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U.S. Fish and Wildlife Service
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In Reply Refer To:
AESO/SE
22410-2007-F-0313-R1
02-21-98-F-0399

June 12, 2007

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

Dear Ms. Derby:

On May 14, 2007 we received your May 2, 2007 biological assessment (BA) and request for reinitiation of formal consultation on the effects of continued livestock grazing for four allotments in the Chiricahua Ecosystem Management Area (EMA) on the endangered lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*) (LLNB), in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

The four allotments of the Chiricahua EMA are Horseshoe, Sulpher Draw, Sanford, and Cienega. The species listed above was 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 Chiricahua leopard frog (*Rana chiricahuensis*) (CLF), the threatened Mexican spotted owl (*Strix occidentalis lucida*) (MSO) and its designated critical habitat, and the endangered jaguar (*Panthera onca*). Our concurrences are provided in Appendix A attached to this document. Our 2002 BO remains unchanged except as indicated in the following sections in regard to the four Chiricahua EMA allotments.

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 lesser long-nosed bat remains similar to that described in the 2002 BO.

ENVIRONMENTAL BASELINE

Data collected by your staff for these allotments over the past five years indicate rangeland conditions appear to be improving since the 2002 BO. All other information remains the same.

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, except that those effects will continue to occur four years past the coverage provided in the 2002 BO (2012).

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. We also encourage you to coordinate the review of this project with the Arizona Game and Fish Department. For further information please contact Thetis Gamberg (520) 670-6150 (x231) or Jim Rorabaugh (520) 670-6150 (x230). Please refer to consultation number 22410-2007-F-0313 in future correspondence concerning this project.

Sincerely,

/s/ Steven L. Spangle
Field Supervisor

cc: Field Supervisor, Fish and Wildlife Service, Albuquerque, NM

Ms. Jeanine A. Derby

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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)

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

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APPENDIX A CONCURRENCES

Chiricahua leopard frog

On October 24, 2002, we concurred that the effects of the Coronado National Forest (CNF) ongoing and long-term grazing were not likely to adversely affect the Chiricahua leopard frog (CLF).

We concur that the proposed action is not likely to adversely affect CLF. The rationale for this concurrence has not changed since our October 24, 2002, concurrence (2-21-98-F-399-1) and is based on the following:

- No livestock use or livestock management activities will occur in occupied or likely to be occupied aquatic habitat.
- Proposed livestock grazing and livestock management activities in subwatersheds that contain suitable or potential habitat will contribute to the improvement of the subwatershed or will not contribute to a continued decline in subwatershed condition. Indicators of watershed health and Chiricahua leopard frog habitats demonstrate that effects from grazing and livestock management activities will be insignificant and discountable. This does not apply to stock tanks, irrigation sumps, acequias, mine adits, backyard ponds, or other suitable artificial habitats that are typically not affected by watershed conditions.
- Proposed livestock management activities will not result in increased public access to aquatic sites occupied or likely to be occupied by CLF, or increase the likelihood that non-native predators or chytrid fungi will colonize or be introduced to such aquatic sites.

Mexican spotted owl

On September 27, 2004, we concurred that the effects of the CNF ongoing and long-term grazing on were not likely to adversely affect the threatened Mexican spotted owl (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 affect MSO or its critical habitat. The rationale for this concurrence has not changed since our September 27, 2004, concurrence based on the following:

- 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.

Jaguar

On October 24, 2002, we concurred that the effects of the CNF ongoing and long-term grazing were not likely to adversely affect the jaguar.

We concur that the proposed action is not likely to adversely affect the jaguar. Our rationale for this concurrence has not changed since our October 24, 2002, concurrence based on the following:

- Grazing activities will not reduce cover within riparian areas or disrupt connectivity corridors.