



United States Department of the Interior

U.S. Fish and Wildlife Service

Arizona Ecological Services Field Office

2321 West Royal Palm Road, Suite 103

Phoenix, Arizona 85021-4951

Telephone: (602) 242-0210 Fax: (602) 242-2513



FILE COPY

In Reply Refer to:

AESO/SE

2-21-95-F-177R2

2-21-96-F-160R6

March 13, 2002

Memorandum

To: Field Manager, Bureau of Land Management, Tucson, Arizona

From: Field Supervisor

Subject: Reinitiation of Biological Opinions for the Cienega Creek Interim Grazing Plan

This responds to your request for reinitiation of consultation on the Cienega Creek Interim Grazing Plan biological opinion, pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544), as amended. Your request was dated February 27, 2002, and received in this office February 28, 2002. You requested that the biological opinion and incidental take statement be extended until February 25, 2003, or until formal consultation for the final Las Cienegas Resource Management Plan is completed.

The biological opinion was completed January 8, 1995 (2-21-95-F-177) and covered the following species: endangered Gila topminnow (*Poeciliopsis occidentalis occidentalis*), endangered southwestern willow flycatcher (*Empidonax traillii extimus*), and endangered lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*). Incidental take and terms and conditions were given for the Gila topminnow and the lesser long nosed bat. The September 27, 1997, biological opinion for the Safford/Tucson grazing program (2-21-96-F-160) superseded the January 8, 1995, opinion, and included updated environmental baselines for the above species, and the 1995 opinion by reference, and it presented an analysis of effects to the endangered Huachuca water umbel (*Lilaeopsis schaffneriana* spp. *recurva*), which was found at Empire Gulch after the 1995 opinion was issued. As a result, your request for reinitiation applies to this later opinion, as well. The biological opinions concluded that the proposed action was not likely to jeopardize the continued existence of listed species or result in adverse modification or destruction of critical habitat. Both biological opinions were amended May 3, 2001, to extend the incidental take statement until January 8, 2002, or until the formal consultation for the Las Cienegas Draft Resource Management Plan is completed. The biological opinions are incorporated here by reference. No measures of incidental take, reasonable and prudent measures, or terms and conditions will be changed except for those listed below.

After reviewing the current status of the Gila topminnow, southwestern willow flycatcher, endangered lesser long-nosed bat and Huachuca water umbel, the environmental baseline for the action area, the effects of the proposed action, and the cumulative effects, it is the Service's

1996-2003
biological opinion that the action, as proposed, is not likely to jeopardize the continued existence of the species. No critical habitat is currently designated for the lesser long nosed bat, Gila topminnow, or southwestern willow flycatcher, therefore, none will be affected. Critical habitat has been designated for the Huachuca water umbel; however, this action does not affect that area and no destruction or adverse modification of that critical habitat is anticipated. The Service makes this finding for the following reasons:

- No additional effects beyond those described in the biological opinions will occur as a result of this extension;
- All conservation actions are still in effect.

AMENDMENT TO THE BIOLOGICAL OPINION

Term and condition 1.12 of the 1995 opinion, and thus by reference in the 1996 opinion, is changed to the following:

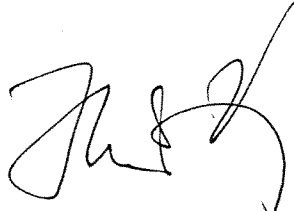
- 1.12 This biological opinion will be in effect until February 25, 2003, or until formal consultation for the final Las Cienegas Resource Management Plan is completed, whichever comes first.

There are no other changes to the biological opinions.

REINITIATION NOTICE

This concludes reinitiation number 2 of formal consultation on the Cienega Creek Interim Grazing Plan, and reinitiation 6 of the Safford/Tucson grazing program biological opinion. 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 maintained (or is authorized by law) and if: (1) any incidental take occurs, (2) new information reveals effects of the agency action that may adversely affect listed species or critical habitat in a manner or to an extent not considered in this opinion, (3) the agency action is subsequently modified in a way that causes an effect to a listed species or critical habitat that was not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by this action. In instances where any incidental take occurs, any operations causing such take must cease pending reinitiation.

We have assigned log numbers 2-21-95-F-177R1 and 2-21-96-F-160R6 to this consultation. Please refer to these numbers in future correspondence on this consultation. Any questions or comments should be directed to Doug Duncan at (520) 670-4860 or Sherry Barrett at (520) 670-4617.


David L. Harlow

cc: Regional Director, Fish and Wildlife Service, Albuquerque, NM (ARD-ES)
Director, Arizona Game and Fish Department, Phoenix, AZ
Regional Supervisor, Arizona Game and Fish Department, Tucson, AZ
Assistant Field Supervisor, Fish and Wildlife Service, Tucson, AZ

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