



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Colorado Field Office
P.O. Box 25486, DFC (65412)
Denver, Colorado 80225-0486

IN REPLY REFER TO:

ES/CO: ES/CO: T&E/Rocky Flats
TAILS: 65412-2010-I-0043

NOV 12 2009

Mr. Scott Surovchak
Department of Energy, Office of Legacy Management
11025 Dover Street, Suite 1000
Westminster, Colorado 80021

Dear Mr. Surovchak:

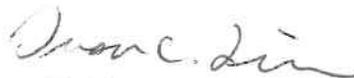
Based on the authority conferred to the U.S. Fish and Wildlife Service (Service) by the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*), the Service reviewed your April 13, 2006, biological evaluation regarding weed control in habitat of the federally listed Preble's meadow jumping mouse (*Zapus hudsonius preblei*, Preble's) at the Rocky Flats Site and on April 25, 2006, agreed that weed control activities as described would not adversely affect Preble's.

On March 26, 2007, the Service received a request from you for an extension on and amendment to the April 2006, clearance. You requested to add the herbicides Escort and Clarity to the list of herbicides approved in 2006, because they will give you additional flexibility in controlling the more resistant weed species. In addition, you have requested that extensions not be required annually, but only if there is a change in the weed control subcontractor that you currently use. We would like to include that an extension would also be required if your weed control methods change in any way. On April 4, 2007, we concurred that these changes in the weed control activities would not adversely affect Preble's, and that extensions or amendments would only be required for changes in the weed control contractor or methodology.

On October 21, 2009, we received a request from you for another amendment to add the herbicides Garlon 3A, Garlon 4, and Plateau to the list of those approved to be used in Preble's habitat. Garlon 3 and 4A will be used to control Russian olive and tamarisk via basal bark or cut-stump applications, and Plateau will be used to control leafy spurge. In addition, you would like to add chain saws to the list of mechanical equipment approved for use in Preble's habitat. Finally, you are requesting an amendment to allow the use of Escort in Preble's habitat prior to August 1st in order to treat spring and early summer weedy mustard species. We had previously requested that you use this herbicide late in the Preble's active season only, but that does not allow for the control of these early-season noxious weeds.

The Service still concurs that weed control activities at the Rocky Flats Site will not adversely affect Preble's. We appreciate your submitting this report to our office for review and comment. If the Service can be of further assistance, please contact Alison Deans Michael at (303) 236-4758.

Sincerely,



Susan C. Linner
Colorado Field Supervisor

pc: DOE (Jody Nelson)

Ref: Alison\H:\My Documents\Rocky Flats\Weed control\2009 RFP weed control amendment.doc