

APPENDIX B
AGFD CORRESPONDENCE



Phoenix Office
2120 North Central Ave., Suite 130
Phoenix, Arizona 85004
Tel 602.274.3831 Fax 602.274.3958
www.swca.com

September 5, 2003

Mr. John Kennedy
Arizona Game and Fish Department
2222 W. Greenway Road
Phoenix, Arizona 85023

**RE: REQUEST FOR INFORMATION CONCERNING ARIZONA SPECIAL STATUS SPECIES
AND HABITAT RELATED ISSUES**

Dear Mr. Kennedy:

SWCA has been contracted to complete an Environmental Assessment (EA) to describe and assess the environmental consequences that may result from the Bureau of Reclamation transferring Central Arizona Project (CAP) water subcontracts from four water companies: (1) New River Utility Company, (2) Sunrise Water Company, (3) West End Water Company, and (4) Litchfield Park Service Company (LPSCo). The EA will be prepared in accordance with the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508), and Reclamation's NEPA Handbook. The New River Utility Company service area is located in Sections 14, 22, 23, and 26 of Township 4 North, Range 1 East, Maricopa County, Arizona. The Sunrise Water Company service area is located in Sections 9, 10, 11, 14, and 15 of Township 4 North, Range 1 East, Maricopa County, Arizona. The West End Water Company service area is located in Sections 7, 18, and 19 of Township 5 North, Range 2 West and in Sections 11, 12, 13, 14, and 24 of Township 5 North, Range 3 West, Maricopa County, Arizona. The LPSCo service area is located in Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 33, 34, and 35 of Township 2 North, Range 1 West, in Sections 24, 25, and 36 of Township 2 North, Range 2 West, in Section 1 of Township 1 North, Range 2 West, and in Sections 3, 4, and 6 of Township 1 North, Range 1 West, Maricopa County, Arizona. Please refer to the attached figures for topographic locations of each of the service areas.

This correspondence is a request for information concerning special status species potentially occurring in the geographical area that encompasses each of the service areas. **Please provide a separate report for each service area.** We also invite comments on habitat-related issues or any other concerns which your agency may have regarding future development of this area.

If you have any questions or require additional information, please contact me at (602) 274-3831. We appreciate your assistance and respectfully request your response as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Eleanor R. Gladding".

Eleanor R. Gladding
Biologist/Project Manager

enclosure



THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

2221 WEST GREENWAY ROAD, PHOENIX, AZ 85023-4399
(602) 942-3000 • AZGFD.COM

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DIRECTOR
DUANE L. SHROUFE
DEPUTY DIRECTOR
STEVE K. FERRELL



September 15, 2003

Ms. Eleanor Gladding
SWCA
2120 N. Central Ave.
Suite 130
Phoenix, AZ 85004

Re: **Special Status Species Information for Township 5 North, Range 2 West, Sections 7, 18 and 19; Township 5 North, Range 3 West, Sections 11-14 and 24; Proposed Water Subcontract Transfer: The West End Water Company.**

Dear Ms. Gladding:

The Arizona Game and Fish Department (Department) has reviewed your request, dated September 5, 2003, regarding special status species information associated with the above-referenced project area. The Department's Heritage Data Management System (HDMS) has been accessed and current records do not indicate the presence of any special status species as occurring in the project vicinity (5-mile buffer). In addition, this project does not occur in the vicinity of any proposed or designated Critical Habitats.

The Department's HDMS data are not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity.

Making available this information does not substitute for the Department's review of project proposals, and should not decrease our opportunities to review and evaluate new project proposals and sites. The Department is also concerned about other resource values, such as other wildlife, including game species, and wildlife-related recreation. The Department would appreciate the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with project activities occurring in the subject area, when specific details become available.

Ms. Eleanor Gladding
September 15, 2003
2

If you have any questions regarding this letter, please contact me at (602) 789-3618. General status information and county distribution lists for special status species are also available on our new web site at <http://www.azgfd.com/hdms>, as well as some abstracts for special status species.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sabra S. Schwartz', with a large, stylized flourish at the end.

Sabra S. Schwartz
Heritage Data Management System, Coordinator

SSS:ss

cc: Bob Broscheid, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI

AGFD# 09-10-03(02)



THE STATE OF ARIZONA
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September 15, 2003

Ms. Eleanor Gladding
SWCA
2120 N. Central Ave.
Suite 130
Phoenix, AZ 85004

Re: **Special Status Species Information for Township 4 North, Range 1 East, Sections 9-11, 14, and 15; Proposed Water Subcontract Transfer: Sunrise Water Company.**

Dear Ms. Gladding:

The Arizona Game and Fish Department (Department) has reviewed your request, dated September 5, 2003, regarding special status species information associated with the above-referenced project area. The Department's Heritage Data Management System (HDMS) has been accessed and current records show that the special status species listed on the attachment have been documented as occurring in the project area (3-mile buffer). In addition, this project does not occur within the vicinity of any Proposed or Designated Critical Habitats.

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Ms. Eleanor Gladding
September 15, 2003
2

If you have any questions regarding the attached species list, please contact me at (602) 789-3618. General status information, state-wide and county distribution lists, and abstracts for some special status species are also available on our web site at: <http://www.azgfd.com/hdms>.

Sincerely,



Sabra S. Schwartz
Heritage Data Management System, Coordinator

SSS:ss

Attachment

cc: Bob Broscheid, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI

AGFD #09-10-03(01)

Special Status Species within 3 Miles of T4N,R1E Sec 9, 10, 11, 14, 15

Arizona Game and Fish Department, Heritage Data Management System

September 15, 2003

| Scientific Name | Common Name | ESA | USFS | BLM | WSCA | NPL |
|--|---------------------------|-----|------|-----|------|-----|
| <i>GOPHERUS AGASSIZII (SONORAN POPULATION)</i> | SONORAN DESERT TORTOISE | SC | | | WSC | |
| <i>MACROTUS CALIFORNICUS</i> | CALIFORNIA LEAF-NOSED BAT | SC | | S | WSC | |
| <i>MYOTIS VELIFER</i> | CAVE MYOTIS | SC | | S | | |

No Critical Habitats in project area. AGFD # 09-10-03 (01), Proposed Water Subcontract Transfer: Sunrise Water Company.

GUIDELINES FOR HANDLING SONORAN DESERT TORTOISES
ENCOUNTERED ON DEVELOPMENT PROJECTS

Arizona Game and Fish Department

Revised January 17, 1997

The Arizona Game and Fish Department (Department) has developed the following guidelines to reduce potential impacts to desert tortoises, and to promote the continued existence of tortoises throughout the state. These guidelines apply to short-term and/or small-scale projects, depending on the number of affected tortoises and specific type of project.

Desert tortoises of the Sonoran population are those occurring south and east of the Colorado River. Tortoises encountered in the open should be moved out of harm's way to adjacent appropriate habitat. If an occupied burrow is determined to be in jeopardy of destruction, the tortoise should be relocated to the nearest appropriate alternate burrow or other appropriate shelter, as determined by a qualified biologist. Tortoises should be moved less than 48 hours in advance of the habitat disturbance so they do not return to the area in the interim. Tortoises should be moved quickly, kept in an upright position at all times and placed in the shade. Separate disposable gloves should be worn for each tortoise handled to avoid potential transfer of disease between tortoises. Tortoises must not be moved if the ambient air temperature exceeds 105 degrees Fahrenheit unless an alternate burrow is available or the tortoise is in imminent danger.

A tortoise may be moved up to two miles, but no further than necessary from its original location. If a release site, or alternate burrow, is unavailable within this distance, and ambient air temperature exceeds 105 degrees Fahrenheit, the Department should be contacted to place the tortoise into a Department-regulated desert tortoise adoption program. Tortoises salvaged from projects which result in substantial permanent habitat loss (e.g. housing and highway projects), or those requiring removal during long-term (longer than one week) construction projects, will also be placed in desert tortoise adoption programs. *Managers of projects likely to affect desert tortoises should obtain a scientific collecting permit from the Department to facilitate temporary possession of tortoises.* Likewise, if large numbers of tortoises (>5) are expected to be displaced by a project, the project manager should contact the Department for guidance and/or assistance.

Please keep in mind the following points:

- These guidelines do not apply to the Mohave population of desert tortoises (north and west of the Colorado River). Mohave desert tortoises are specifically protected under the Endangered Species Act, as administered by the U.S. Fish and Wildlife Service.
- These guidelines are subject to revision at the discretion of the Department. We recommend that the Department be contacted during the planning stages of any project that may affect desert tortoises.
- Take, possession, or harassment of wild desert tortoises is prohibited by state law. Unless specifically authorized by the Department, or as noted above, project personnel should avoid disturbing any tortoise.

TRIBAL STATUS

NESL Navajo Endangered Species List (2000)

Navajo Nation, Navajo Fish and Wildlife Department

(<http://www.heritage.tnc.org/nhp/us/navajo/esl.html>)

The Navajo Endangered Species List contains taxa with status from the entire Navajo Nation which includes parts of Arizona, Utah, and New Mexico. In this notebook we provide NESL status for only those taxa whose distribution includes part or all of the Arizona portion of the Navajo Nation.

Groups

- 1 Those species or subspecies that no longer occur on the Navajo Nation.
- 2 Any species or subspecies which is in danger of being eliminated from all or a significant portion of its range on the Navajo Nation.
- 3 Any species or subspecies which is likely to become an endangered species, within the foreseeable future, throughout all or a significant portion of its range on the Navajo Nation.
- 4 Any species or subspecies for which the Navajo Fish and Wildlife Department (NF&WD) does not currently have sufficient information to support their being listed in Group 2 or Group 3 but has reason to consider them. The NF&WD will actively seek information on these species to determine if they warrant inclusion in a different group or removal from the list.

MEXICAN STATUS

MEX Mexican Federal Endangered Species List (October 16, 2000)

Proyecto de Norma Oficial Mexicana PROY-NOM-059-ECOL-2000

The Mexican Federal Endangered Species List contains taxa with status from the entire Mexican Republic and waters under its jurisdiction. In this notebook we provide MEX designations for only those taxa occurring in Arizona and also in Mexico.

- P** En Peligro de Extinción (Determined Endangered in Mexico): in danger of extinction.
- A** Amenazada (Determined Threatened in Mexico): could become endangered if factors causing habitat deterioration or population decline continue.
- Pr** Sujeta a Protección Especial (Determined Subject to Special Protection in Mexico): utilization limited due to reduced populations, restricted distribution, or to favor recovery and conservation of the taxon or associated taxa.
- E** Probablemente extinta en el medio silvestre (Probably extinct in the wild of Mexico): A native species whose individuals in the wild have disappeared, based on pertinent documentation and studies that prove it. The only existing individuals of the species are in captivity or outside the Mexican territory.

[| = One or more subspecies of this species has status in Mexico, but the HDMS does not track it at the subspecies level (most of these subspecies are endemic to Mexico). Please consult the NORMA Oficial Mexicana PROY-NOM-059-ECOL-2000 for details.]

STATE STATUS**NPL Arizona Native Plant Law (1999)**

Arizona Department of Agriculture (<http://agriculture.state.az.us/PSD/nativeplants.htm>)

- HS** Highly Safeguarded: no collection allowed.
- SR** Salvage Restricted: collection only with permit.
- ER** Export Restricted: transport out of State prohibited.
- SA** Salvage Assessed: permits required to remove live trees.
- HR** Harvest Restricted: permits required to remove plant by-products.

WSCA Wildlife of Special Concern in Arizona (in prep)

Arizona Game and Fish Department (<http://www.azgfd.com>)

- WSC** Wildlife of Special Concern in Arizona. Species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines, as described by the Arizona Game and Fish Department's listing of Wildlife of Special Concern in Arizona (WSCA, in prep). Species indicated on printouts as WSC are currently the same as those in **Threatened Native Wildlife in Arizona (1988)**.

Revised 8/14/02, AGFD HDMS

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September 15, 2003

Ms. Eleanor Gladding
SWCA
2120 N. Central Ave.
Suite 130
Phoenix, AZ 85004

Re: **Special Status Species Information for Township 4 North, Range 1 East, Sections 14, 22, 23, and 26; Proposed Water Subcontract Transfer: New River Utility Company.**

Dear Ms. Gladding:

The Arizona Game and Fish Department (Department) has reviewed your request, dated September 5, 2003, regarding special status species information associated with the above-referenced project area. The Department's Heritage Data Management System (HDMS) has been accessed and current records show that the special status species listed on the attachment have been documented as occurring in the project area (3-mile buffer). In addition, this project does not occur within the vicinity of any Proposed or Designated Critical Habitats.

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September 15, 2003
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If you have any questions regarding the attached species list, please contact me at (602) 789-3618. General status information, state-wide and county distribution lists, and abstracts for some special status species are also available on our web site at: <http://www.azgfd.com/hdms>.

Sincerely,



Sabra S. Schwartz
Heritage Data Management System, Coordinator

SSS:ss

Attachment

cc: Bob Broscheid, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI

AGFD #09-09-03(08)

Special Status Species within 3 Miles of T4N,R1E Sec 14, 22, 23, 26

Arizona Game and Fish Department, Heritage Data Management System

September 15, 2003

| Scientific Name | Common Name | ESA | USFS | BLM | WSCA | NPL |
|------------------------------------|---------------------------|-----|------|-----|------|-----|
| <i>ATHENE CUNICULARIA HYPUGAEA</i> | WESTERN BURROWING OWL | SC | | S | | |
| <i>MACROTUS CALIFORNICUS</i> | CALIFORNIA LEAF-NOSED BAT | SC | | S | WSC | |
| <i>MYOTIS VELIFER</i> | CAVE MYOTIS | SC | | S | | |

No Critical Habitats in project area. AGFD # 09-09-03 (08), Proposed Water Subcontract Transfer: New River Utility Company.

Where Are the Owls Found?

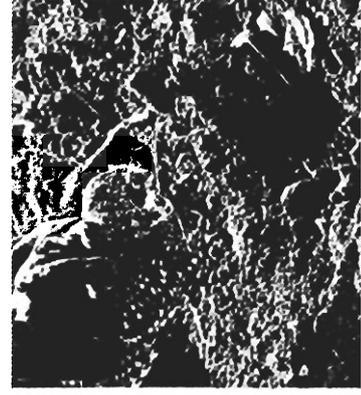
It is possible to find Burrowing Owls anywhere in Arizona where the land is flat and open. The most likely locations are near agricultural fields where the burrows are found in dirt canal banks



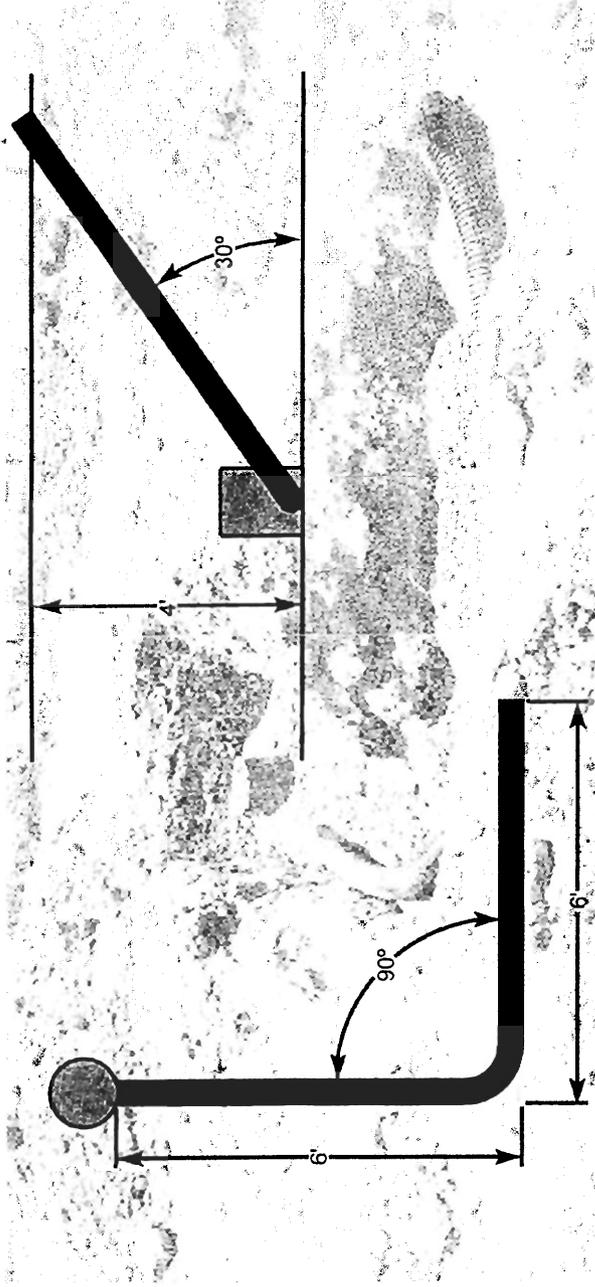
and culvert pipes. Burrowing Owls are also found in undisturbed desert and grassland areas where the vegetation is sparse and there are very few big trees.

What is Relocation?

Burrowing Owls can be safely captured by an expert and held for later release. Typically, the site for the release is desig-



nated within or near the development, and artificial burrows are installed in advance of capture. The cost of materials for a burrow is only \$10, and digging the hole for installation is quick and easy with a backhoe.

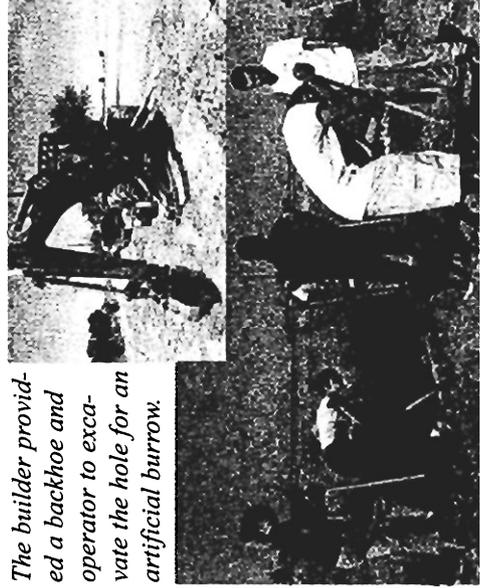


An artificial burrow consists of one five-gallon plastic bucket and 12 feet of perforated drain pipe.

Be Part of the Solution

Burrowing Owls are a valuable addition to a development. Wholly beneficial, they catch insects, such as scorpions, and rodents that most people would rather not have around. In addition, the owls can be an important educational resource for schools and children.

The builder provided a backhoe and operator to excavate the hole for an artificial burrow.



ASU students digging a hole for an artificial burrow.

Partners in Flight

Partners in Flight

is an international cooperative program of agencies, organizations, and individuals committed to conserving our neotropical migratory and native land birds.

Arizona Partners in Flight

(APIF) is a subgroup of this international program. Its goal is to maintain healthy populations of Arizona's birds and their habitats.

This brochure was created as part of the Partners in Flight Conservation Initiative. Through improved habitat management and environmental awareness, Partners in Flight strives to reverse the declining numbers of many North American bird species and to work toward keeping common birds common.



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STEVE K. FERRELL



September 15, 2003

Ms. Eleanor Gladding
SWCA
2120 N. Central Ave.
Suite 130
Phoenix, AZ 85004

Re: Special Status Species Information for Township 2 North, Range 1 West, Sections 7-16, 19-23, 26-31, and 33-35; Township 2 North, Range 1 West, Sections 24, 25, and 36; Township 2 North, Range 2 West, Section 36; Township 1 North, Range 2 West, Section 1; Township 1 North, Range 1 West, Sections 3, 4, and 6; Proposed Water Subcontract Transfer: LPS Company.

Dear Ms. Gladding:

The Arizona Game and Fish Department (Department) has reviewed your request, dated September 5, 2003, regarding special status species information associated with the above-referenced project area. The Department's Heritage Data Management System (HDMS) has been accessed and current records do not indicate the presence of any special status species as occurring in the project vicinity (4-mile buffer). In addition, this project does not occur in the vicinity of any proposed or designated Critical Habitats.

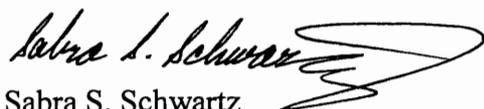
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Sabra S. Schwartz
Heritage Data Management System, Coordinator

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cc: Bob Broscheid, Project Evaluation Program Supervisor
Russ Haughey, Habitat Program Manager, Region VI

AGFD# 09-10-03(03)