, White Mountain Apache Tribe, Whiteriver, AZ
Director, Apache Cultural Program, Yavapai-Apache Nation, Camp Verde, AZ
Director, Yavapai Cultural Program, Yavapai-Apache Nation, Camp Verde, AZ
Director, Cultural Research Program, Yavapai-Prescott Indian Tribe, Prescott, AZ
Director, Zuni Heritage and Historic Preservation Office, Zuni, NM

Director, Western Regional Office, Bureau of Indian Affairs, Phoenix, AZ
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APPENDIX A – Revised Sections for the Bill Williams Mountain Restoration Project Biological Opinion

CHANGES TO THE DESCRIPTION OF THE PROPOSED ACTION

The Forest Service proposes to add the use of a helicopter to conduct steep-slope thinning treatments within the newly designated Cataract Mexican spotted owl protected activity center (PAC) (320 acres) and owl recovery habitat (9 acres) on Bill Williams Mountain. Within the 343 acres proposed for steep slope logging, we estimated in the original biological opinion that operators would use helicopter logging on approximately 25 acres (outside the PAC), steep slope mechanical methods on 200 acres, and conventional thinning on 117 acre.

Forest Service and FWS objectives for the treatment in the new Cataract PAC remain the same as originally identified in the proposed action and the biological opinion for what was the Bill Williams PAC. Prescribed fire would be applied to the entire Cataract PAC and recovery habitat, post-thinning. At this time, the Forest Service is not proposing any changes in treatment within the new Bixler PAC.

In addition to the use of helicopter logging, the Forest Service proposes to allow for construction of 0.35 mile of temporary road and approximately 3 acres of landings within the Cataract PAC, as well as approximately five acres of landing construction in recovery habitat.

The Forest Service and FWS would continue to monitor Mexican spotted owl occupancy and reproduction in the Cataract PAC throughout project implementation. In addition, the Forest Service included the following conservation measures as part of the original consultation and they apply to this proposal as well.

- All thinning and burning treatments within the PAC would occur outside the Mexican spotted owl-breeding season (March 1 through August 3).
- Vehicle speed would be restricted to 15 miles per hour or less on haul routes within 0.25 mile of PACs.
- If Mexican spotted owls are determined to be non-nesting per the survey protocol, implementation of actions within the PAC could begin following review and discussion between the Forest Service and FWS.

CHANGES TO THE ENVIRONMENTAL BASELINE

A. Status of the species and critical habitat within the action area

The change to the Environmental Baseline is that following recent Mexican spotted owl surveys, we have information to indicate that there is more than one pair of spotted owls on the Bill Williams Mountain. Therefore, the FWS and the Forest Service used this data to redraw the Bill Williams PAC to account for additional owls. The Bill Williams PAC consisted of almost twice the normal acreage of a PAC because of the survey history on the mountain. The Forest Service and FWS worked together to draw the two new PACs and nest core boundaries and now the action area contains two PACs, the Bixler and Cataract PACs, versus the one PAC described in

the original biological opinion. The only PAC affected by change in the proposed action is the Cataract PAC.

This revised proposed action increases the total PAC and core area acreage from 1,017 in the original consultation to 1,317 acres. It also decreases mixed-conifer nest/roost recovery habitat in the previously consulted project area by 232 acres, as the Forest Service and FWS incorporated these acres into the PACs. There are no changes to ponderosa pine-oak recovery habitat as analyzed in the 2015 biological opinion.

In addition to changes in the PAC boundaries and core areas, the Forest Service has conducted more than 700 acres of hand thinning and more than 200 acres of mechanical thinning on the south side of Bill Williams Mountain.

Table 1. Mexican spotted owl habitat changes for Reinitiation within the Bill Williams Mountain Restoration Project Area.

Mexican spotted owl Habitat	Previously Analyzed Acres in Project Area	Changes/New Information (Acres) for Reinitiation	Change in Acres
Designated Critical habitat	6,342	6,342	0 change in total
Protected Activity Centers PAC (not including core area)	915	1,098	+183
Core Areas	103	219	+116
Nest/roost Recovery habitat Mixed Conifer	1,207	975	-232 (acres moved to PAC)
Recovery habitat (Pine-Oak)	4,349	4,344	-5 (for landing)

Critical Habitat

With the designation of the Cataract Mexican spotted owl PAC, approximately 219 acres of critical habitat moved from a label of recovery to protected habitat (total is still 6,342 acres).

CHANGES TO THE EFFECTS OF THE ACTION

For the steep-slope, conventional, and helicopter logging operations in the Cataract PAC (and nest core), the Forest Service would implement Mexican spotted owl breeding season restrictions (no thinning from March 1 to August 31 in the PAC). The Mexican Spotted Owl Recovery Plan (first revision) does not recommend mechanical or hand thinning activities occur in nest core areas. However, heavy fuel loads, the density of small diameter conifers, and the location of this site in a tight, narrow drainage in a critical watershed above Williams, are all reasons why thinning and burning in this area would result in long-term benefits to the resiliency of the Cataract PAC and the adjacent Bixler PAC. We discuss the effects from these actions below.

1) The proposal adds 317 acres to the acres analyzed for helicopter logging in PAC habitat.

The operator would conduct the helicopter logging outside the Mexican spotted owl-breeding season (March 1 to August 31). By conducting the helicopter logging outside of the breeding season, this would reduce disturbance effects to Mexican spotted owls using the Cataract PAC. As we described in the May 5, 2015, biological opinion, the Forest Service would retain all trees greater than 18 inches diameter-at-breast height (dbh) along with most Gambel oak and aspen within the PAC.

Using helicopters to remove trees would avoid ground disturbance from heavy machinery on steep slopes and would prevent soil compaction, rutting, and other soil effects within the PAC.

However, helicopter logging would result in loss of snags within the Cataract Mexican spotted owl nest core and PAC, causing an adverse effect. Snags are a key component of Mexican spotted owl habitat and prey habitat, particularly in occupied habitat. Helicopter logging requires that loggers remove all hazard trees from the entire area to provide safety for on the ground personnel outside of protected (closed cab) machinery.

We anticipate that mixed conifer PAC and recovery habitats would continue to provide a minimum of two snags per acre greater than or equal to 18 inches dbh and greater than 30 feet tall. Treatment objectives include maintaining a diversity of tree sizes with the goal of having trees greater than or equal to 16 inches dbh contributing to over 50 percent of the stand basal area. Emphasizing the retention and growth of large trees should enhance the recruitment of large snags and logs over time. In addition, the Forest Service proposes to use “patch cuts” to avoid effects to snags within these areas. In addition, areas with many snags may be deferred from treatment both for operator safety and to minimize the loss of this key habitat component.

2) The Forest Service proposes to construct two temporary roads (0.35 mile) within the Cataract PAC.

The Forest Service proposes to construct two temporary roads (0.35 mile) within the Cataract PAC, but not within the nest core. The previous analysis included 0.1 mile of temporary road in in PAC habitat. The Forest Service would obliterate these roads after use. The original proposed action recognized that the Forest Service would need to construct temporary roads in Mexican spotted owl PACs and recovery habitats in order to accomplish thinning treatments. Although the Forest Service is proposing this road in the new Cataract PAC, effects to the owl and its habitat are as we analyzed in the May 5, 2015 biological opinion. If contractors request additional temporary road within the PAC, the Forest Service would work with the FWS to address the request and minimize effects to nest/roost habitat within the PAC.

3) The Forest Service proposes to construct a three-acre landing within the Cataract Mexican spotted PAC and a five-acre landing in recovery habitat.

The original proposed action recognized that the Forest Service would need to construct landings and skid trails in Mexican spotted owl PACs and recovery habitats in order to accomplish

thinning treatments. The Forest Service would rehabilitate all of these areas following tree thinning. Seven landings could occur within this helicopter/steep slope-thinning unit. Two landings are in the Cataract PAC (~2.6 acres) and one is outside the PAC, but adjacent to the nest core area (5 acres). There are no landings proposed in the nest core. If contractors request the use of other landing areas within the PAC (outside of those identified as part of this action), the Forest Service would coordinate with the FWS Mexican spotted owl lead regarding their placement prior to allowing further landing construction within the PAC in order to protect and/or minimize effects to nest/roost habitat.

A landing is an area cleared of vegetation (trees, shrubs, etc.) to provide a place to stack logs prior to loading them on trucks. Loggers clear these areas of most or all vegetation in order to provide space for logs. Therefore, these areas would become semi-permanent openings, devoid of standing trees and snags. If the Forest Service rehabilitates these areas, they may become good habitat for spotted owl prey species and owls may use them for foraging.

Critical Habitat

With the designation of the Cataract Mexican spotted owl PAC, 219 acres of critical habitat moved from a label of recovery to protected habitat. The effects to critical habitat are the same as analyzed in the original biological opinion. The acres, treatment type and harvesting method proposed in critical habitat are the same as analyzed in the May 5, 2015, biological opinion.

CHANGES TO THE INCIDENTAL TAKE STATEMENT

The only change to the incidental take statement is the first sentence of the fourth paragraph, under the '**Amount of Take**' section where we changed the name of the PAC from "Bill Williams" to "Cataract."

We anticipate the take of one pair of Mexican spotted owls and/or associated eggs/juveniles in the form of harassment in the **Cataract PAC** due to a single (one breeding season) or short-term (one to three breeding seasons) disturbance (non-habitat altering action that disrupts or is likely to disrupt owl behavior within the PACs) or habitat alteration (e.g., short-term loss of key habitat components) associated with implementation of the proposed action.

The rest of the incidental take statement is as written in the May 5, 2015, biological opinion.