



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: 65412-2009-I-0127

DEC 15 2008

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 December 8, 2008, request for our concurrence that the use of a helicopter as a means of applying herbicides in Preble's habitat will not adversely affect the federally listed Preble's meadow jumping mouse (*Zapus hudsonius preblei*, Preble's) at the Rocky Flats Site.

On April 25, 2006, the Service reviewed your April 13, 2006, biological evaluation regarding weed control in Preble's habitat and 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. In addition, you requested that extensions not be required annually, but only if there is a change in the weed control subcontractor that you currently use. In our concurrence dated April 4, 2007, we recommended that an extension would also be required if your weed control methods change in any way.

Your most recent request involves changing your weed control methods by adding the use of a helicopter for herbicide application, which has been shown to be more efficient and cost-effective than other means such as ATV- or truck-mounted spray equipment. Drift cards will be used to check accuracy where sensitive habitats that are not to receive treatment exist. Use of a helicopter will reduce the need to drive equipment into habitat areas during Preble's active season and will reduce the amount of time spent in habitat for weed control.

Given your project description, 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.

ADMIN RECORD

PD-A-000124

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan C. Linner".

Susan C. Linner
Colorado Field Supervisor

cc: Michael

Ref: Alison\H:\My Documents\Rocky Flats\Weed control\2007 amendment\RFP weed control helicopter concur.doc