

1. Bank stabilization under the proposed action be limited to the existing bank and not attempt to reclaim lands by restoring previous banklines.

SPECIES PROPOSED FOR LISTING

The magnitude of potential effects to the Virgin spinedace and southwestern willow flycatcher is not significant to result in a likelihood of jeopardy for either species. If either is listed prior to the completion of the proposed action, further consultation under section 7 of the Act may be needed.

CONCLUSION

This concludes formal section 7 consultation on the bank stabilization and reclamation project on Beaver Dam Wash as described in your request for consultation. As required by CFR 402.16, reinitiation of formal consultation is required if: 1) the amount or extent of incidental take is exceeded, 2) new information reveals effects of the agency action that may impact listed species or critical habitat in a manner or to an extent not considered in this opinion, 3) the agency action is subsequently modified in a manner that causes an effect to a listed species or critical habitat that was not considered in this opinion, or 4) a new species is listed or critical habitat designated that may be affected by the agency action.

In future communications on this project, please refer to consultation number 2-21-94-F-388. If there are any questions about this biological opinion, please contact Lesley Fitzpatrick or Tom Gatz.

Sincerely,

/s/ Sam F. Spiller
State Supervisor

cc: Director, Arizona Game and Fish Department, Phoenix, AZ
Regional Director, Fish and Wildlife Service, Region 2, Albuquerque, NM (AES)