

**United States Department of the Interior**  
**U.S. Fish and Wildlife Service**  
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In Reply Refer To:  
AESO/SE  
22410-2006-F-0165  
02-21-98-F-0399

March 17, 2006

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 November 30, 2005, we received your November 23, 2005, biological assessment (BA) and request for reinitiation of formal consultation on the effects of continued livestock grazing for 11 allotments in the Galiuro Ecosystem Management Area (EMA) on the threatened Chiricahua leopard frog (*Rana chiricahuensis*) (CLF), the endangered lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*) (LLNB), and the endangered bald eagle (*Haliaeetus leucocephalus*), in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

The 11 allotments of the Galiuro EMA are Copper Creek, Four Mile, Squaw Basin, Bottle Canyon, Willow Creek, Deer Creek, Sunset, Paddy's River, Bull Tank, South Ash, and YLE. The species listed above were most recently 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 Mexican spotted owl (*Strix occidentalis lucida*) (MSO) and its designated critical habitat. Our concurrence is provided in Appendix A.

#### DESCRIPTION OF THE PROPOSED ACTION

You propose one change to the action, which is to authorize continued livestock management and grazing on the allotments through 2016, four years past the date covered in the 2002 BO (2012).

## STATUS OF THE SPECIES

The status of the species remains similar as is described in the 2002 BO with the following exception:

- The status of the CLF has declined due to disease and drought.

## ENVIRONMENTAL BASELINE

Data collected by your staff for these allotments over the past 10 years indicate range, riparian, and soil conditions are improving. We believe there remains one population of CLF located at Oak Creek. Oak Creek is on the border of the Willow Creek and Deer Creek allotments. Rangeland conditions on these allotments appear to be improving since they were consulted on in the 2002 BO.

## 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.

## CONCLUSIONS AND INCIDENTAL TAKE STATEMENTS

Because the Status, Baseline, and Effects are substantially unchanged, our conclusions and the Incidental Take Statement from the 2002 BO remain 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. For further information please contact Thetis Gamberg (520) 670-6150 (x231) or Jim Rorabaugh (602) 242-0210 (x238).

Please refer to consultation number 22410-2006-F-0165 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](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

## Appendix A

On September 27, 2004, we concurred that the effects of the Coronado National Forest (CNF) ongoing and long-term grazing on proposed critical habitat was not likely to adversely affect the threatened Mexican spotted owl (*Strix occidentalis lucida*) (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 MSO or its critical habitat. The rationale for this concurrence has not changed since our January 27, 2004, concurrence on the effects of the action on proposed critical habitat (AESO/SE 2-21-98-399-R3):

- Where livestock grazing occurs within MSO critical habitat, utilization levels allow for recruitment of woody vegetation for MSO prey species.
- Enough residual vegetation height remains to allow fire management options to be conducted in order to reduce the risk of catastrophic fires occurring in MSO critical habitat.