

From: <Stan_Perkes@ut.blm.gov>
To: "Pam Grubaugh-Littig" <pamgrubaughlittig@utah.gov>
Date: 8/15/03 10:17AM
Subject: Re: Mexican Spotted Owl East Fork of Box Canyon

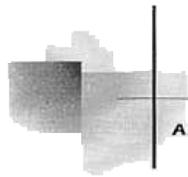
This e-mail consummates BLM's informal consultation on the Mexican Spotted Owl (MSO). BLM approved the modification to the SUFCO Resource Recovery and Protection Plan to undermine the East Fork of Box Canyon in the October 2003 time frame based on informal consultation with the USFWS on June 30, 2003. BLM understood that this plan could be approved based on the fact that 5 of 8 surveys had been completed and that no MSO's had been found and that the survey needed to be completed prior to mining. BLM documented this in the Determination of NEPA adequacy for the R2P2 approval. The surveys according to USFWS MSO protocol have been completed and copies of the reports (Pines MSO.pdf) along with the final report (MSO report 02-03final.doc) by Lynn Jensen of Arizona Biological Surveys are attached. A BLM document (Mexican Spotted Owls.doc) is also attached for summarizing this activity. BLM sees no issue with the MSO based on negative results of the completed surveys.

These reports do not have the maps attached. If the maps are necessary then Dale Harber (dharber@fs.fed.us) at the Manti LaSal National Forest should be contacted.

Stan

(See attached file: Pines MSO.pdf)(See attached file: MSO report 02-03final.doc)(See attached file: Mexican Spotted Owls.doc)

CC: <diana_whittington@fws.gov>



ARIZONA BIOLOGICAL SURVEYS



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August 6, 2002

Interim Report MSO Survey 2002 Season

Approximately 9,200 acres were surveyed for the Mexican Spotted Owl on the Manti-Lasal National Forest. Surveys were conducted in accordance with the USFWS Mexican Spotted Owl Protocol, last revised 1994. The survey included the geographic locations of Clay Banks, Rock Canyon, Muddy Creek, Quitchupah Creek, and Link Canyon.

Four complete surveys were conducted. Survey #1 began May 31 and ended June 2, 2002. Survey #2 began June 22 and ended June 26, 2002. Survey #3 began July 13 and ended July 16, 2002. Survey #4 began August 1 and ended August 4, 2002.

There were no responses from Mexican Spotted Owls. A summary of other raptor responses is found in the table below:

Date of Response	Species Name	Species Code	Type of Response	UTM
7-14-02	Great-Horned Owl	Buvi	Pair/Audio	120466720E 4312990N
8-3-02	Great-Horned Owl	Buvi	Single/Visual	120469255E 4314835N

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June 7, 2002

Coal Lease MSO Survey #1

Survey #1 was conducted beginning May 31, 2002, and ended the morning of June 3, 2002. The survey area is found on the Ferron RD and includes the geographic locations of Clay Banks Swale, Rock Canyon, Muddy Creek, Quitchupah Creek, and Link Canyon. The area was surveyed in accordance with MSO protocol and was covered using call points and continuous calling routes. Maps and survey forms are attached. There are minor changes in the calling routes since the first survey.

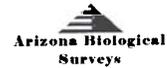
There were no Mexican Spotted Owl responses. There were no other raptor responses. No follow-up visits were conducted.

Approximately half a dozen turkey hens were observed near the bottom of the Muddy Creek canyon. The location was T21S, R6E, Section 16, near an old farm.

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June 28, 2002

Coal Lease MSO Survey #2

Survey #2 was conducted beginning June 22, 2002, and ended the morning of June 26, 2002. The survey area is found on the Ferron RD and includes the geographic locations of Clay Banks Swale, Rock Canyon, Muddy Creek, Quitchupah Creek, and Link Canyon. The area was surveyed in accordance with MSO protocol and was covered using call points and continuous calling routes. Maps and survey forms are attached. There are minor changes in the calling routes since the first survey.

There were no Mexican Spotted Owl responses. There were no other raptor responses. No follow-up visits were conducted. A Great-horned Owl feather was found near call point 10, in section 29, outside of the survey area.

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July 22, 2002

Coal Lease MSO Survey #3

Survey #3 was conducted beginning July 13, 2002, and ending July 16, 2002. The survey area is found on the Ferron RD and includes the geographic locations of Clay Banks Swale, Rock Canyon, Muddy Creek, Quitchupah Creek, and Link Canyon. The area was surveyed in accordance with MSO protocol and was covered using call points and continuous calling routes. Maps and survey forms are attached.

There were no Mexican Spotted Owl responses. There was a vocal response from a pair of Great-horned owls. The location is near call point 8, in section 29, SW 1/4 of the NE 1/4. No follow-up visits were conducted.

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August 6, 2002

Coal Lease MSO Survey #4

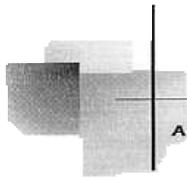
Survey #4 was conducted beginning August 1, 2002, and ending the morning of August 4, 2002. The survey area is found on the Ferron RD and includes the geographic locations of Clay Banks Swale, Rock Canyon, Muddy Creek, Quitchupah Creek, and Link Canyon. The area was surveyed in accordance with MSO protocol and was covered using call points and continuous calling routes. Maps and survey forms are attached.

There were no Mexican Spotted Owl responses. There were no other raptor responses. A single Great-horned Owl was observed sitting on a fence post near the survey area. The UTM location is 120469255E 4314835N.

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June 3, 2003

Coal Lease MSO Survey #1

Survey #1 was conducted beginning May 30, 2003, and ended the morning of June 2, 2003. The survey area is found on the Ferron RD and includes the geographic locations of Clay Banks Swale, Rock Canyon, Muddy Creek, Quitchupah Creek, and Link Canyon. The area was surveyed in accordance with MSO protocol (1994) and was covered using call points and continuous calling routes. Maps and survey forms are attached.

There were no Mexican Spotted Owl responses. There were three other raptor responses. There are two, possibly three Saw-whet owls. Locations are listed below.

120468712E	4320307N	Northern Saw-whet owl	Aegolius acadicus
120468419E	4319498N	Northern Saw-whet owl	Aegolius acadicus
120466132E	4313502N	Northern Saw-whet owl	Aegolius acadicus

No follow-up visits were conducted.

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June 26, 2003

Coal Lease MSO Survey #2 2003

Survey #2 was conducted beginning June 21, 2003, and ended the morning of June 24, 2003. The survey area is found on the Ferron RD and includes the geographic locations of Clay Banks Swale, Rock Canyon, Muddy Creek, Quitchupah Creek, and Link Canyon. The area was surveyed in accordance with MSO protocol (1994) and was covered using call points and continuous calling routes. Maps and survey forms are attached.

There were no Mexican Spotted Owl responses. There were no other raptor responses.

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July 23, 2003

Coal Lease MSO Survey #3 2003

Survey #3 was conducted beginning July 11, 2003, and ended the morning of July 15, 2003. The survey area is found on the Ferron RD and includes the geographic locations of Clay Banks Swale, Rock Canyon, Muddy Creek, Quitcupah Creek, and Link Canyon. The area was surveyed in accordance with MSO protocol (1994) and was covered using call points and continuous calling routes. Maps and survey forms are attached.

There were no Mexican Spotted Owl responses. There was one Saw-whet owl response. The location is identified below and on the form and map attached.

120468691E 4320120N Northern Saw-whet owl *Aegolius acadicus*

No follow-up visits were conducted.

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August 6, 2003

Coal Lease MSO Survey #4

Survey #4 was conducted beginning August 1, 2003, and ended the morning of August 5, 2003. The survey area is found on the Ferron RD and includes the geographic locations of Clay Banks Swale, Rock Canyon, Muddy Creek, Quitchupah Creek, and Link Canyon. The area was surveyed in accordance with MSO protocol (1994) and was covered using call points and continuous calling routes. Maps and survey forms are attached.

There were no Mexican Spotted Owl responses. There were three other raptor responses. There was one Saw-whet owl, and two Great-horned owls. Locations are listed below.

120468366E	4319621N	Great-horned owl	Bubo virginianus
120466519E	4313764N	Northern Saw-whet owl	Aegolius acadicus
120466278E	4313643N	Great-horned owl	Bubo virginianus

No follow-up visits were conducted.

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Mexican Spotted Owls (MSO) Survey Reports on Muddy Creek area (East Fork of Box Canyon) completed by Lynn Jensen from the Arizona Biological Surveys. The following table summarizes the results. All surveys were conducted in accordance with MSO protocol (1994) and the area was covered using call points and continuous calling routes.

Survey Number	Date to	Date From	Year	MSO Response	Raptor Summary Response
1	May 31	June 2	2002	NONE	NONE
2	June 22	June 26	2002	NONE	NONE
3	July 13	July 16	2002	NONE	Great Horned Owl
4	Aug 1	Aug 4	2002	NONE	Great Horned Owl
1	May 30	June 2	2003	NONE	(3) Northern Saw-whet Owls
2	June 21	June 24	2003	NONE	NONE
3	July 11	July 15	2003	NONE	Northern Saw-whet Owl
4	Aug 1	Aug 5	2003	NONE	(2) Great Horned Owl (1) Northern Saw-whet Owl

BLM informally consulted with the USFWS on June 30, 2003 (Laura Romain and Diana Whittington) on the undermining of the East Fork of Box Canyon. Based on the conclusions of the meeting, it was decided that BLM could approve the minor modification of the Resource Recovery and Protection Plan (R2P2) based on the fact that some of the surveys had been completed and nothing was found but the remainder of the protocol had to be completed. If the Mexican Spotted Owls were found then there would need to be formal consultation initiated with the USFWS. This was documented in the Determination of NEPA Adequacy.

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Arizona Biological Surveys

Arizona Biological Surveys

**Mexican Spotted Owl Survey 2002 & 2003
Final Report**

Work conducted by Lynn and Phil Jensen
of Arizona Biological Surveys

Abstract:

The “Coal Lease MSO Surveys” conducted in 2002 and 2003, consisted of 2 tracts. The two tracts surveyed were the North Horn and Muddy Coal Lease Tracts on the Ferron Ranger District of the Manti-LaSal National Forest. All areas were lumped as one survey area and are referred to as the “Coal Lease MSO Survey”. The survey area was approximately 9,154 acres as estimated by the Forest Service. The area was surveyed according to the 1994 USFWS Mexican Spotted Owl Inventory Protocol. No spotted owl (*Strix Occidentalis lucida*) responses were detected in the survey area. Other species of owls detected were the great-horned owl (*Bubo virginianus*), and northern saw-whet owl (*Aegolius acadicus*). No nests were located for any owls. No other raptor species were detected.

Methods:

All work was conducted by Lynn Jensen and Phil Jensen. Both surveyors were trained in 1989, by Joe Ganey, of the Rocky Mountain Research Station, at Northern Arizona University. This training included field outings and instruction on protocol, forms, and identification. They conducted a season of survey for Mr. Ganey. Lynn Jensen worked for the Forest Service for the following four years and received MSO survey and monitoring training each year from the US Fish & Wildlife Service. Phil continued his work with spotted owls by assisting Lynn in formal monitoring activities. In 1995, Lynn began working as a private contractor, Arizona Biological Surveys, and obtained a USFWS take permit (#TE017942-0) for her company.

Survey areas were established by personnel of the Manti-LaSal National Forest. Survey routes were designed by Lynn Jensen and approved by Cara Staab, Wildlife Biologist at the Ferron Ranger District. All survey routes were designed in keeping with the 1994 survey protocol. All areas were covered using call points or continuous calling routes. Call points were typically placed 1/2 mile apart. Due to the rugged canyon terrain, a few calling points and routes were 3/4 mile apart. Complete coverage was obtained. All surveys were conducted during the night. Calling and record keeping followed survey protocol requirements. No recording or playback devices were used. Calling was by vocalization only. Four complete surveys were conducted in 2002 and four complete surveys were conducted in 2003. A Jeep was used to reach call points accessible by road. All other areas were reached on foot. Maps, compass, GPS unit, laptop computer, and MapTech© software were used to ensure accuracy of calling routes on the ground, and for reporting on maps and printing of maps.

Survey calling route:**Results per each survey:**

2002	Survey #1	5-31-02 through 6-3-02	No raptor responses
	Survey #2	6-22-02 through 6-26-02	No raptor responses
	Survey #3	7-13-02 through 7-16-02	Great-horned Owl pair 120466720E 4312990N
	Survey #4	8-1-02 through 8-4-02	No raptor responses
2003	Survey #1	5-30-03 through 6-2-03	Northern Saw-whet Owl 120468712E 4320307N
			Northern Saw-whet Owl 120468419E 4319498N
			Northern Saw-whet Owl 120466132E 4313502N
	Survey #2	6-21-03 through 6-24-03	No raptor responses
	Survey #3	7-11-03 through 7-15-03	Northern Saw-whet Owl 120468691E 4320120N
	Survey #4	8-1-03 through 8-5-03	Great-horned Owl 120468366E 4319621N
			Northern Saw-whet Owl 120466519E 4313764N
			Great-horned Owl 120466278E 4313643N

Table of raptor responses (no spotted owl responses):

Problems or Recommendations:

Road conditions were generally very good. They were quite slippery after a rain, but dried quickly. The weather was generally good with the exception of the wind. Surveys were sometimes adjusted due to wind. For example, the surveyors moved to a different area where there was only a light breeze. Call point 1 at the north end of Clay Banks Swale, had significant water noise. It would be more effective to eliminate this call point. Call point 7, near the radio towers, was usually windy. The night had to be exceptionally calm to hear well.

Personnel Who Participated in Field Work:

Lynn Jensen
Phil Jensen

References Used:

Mexican Spotted Owl Regional Survey Protocol (1994 USFWS)

Birds of North America - A Guide to Field Identification, Golden Press, New York, 1983

Know Your Owls and Birds of Prey, Axia Wildlife International Inc. Software 1994

MapTech© Software - 1997 MapTech, Inc.

Number	Type	Topographic Map	UTM	Comments
1	Call point	Mahogany Point	120483228E 4346951N	Water noise very high
2	Call point	The Cap	120483457E 4337903N	
3	Call point	The Cap	120484366E 4337825N	
4	Call point	The Cap	120485107E 4338053N	
5	Call point	The Cap	120485520E 4338878N	
6	Call point	The Cap	120486504E 4339174N	
7	Call point	The Cap	120487373E 4339264N	Usually windy
8	Continuous call	Mahogany Point	120483489E 4345947N	
9	Call point	The Cap	120483640E 4343920N	
10	Call point	The Cap	120484317E 4343238N	
11	Continuous call	The Cap	120483423E 4334761N	
12	Call point	The Cap	120482351E 4336118N	
13	Continuous call	The Cap	120485741E 4335677N	
14	Continuous call	The Cap	120485881E 4337122N	
15	Continuous call	Flagstaff Peak	120472075E 4319911N	Start at old mine and walk out

16	Call point	Emery West		120471254E 4311957N	Old mine entrance
17	Call point	Emery West		120471287E 4312569N	
18	Call point	Emery West		120467765E 4311911N	Fan noise
19	Call point	Acord Lakes		120466948E 4312480N	Fan noise
20	Call point	Acord Lakes		120466745E 4313147N	Fan noise
21	Call point	Acord Lakes		120466424E 4314029N	Fan noise
22	Call point	Acord Lakes		120465732E 4314430N	
23	Call point	Acord Lakes		121465881E 4313656N	
24	Call point	Acord Lakes		120464988E 4313396N	
25	Call point	Acord Lakes		120464336E 4312584N	
26	Call point	Acord Lakes		120466538E 4311109N	Usually windy, fan noise
27	Call point	Acord Lakes		120465854E 4311731N	Usually windy, fan noise
28	Call point	Acord Lakes		120465675E 4312536N	Fan noise
29	Call point	Flagstaff Peak		120470606E 4319941N	
30	Continuous call	Flagstaff Peak		120469710E 4320210N	
31	Call point	Flagstaff Peak		120470141E 4318679N	
32	Call point	Flagstaff Peak		120468849E 4319847N	
33	Call point	Flagstaff Peak		120468355E 4318976N	
34	Call point	Heliotrope MT		120467283E 4319600N	
35	Call point	Heliotrope MT		120467378E 4321722N	
36	Call point	Flagstaff Peak		120468260E 4321241N	
37	Call point	Flagstaff Peak		120468486E 4320445N	
38	Call point	Flagstaff Peak		120469344E 4317672N	
39	Call point	Flagstaff Peak		120469325E 4316663N	
40	Call point	Emery West		120469352E 4315778N	
41	Call point	Emery West		120470195E 4315109N	
42	Continuous call	Flagstaff Peak		120470289E 4317452N	
43	Call point	Emery West		120472226E 4315884N	
Date	Geographic area	Species	Type of response	UTM	Nest located
7-14-02	Quitcupah Creek	Buvi	Adult/Audio	120466720E 4312990N	No
5-31-03	Greens Canyon	Aeac	Adult/Audio	120468712E 4320307N	No
5-31-03	Greens Canyon	Aeac	Adult/Audio	120468419R 4319498N	No
6-2-03	Quitcupah Creek	Aeac	Adult/Audio	120466132E 4313502N	No
7-12-03	Greens Canyon	Aeac	Adult/Audio	120468691E 4320120N	No
8-2-03	Greens Canyon	Buvi	Adult/Audio	120468366E 4319621N	No
8-3-03	Quitcupah Creek	Aeac	Adult/Audio	120466519E 4313764N	No
8-4-03	Quitcupah Creek	Buvi	Adult/Audio	120466278E 4313643N	No