

September 5, 1984

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MEMORANDUM

To: District Manager, Phoenix District Office, Bureau of Land Management, Phoenix, Arizona

From: Field Supervisor, Ecological Services, FWS, Phoenix, Arizona

Subject: Biological Opinion

This is in response to your request of August 2, 1984, for formal Section 7 consultation, as provided by the Endangered Species Act of 1973 (as amended) on the Habitat Management Plan (HMP) for Nichol Turk's Head Cactus, Echinocactus horizonthalonius var. nicholii, an endangered species. The HMP is for 2100 acres of Bureau of Land Management (BLM) and 460 acres of State of Arizona lands in the vicinity of Waterman Peak, Pima County, Arizona.

The following background information and biological opinion are based on information furnished by the BLM, data in our files and conversations with individuals familiar with the species and project site.

Background Information

Nichol Turk's Head Cactus was listed as an endangered species on October 26, 1979, in response to habitat destruction and over-collecting that had reduced populations both in number and area. There are two population known in Arizona, the Vekol Mountains in Pinal County and the Waterman Mountains in Pima County. Restricted to limestone soils, this small, blue-green barrel cactus grows on open alluvial fans and terraces.

A technical review draft Recovery Plan for Nichol Turk's Head Cactus has been proposed. The HMP describes specific tasks assigned to the BLM under the recovery plan. Within the HMP area there are several specific threats to the species. A limestone mine on private land within the HMP area has facilities located on BLM land that resulted in losses of both cacti and habitat. Operation of this mine was the subject of a formal Section 7 consultation, however expansion of the present operation or establishment of new mines could affect the cactus. Off-road vehicle (ORV) use of the area, including unauthorized camping, has also resulted in losses to the cactus and illegal collection of individual cacti and seeds has been documented.

The HMP details several planned actions intended to protect the cactus and its habitat from future losses. These actions are:

1. Withdrawal of lands not covered by active mining claims from operation of the mining laws to prevent surface disturbance and habitat destruction associated with mining and yearly assessment activity.
2. Determine exact locations of patented and BLM land in the HMP area to facilitate management and legal jurisdiction of habitat areas.
3. Contact mining claimants in the HMP area and inform them of requirements under the 3809 Surface Management regulations.
4. Provide aerial surveillance of the HMP area to monitor human activity, including mining and ORV use.
5. Investigate the feasibility of an ORV designation to protect habitat in the HMP area.
6. BLM will retain title to all public land in the HMP area and investigate the possibility of acquiring the 460 acres of State of Arizona lands.
7. Inventory BLM lands in the Waterman Peak area for other populations of the cactus.
8. Monitor populations of Nichol Turk's Head Cactus occurring on BLM land for at least 10 years.

In addition to these specific actions, BLM will consult with the Fish and Wildlife Service (FWS) on actions that involve the HMP area and could affect the cactus. This includes grazing plans and activities covered under the mining laws (both Notices of Intent and Plans of Operation). Removal of saleable minerals and surface occupancy for development of leasable minerals will not be allowed in the HMP area beginning in FY 85.

Biological Opinion

It is our biological opinion that implementation of this HMP is not likely to jeopardize the Nichol Turk's Head Cactus, but would promote the conservation of the species and therefore constitute a beneficial action.

We recommend that the planned actions described in the HMP, especially the mineral withdrawal, be initiated as soon as possible to maximize the beneficial effects of this HMP. Further consultation on this HMP is not required unless new species are listed that are found in the HMP area, substantial changes are made to the planned actions, or new information becomes available that reveals impacts not considered in this opinion.

We thank you for your interest in conserving endangered and threatened species.

cc: Director, Arizona Game and Fish Department, Phoenix, Arizona
Director, FWS, Washington, D.C. (OES)
Regional Director, FWS, Albuquerque, New Mexico (ARR)
Regional Director, FWS, Albuquerque, New Mexico (SE)

ESFO:LFitzpatrick:tb 09-05-84