

**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) 242-0210 FAX: (602) 242-2513**

In Reply Refer To:  
AESO/SE  
02-21-98-F-0399-R1  
02-21-04-F-0488

September 14, 2005

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

Dear Ms. Derby:

On February 25, 2005, we received your February 23, 2005, biological assessment (BA) and request for reinitiation of formal consultation on the effects of 10-year allotment management plans (AMPs) for the Farrell, Harshaw, Lewis, McFarland, Weiland, Alisos (formerly the Alisos/Sierra Tordilla), Oak Bar, and Santa Cruz allotments in the Patagonia Mountains on the endangered lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*) (LLNB) (all eight allotments), and for the endangered Pima pineapple cactus (*Coryphantha sheerii* var. *robustispina*) (PPC) (Alisos Allotment), in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act). These species were most recently addressed in a biological opinion in 2002 (2002 BO; 02-21-98-F-0399-R1) (see consultation history).

You are also requesting our concurrence that your proposed action is not likely to adversely affect the threatened Mexican spotted owl (*Strix occidentalis lucida*) and its designated critical habitat (Harshaw and Weiland allotments); the endangered Gila topminnow (*Poeciliopsis occidentalis occidentalis*) (all eight allotments); the endangered jaguar (*Panthera onca*) (all eight allotments); the threatened Chiricahua leopard frog (*Rana chiricahuensis*) (Santa Cruz allotment); and the endangered Sonora tiger salamander (*Ambystoma tigrinum stebbinsi*) (Santa Cruz allotment). We present our concurrences for these species in Appendix A of this reinitiated BO.

The eight allotments are located on the western side of the Patagonia Mountains, in the Huachuca Ecosystem Management Area of the Sierra Vista Ranger District. You are requesting consultation on these specific allotments now because the proposed actions for the management for most of the allotments have been modified from that considered in the 2002 BO, you will issue new ten-year permits and are requesting consultation for the entire term of the new permits, and updated information on the status and distribution of listed species has resulted in changes in the effects determinations for some species.

This BO is based on the 2002 BO and its supporting administrative record; information provided in your BA (February 23, 2005), telephone conversations, e-mails, a field visit in 2005 between our staffs, and other sources of information. References cited in this biological opinion are not a complete bibliography of all literature available on livestock grazing, species of concern, or other subjects considered in this opinion. A complete administrative record of this consultation is on file in our Phoenix office.

### **Consultation History**

- July 26, 1999: We issued a BO (02-21-98-F-0399) for On-going and Long-Term Grazing on the Coronado National Forest for all allotments.
- October 24, 2002: We issued a reinitiated BO (02-21-98-F-0399-R1) for the Continuation of Livestock Grazing on the Coronado National Forest for all allotments.
- December 24, 2003: We issued a reinitiated BO (02-21-98-F-0399-R2) for Kunde and Papago ten-year AMPs.
- September 27, 2004: We issued a reinitiated BO (02-21-98-F-0399-R3) for Livestock Grazing on the CNF for all allotments (with a concurrence for all allotments regarding proposed MSO critical habitat).
- January 7, 2005: We issued a reinitiated BO (02-21-98-F-0399-R4) for Livestock Grazing on the CNF for the Duquesne, Hayfield, and Lochiel ten-year AMPs.
- July 13, 2005: We sent you the draft of this BO (02-21-98-F-0488).
- August 29, 2005: We received your comments to the draft of this BO. You replied that the draft BO did not have any errors or omissions.

## **BIOLOGICAL OPINION**

### **DESCRIPTION OF THE PROPOSED ACTION**

You propose to authorize grazing on and implement AMPs for the Farrell, Harshaw, Lewis, McFarland, Weiland, Alisos, Santa Cruz and Oak Bar allotments. Grazing on the allotments will be authorized under the following terms and conditions:

- Forage utilization on all allotments will be limited to 45% of current year's growth of key species in key areas, except utilization will be 40% or less in pastures that include portions of Mexican Spotted Owl Protected Activity Centers (PACs).

- Management on each allotment will ensure that pastures receive periodic growing season rest.
- Range improvements would be constructed to the degree necessary to achieve management objectives and move the project area toward desired condition.
- Provisions for the protection and recovery of threatened and endangered species will be incorporated in accordance with the LRMP and recovery plan objectives.

The proposed action incorporates management flexibility by providing a range of allowable use expressed as animal unit months. Initial stocking rates are set based on existing resource and infrastructure conditions and are supported by production and utilization data collected over the past 4 years. Altogether, you propose reductions in allowable use of 7554 AUMs, or 555 head, across the mountain range. Where a range of stocking is identified, changes in stocking would be based on successful infrastructure development and documented improvement in resource conditions. Current management, actual use, and range condition for the allotments are presented in Tables 1 and 2. Proposed actions, including changes from current management, are presented in Tables 3 and 4.

Table 1. Total and capable acreage, recent management, and condition on allotments in Sonoita Creek watershed.

		Farrell	Harshaw	Lewis (includes Red Mountain)	McFarland	Weiland
Total Acres		6,429	9,302	2,282	1,042	2,089
Capable Acres <sup>1</sup>		6,303	6,024	1,422	756	1,630
Current Permitted Use (CYL) <sup>2</sup>		60 CYL	262 yearlings year long	22 CYL	20 CYL Forest 2CYL Private	32 CYL Forest 5 CYL Private
Recent Actual Use	2000	60 CYL	100 CYL	17 Oct.-June	22 CYL	12 CYL
	2001	60 CYL	77 CYL	18 Oct.-June	22 CYL	13 CYL
	2002	60 (9 mo.) <sup>3</sup>	102 CYL	19 CYL <sup>5</sup>	22 CYL	18 CYL
	2003	60 CYL	102 (3 mo.) <sup>4</sup>	19 CYL	8 CYL <sup>6</sup>	20 CYL
Range condition		40% fair upward, 35% good, 25% excellent	33% Excellent 33% Good 33% Fair	67% Fair 33% Poor	100% Fair	100% Good

<sup>1</sup> Capable acres are defined as areas under 40% slope and capable of producing 100 pounds of dry forage per acre. Areas considered “not capable” are not used to calculate grazing capacity.

<sup>2</sup> CYL = cattle year long

<sup>3</sup> Cattle removed in June 2002 due to overuse. Rested through growing season (July-September).

<sup>4</sup> Cattle removed in June 2003 due to overuse. Rested through growing season (July-September).

<sup>5</sup> Red Mountain Allotment pastures (approx. 2000 acres) added to Lewis allotment

<sup>6</sup> Numbers reduced in June 2002 due to lack of forage and water.

Table 2. Total and capable acreage, recent management, and condition on allotments in Middle Santa Cruz watershed.

		Oak Bar	Santa Cruz	Alisos	Sierra Tordilla
Total Acres		11,313	11,651	6,184	5,176
Capable Acres <sup>1</sup>		8,036	9,437	4,818	4,421
Current Permitted Use		220 cow/calf	380 cow/calf	192 cow/calf	160 cow/calf
Management System		3 pasture deferred rotation	7 pasture deferred rotation	8 pasture deferred rotation	
Recent Actual Use	2000-2001	148 cattle	251 cattle	210 cattle	
	2001-2002	113 cattle	113 cattle	204 cattle	
	2002-2003	75 cattle	140 cattle	216 cattle	
	2003-2004	75 cattle	140 cattle	112 cattle <sup>2</sup>	
	2004-2005	210 cattle	<sup>3</sup>	55 cattle	
Range Condition		38% Good 50% Fair 12% Poor	20% Excellent 20% Good 40% Fair 20% Poor	12% Good 63% Fair 25% Poor	

<sup>1</sup> Capable acres are defined as areas under 40% slope and capable of producing 100 pounds of dry forage per acre. Areas considered "not capable" are not used to calculate grazing capacity.

<sup>2</sup> Livestock removed June-November 2003 due to drought. 55 head restored in November 2003.

<sup>3</sup> Santa Cruz and Oak Bar Allotments combined with 210 head total. Both allotments rested during 2004 growing season.

Table 3. Proposed grazing management for allotments in the Sonoita Creek and Middle Santa Cruz watersheds.

Allotment	Grazing System	Animal Unit Months	Cattle Yearlong (cow/calf)	Change from Current Permit
Farrell	7 pasture deferred rest rotation	950	60	No change in numbers, 1 additional pasture.
Harshaw	3 pasture deferred rotation	824-1220	52-102 (includes private land permit for 2 horses)	Reduced from 262 yearlings (2515 AUM)
Lewis	4 pasture deferred rotation	348	22	No change
McFarland	3 pasture deferred rotation	238-364	15-23 (includes 3 head private land permit)	Change to a range of numbers.
Weiland	6 pasture deferred rotation	443	28 (includes 5 head private land permit)	Reduced from 37 CYL (586 AUM).
Alisos	6 pasture deferred rotation	2614-3421	165-216	Reduced from 352 CYL (5,576 AUM).
Oak Bar	4 pasture deferred rest rotation	2028-2186	128-138	Reduced from 220 CYL (3485 AUM). Change to a range of numbers.
Santa Cruz	7 pasture deferred rest rotation	2550-3580	161-226	Reduced from 380 CYL (6020 AUM). Change to a range of numbers.

Table 4. Proposed improvements for allotments in the Sonoita Creek and Middle Santa Cruz watersheds.

Allotment	Proposed Improvement	Purpose and Need
Farrell	New well, one mile of pipeline, one 10,000-gallon storage tank and two troughs in the Best Pasture.	Improve livestock distribution by providing upland waters.
Farrell	Cross fence Best pasture (1 mile of fence).	Increase pasture rest and management flexibility by creating an additional pasture.
Farrell	Develop upland waters in upper Best and Corral Canyon pastures.	Improve livestock distribution by providing upland waters.
Harshaw	0.6 mile of pipeline from Corral Canyon well to storage and trough in uplands of Bergier pasture.	Improve livestock distribution by providing upland waters.
Harshaw	Extend a pipeline from the Weiland Allotment south to the Middle pasture of the Harshaw allotment.	Improve livestock distribution by providing upland waters.
Harshaw and McFarland	Extend a pipeline from a well on the Weiland allotment to the boundary fence between the Sorrell pasture on McFarland and the Bergier pasture on the Harshaw allotment. Install 2 drinkers.	Improve livestock distribution by providing upland waters.
McFarland	Extend an existing pipeline on the Weiland allotment into the Harshaw pasture on McFarland.	Improve livestock distribution by providing upland waters.
McFarland	Construct and enclosure fence on Harshaw creek.	Protect riparian resources by excluding cattle from the creek bed.
Weiland	Increase water storage at East well and extend a pipeline from the well into upland on the Bible pasture.	Improve livestock distribution by providing upland waters.
Alisos	Install a new drinker on existing pipeline on new Piedragosa pasture division fence. Install storage tank at Benches Spring and 1.5 miles of pipeline to provide 3 new waters in Lower Alisos and Sierra Tordilla pastures. Develop a spring on the Duquesne Allotment and extend a pipeline and drinker into the upper Alisos pasture. Install new water storage at Granger Corral and extend pipeline into the southwest part of Holding pasture. Fence Piedragosa Tank and Piedragosa Tank #2.  Divide Piedragosa pasture	Improve livestock distribution and improve riparian condition by providing upland waters and reducing use in bottoms.  Control livestock access to water and improve distribution. Increase pasture rest and management flexibility by creating an additional pasture.
Oak Bar	Divide 3R pasture (2 miles of new fence) and Paja Verde pasture (1.75 miles of new fence).	Increase pasture rest and management flexibility by creating an additional pasture.
Oak Bar	2 miles of pipeline from Tres de Mayo well and 2 drinkers in Paja Verde pastures. 2 miles of pipeline from Lucky Find well (private) to 2 drinkers in Paja Verde pastures. 2 miles of pipeline from Lucky Find well to drinkers in upper 3R pasture. 0.75 miles of pipeline from Horse Pasture well (private) to lower 3R pasture.	Improve livestock distribution and improve riparian condition by providing upland waters and reducing use in bottoms.

Santa Cruz	Divide Shamrock pasture (1.5 miles of new fence)	Increase pasture rest and management flexibility by creating a new pasture.
Santa Cruz	Using existing pipeline, install a storage tank and drinkers in Shamrock and Guajolote pastures. Develop and equip a well in Providencia canyon with storage and drinker. Extend a pipeline from Javelina well to move water out of canyon. Extend a pipeline in Soldier Basin to a drinker at Basin well. Clean out Lower Paloma dam and construct silt trap. Replace storage at lower Paloma well. Reconstruct Soldier Basin and North Soldier Basin Tanks.	Improve livestock distribution and improve riparian condition by providing upland waters and reducing use in bottoms.

Livestock movement through pastures (frequency and timing) will be determined by the results of your monitoring of livestock use levels and resource objectives. We are consulting on the highest permitted numbers of livestock and the longest permitted grazing use proposed, remaining aware that you may choose to manage the allotments at fewer numbers and lesser durations.

Livestock grazing and management actions are described in much greater detail in the 2002 BO (02-21-98-F-0399-R1) and in the BA. Refer to the 2002 BO for a more complete discussion of Forest-wide livestock grazing.

**Monitoring**

The proposed action includes monitoring that you will use to determine whether management is being properly implemented and whether the actions are effective at maintaining or achieving desired conditions. Monitoring will include utilization monitoring in designated key areas. Pace frequency transects will be used to document trends in vegetation and soil condition. If monitoring indicates that desired conditions are not being achieved, changes in management may be proposed. Such changes may include administrative decisions such as the specific number of livestock, specific dates for grazing, class of animal, or modifications in pasture rotations, but will not exceed the limits for timing, intensity, duration, and frequency defined for the proposed action and analyzed herein. If monitoring demonstrates that management options beyond the scope of this analysis are warranted or if significant new information demonstrates that there may be effects not previously considered, further analysis and section 7 consultation would occur, if necessary. Additional improvements not disclosed and analyzed herein would require site-specific analysis and decisions.

In accordance with Forest Service Handbook direction (FSH 1909.15 (18)), you will conduct an interdisciplinary review of the decision within 10 years of your decision, or sooner if conditions warrant. If this review indicates that management is meeting standards and achieving desired condition, the initial management activities will be allowed to continue.

You agree to continue monitoring incidental take of listed species and report any mortality along with implementation of terms and conditions in your annual report to us. Incidental take monitoring will remain as was originally consulted on in the 2002 BO for the LLNB and PPC.

## **Conservation measures**

General and species-specific conservation measures identified in the 2002 BO are in effect on the allotments and will continue to be implemented under the proposed action, as appropriate. These measures are incorporated by reference. Additional measures included in this consultation are:

### **General**

- Prior to any ground-disturbing construction activities, you will survey for sensitive species (including threatened and endangered species), as appropriate, and avoid impacts to detected individuals.

### **Lesser long-nosed bat**

- All range construction projects will be designed to avoid the destruction of agaves and the disturbance of bat roosts. If impacts to agaves are unavoidable, you will ensure that no more than one percent of the agaves within 0.5 mile of the project area will be affected, as described in the 2002 BO.

### **Pima pineapple cactus:**

- Livestock exclosures established for this species will be maintained for the life of the project, in addition to the continued monitoring as described in the 2002 BO.

## **STATUS OF THE SPECIES**

### **Lesser long-nosed bat**

The status of the LLNB remains similar to that described in the 2002 BO (available on our website at <http://arizonaes.fws.gov>, under Document Library; Biological Opinions).

### **Pima pineapple cactus**

The status of the PPC remains the same as that described in the 2002 BO (available on our website at <http://arizonaes.fws.gov>, under Document Library; Biological Opinions).

## **ENVIRONMENTAL BASELINE**

### **Lesser long-nosed bat**

The environmental baseline remains the same as described in the 2002 BO and is included herein by reference. One large post-maternity roost site is known to exist on the north end of the McFarland allotment. Numerous mines, adits, and caves exist in the Huachuca Mountains and significant roosts exist at Coronado National Memorial and Fort Huachuca. Field observations from 2004 indicate agaves (bat food sources) are patchily distributed throughout the allotments.

### **Pima pineapple cactus**

The environmental baseline remains the same as what is described in the 2002 BO and is included herein by reference, except that monitoring of plants within and outside the exclosures has continued since the 2002 BO. The results of this monitoring are currently being summarized.

### **EFFECTS OF THE PROPOSED ACTION**

Management changes that differ from the 2002 BO that may affect LLNB and PPC are:

1. Permitted numbers of livestock will be reduced from the 2002 BO (but actual numbers of livestock on the ground will remain at or near current numbers, which are well below permitted numbers).
2. Water developments and fences will be installed as described to improve livestock distribution. This may increase livestock use in some areas, and decrease use in others.

### **Lesser long-nosed bat**

Because agaves are patchily distributed throughout the allotments, relatively few individual plants are likely to suffer effects from the proposed range improvements or changes in livestock grazing, so the effects are similar to those described in the 2002 BO. The conservation measure from the 2002 BO states that no more than one percent of agaves or saguaros within 0.50 mile of a range project will be destroyed; this remains the same for this reinitiation. Other effects of the proposed action on LLNB are the same as described in the 2002 BO.

### **Pima pineapple cactus**

Though monitoring of PPC outside of the exclosures has not shown that livestock management is affecting individual cacti, they are still exposed to possible livestock trampling. This is expected to be minimal if, or when, it does occur. No livestock management activities other than grazing are proposed in the vicinity of known cactus locations, so it is unlikely that the proposed improvements would directly affect individual PPCs. To ensure that installation of improvements will not directly affect individual cacti, you will survey areas for this and other species before constructing new developments in the general area and avoid PPC if they are found (General Conservation Measure). Other effects of the proposed action on PPC are the same as described in the 2002 BO.

## CUMULATIVE EFFECTS

Cumulative effects to Lesser long-nosed bats and Pima pineapple cactus include the effects of future State, Tribal, local or private actions that are reasonably certain to occur in the action area considered in this biological opinion. Traffic through the action area by undocumented migrants and smugglers has increased, with associated increased impacts, including trails, fires, and accumulated trash. Otherwise, the analysis of cumulative effects remains unchanged from the 2002 BO.

## CONCLUSION

### **Lesser long-nosed bat**

After reviewing the anticipated effects of the proposed action, including the conservation measures, the environmental baseline for the action area, the current status of the LLNB, and the cumulative effects, we affirm our previous conclusion from the 2002 BO that the proposed action is not likely to jeopardize the continued existence of the LLNB. We base our determination on the rationale presented in the 2002 BO.

### **Pima pineapple cactus**

After reviewing the anticipated effects of the proposed action, including the conservation measures, the environmental baseline for the action area, the current status of the PPC, and the cumulative effects, we affirm our previous conclusion from the 2002 BO that the proposed action is not likely to jeopardize the continued existence of the PPC. We base our determination on the rationale presented in the 2002 BO.

## INCIDENTAL TAKE STATEMENT

Section 9 of the ESA and Federal regulation pursuant to section 4(d) of the ESA prohibit the take of endangered and threatened species, respectively, without special exemption. "Take" is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. "Harm" is defined (50 CFR 17.3) to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. "Harass" is defined (50 CFR 17.3) as intentional or negligent actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding or sheltering. "Incidental take" is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and section 7(o)(2), taking that is incidental to and not intended as part of the agency action is not considered to be prohibited taking under the ESA provided that such taking is in compliance with the terms and conditions of this incidental take statement.

## AMOUNT OR EXTENT OF TAKE ANTICIPATED

### **Lesser long-nosed bat**

Consistent with the reasons presented in the 2002 BO, we do not anticipate incidental take of LLNB.

### **Pima pineapple cactus**

Sections 7(b)(4) and 7(o)(2) of the Act do not apply to the incidental take of listed plant species; however, protection of listed plants is provided to the extent that the Act requires a Federal permit for removal or reduction to possession of endangered plants from areas under Federal jurisdiction, or for any act that would remove, cut, dig up, or damage or destroy any such species on any other area in knowing violation of any regulation of any State or in the course of any violation of a State criminal trespass law. Neither incidental take nor recovery permits are needed from us for implementation of the proposed action.

## CONSERVATION RECOMMENDATIONS

### **Lesser long-nosed bat**

No additional conservation recommendations are added to those described in the 2002 BO.

### **Pima pineapple cactus**

We recommend the conservation recommendations described in the 2002 BO, except that #1 is changed as follows (to remove the start date of December 2003):

1. Install vegetation monitoring transects for Pima pineapple cactus in the Alisos Allotment. Transects should be set up inside and outside the exclosures to examine whether livestock grazing is affecting the habitat of Pima pineapple cactus. Monitor those transects every two years for the life of this plan.

### **Disposition of Dead or Injured Listed Species**

Upon locating a dead, injured, or sick listed species, your initial notification must be made to our Law Enforcement Office, 2450 West Broadway Road, Suite 113, Mesa, Arizona 85202 (telephone: 480/835-8289) within three working days of its finding. Written notification must be made within five calendar days and include the date, time, and location of the animal, a photograph if possible, and any other pertinent information. The notification shall be sent to the Law Enforcement Office with a copy to this office. Care must be taken in handling sick or injured animals to ensure effective treatment and care, and in handling dead specimens to preserve the biological material in the best possible state.

### 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.

Though the Chiricahua leopard frog (CLF) and the Sonoran tiger salamander (STS) are not currently known to occur within the project area, they could establish in some of these areas in the future because there is suitable or potential habitat for these species. We recommend that you conduct surveys for these species occasionally during the life of the project, and reinitiate consultation if either species is found. Please contact our office for assistance on available survey protocols and how to implement them. We are also concerned that the spread of non-native species may restrict the establishment of the CLF and STS, especially the spread of bullfrogs and chytrid fungus. The reasonable and prudent measures described in the 2002 BO present actions to be taken to reduce the spread of non-native species and chytrid fungus. We recommend that you implement these actions, as appropriate, in order to not preclude the establishment of CLF or STS in the project area in the future.

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 Mark Crites at (520) 670-6150 (x 229) or Jim Rorabaugh at (602) 242-0210 (x 238). Please refer to consultation number 02-21-04-F-0488 in future correspondence concerning this project.

Sincerely,

/s/ Steven L. Spangle  
Field Supervisor

cc: Regional Director, Fish and Wildlife Service, Albuquerque, NM (ARD-ES)  
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](mailto:Pmedlock@fs.fed.us))

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

W:\Mark Crites\PatagoniaMnts\_AMP\_FinalBO\_200500908.doc:cgg

### **REFERENCES CITED**

All references from the 1999 BO, and the 2002 and 2004 reinitiations of that BO, are included herein by reference.

## APPENDIX A CONCURRENCES

### **Mexican spotted owl (MSO) and critical habitat (MSO CH)**

*Strix occidentalis lucida*

Your proposed action and its anticipated effects are expected to result in reduced effects as compared to those consulted on in the 2004 reinitiation (regarding MSO CH), and these effects remain measurable and reasonably certain to occur. We concur that your proposed action is not likely to adversely affect the MSO and MSO CH on the Harshaw and Weiland allotments because:

1. MSO in any Protected Activity Center (PAC) will not be disturbed while nesting or foraging. The only human disturbance or construction that may occur in a PAC would be the placement of pipe and a trough on the ground. Only horses, vehicles along established roads, and hand tools will be used. No heavy equipment will be used. This level of disturbance would not exceed the existing level of disturbance already occurring in the area during the day and would not occur at night.
2. Livestock management actions in the PACs will provide for the recruitment of woody and herbaceous vegetation for prey species, leave sufficient residual biomass to support natural and ignited fires that reduce the risk of catastrophic wildfire, and support the regeneration of riparian trees.
3. A conservative utilization level (less than 40% of annual forage production) will be implemented in pastures that include portions of PACs.
4. The proposed livestock management will not change any of the existing constituent elements for MSO critical habitat in the general area.

### **Gila topminnow (GTM)**

*Poeciliopsis occidentalis occidentalis*

We anticipate that your proposed action will be insignificant and discountable to the GTM because GTM do not occur in the project area (but occur downstream of the project area); and the condition of the subwatersheds in the project area are stable or improving, and are predicted to improve as a result of project implementation. Therefore, we concur that your proposed action is not likely to adversely affect the GTM in any of the allotments.

### **Jaguar**

*Panthera onca*

We anticipate that your proposed action will be insignificant and discountable to the jaguar because the proposed actions are anticipated to increase cover compared to existing condition; and they will not disrupt connectivity corridors within the United States, between the United States and Mexico, or within the project area. Therefore, we concur that your proposed action is not likely to adversely affect the jaguar in any of the allotments.

**Chiricahua leopard frog (CLF)**

*Rana chiricahuensis*

**Sonora tiger salamander (STS)**

*Ambystoma tigrinum stebbinsi*

CLF or STS do not occur in any of the allotments, but they occur downstream (approximately five miles) from a small portion of the Santa Cruz allotment (Upper Santa Cruz Watershed). Grazing may contribute indirect effects downstream to occupied habitats, but, considering the distance between the allotment and occupied habitats, effects are expected to insignificant and discountable. Therefore, we concur that your proposed action is not likely to adversely affect the CLF or STS on the Santa Cruz allotment.