

## **APPENDIX D**

### **List of Navajo Special Status Species**



# THE NAVAJO NATION

P.O. Box 9000 • WINDOW ROCK, ARIZONA • 86515

Post-it* Fax Note	7671	Date	05-12-05	# of pages	23
To	John McBlotchen		From	Sonya Detoni	
Co./Dept.	Bureau of Recl.		Co.	NFWD	
Phone #	602-216-3866		Phone #	928-871-6472	
Fax #	602-216-4006		Fax #	928-871-7603	

OR grant signed letters will be mailed.

10 May 2005

File:0511NDK01

Bruce D. Ellis, Chief  
Environmental Resource Management Division  
United States Department of the Interior  
Bureau of Reclamation  
Phoenix Area Office  
P.O. Box 81169  
Phoenix, AZ 85069-1169

**SUBJECT: SAFETY OF DAMS REHABILITATION OF ASSAYI DAM  
ASSAYI LAKE  
LOCATED APPROXIMATELY  
25 MILES NE OF WINDOW ROCK, MCKINLEY COUNTY, NM**

Mr. Ellis:

The following information on species of concern<sup>1</sup> is provided in response to your 31 March 2005 request concerning the subject project, which consists of the following:

- enlarging the existing spillway along the left abutment of dam (would include use of explosives to remove portion of rock abutment)
- removing and replacing the existing toe drain on the downstream side of the dam
- sliplining the existing river outlet works pipe with single wall HDPE pipe or removing and replacing the outlet works structure
- developing borrow areas (approximately 1200 feet southwest of dam)
- constructing a new service road and bridge over spillway at left abutment
- installing riprap along upstream face and possibly raising crest height of dam.

Known to occur within one mile of the project site:

1. Falco peregrinus (Peregrine Falcon); NESL group 1; MBTA. For more information contact David Mikesic, NFWD Zoologist, at (928) 871-7070.

Known to occur within three miles of the project site:

<sup>1</sup>"Species of concern" include protected, candidate, and other rare or otherwise sensitive species, including certain native species and species of economic or cultural significance. For each species, the following tribal and federal statuses are indicated: Navajo Endangered Species List (NESL), federal Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), and Eagle Protection Act (EPA). No legal protection is afforded species with only ESA candidate or NESL group 4 status; please be aware of these species during surveys and inform the NFWD of observations. Documentation that these species are more numerous or widespread than currently known, and addressing these species in project planning and management is important for conservation and may contribute to ensuring they will not be uplisted in the future. Species without ESA or NESL legal protection (e.g., NESL group 4 species) are only included in responses on a regular basis and may not be included in this response. Please refer to the NESL for a list of group 4 species; contact me if you need a copy.

1. Allium gooddingii (Goodding's Onion); NESL group 3; ESA candidate.

Species of concern with potential to occur on the 7.5-minute *Todilito Park, NM* quadrangle(s) containing the project boundaries include the following. Potential is based primarily on quadrangle-wide coarse habitat characteristics and species range information. Your project biologist should determine habitat suitability at the project site(s).

1. Aquila chrysaetos (Golden Eagle); NESL group 3; MBTA; EPA.
2. Cinclus mexicanus (American Dipper); NESL group 3; MBTA.
3. Dendragapus obscurus (Blue Grouse); NESL group 4.
4. Empidonax traillii extimus (Southwestern Willow Flycatcher); NESL group 2; ESA endangered; MBTA.
5. Mustela nigripes (Black-footed Ferret); NESL group 2; ESA endangered.
6. Rana pipiens (Northern Leopard Frog); NESL group 2.
7. Speyeria nokomis (Western Seep Britillary); NESL group 3.
8. Strix occidentalis lucida (Mexican Spotted Owl); NESL group 3; ESA threatened; MBTA.
9. Clematis hirsutissima var. arizonica (Arizona Leather Flower); NESL group 4.
10. Erigeron rhizomatus (Rhizome Fleabane); NESL group 2; ESA threatened.

Potential for the black-footed ferret should be evaluated if prairie-dog towns of sufficient size (per NFWD guidelines) occur in the project area.

Potential for Puccinellia parishii should be evaluated if wetland conditions exist that contain white alkaline crusts.

Biological surveys need to be conducted during the appropriate season to ensure they are complete and accurate please refer to NN Species Accounts.<sup>1</sup> Further questions pertaining to surveys should be referred to Species Account. Surveyors on the Navajo Nation must be permitted by the Director, NFWD. Contact Jeff Cole at (928) 871-7068 for permitting procedures. Questions pertaining to surveys should be directed to the NFWD Zoologist (David Mikesic) for animals at 871-7070, and Botanist (Daniela Roth) for plants at (928)523-8445. Questions regarding biological evaluation should be directed to Rita Whitehorse-Larsen (Environmental Reviewer) at 871-7060.

Also of concern are impacts to any wetland or riparian habitats and their associated species, such as those of Assayi Lake.

Potential impacts to wetlands should also be evaluated. The U.S. Fish & Wildlife Service's National Wetlands Inventory (NWI) maps should be examined to determine whether areas classified as wetlands are located close enough to the project site(s) to be impacted. In cases where the maps are inconclusive (e.g., due to their small scale), field surveys must be completed. For field surveys, wetlands identification and delineation methodology contained in the "Corps of Engineers Wetlands Delineation Manual" (Technical Report Y-87-1) should be used. When wetlands are present, potential impacts must be addressed in an environmental assessment and the Army Corps of Engineers, Phoenix office, must be contacted. NWI maps are available for examination at the NFWD's Natural Heritage Program (NHP) office or may be purchased through the U.S. Geological Survey (order forms are available through the NHP). The NHP has complete coverage of the Navajo Nation, excluding Utah, at 1:100,000 scale; and coverage at 1:24,000 scale in the southwestern portion of the Navajo Nation.

<sup>1</sup> Available upon request free of charge by contacting Data Manager at 871-6489

3

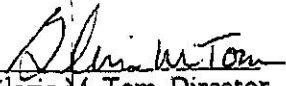
The information in this report was identified by the NFWD's biologists and computerized database, and is based on data available at the time of this response. If project planning takes more than two (02) years from the date of this response, verification of the information provided herein is strongly recommended. It should not be regarded as the final statement on the occurrence of any species, nor should it substitute for on-site surveys. Also, because the NFWD's information is continually updated, any given information response is only wholly appropriate for its respective request.

An invoice for this information is attached.

If you have any questions I may be reached at (928) 871-6472.

Sonja Detsoi, Wildlife Tech.  
Natural Heritage Program  
Department of Fish and Wildlife

CONCURRENCE

  
Gloria M. Tom, Director  
Department of Fish & Wildlife  
Division of Natural Resources

xc: file/chrono