



United States
Department of
Agriculture

Animal and Plant
Health Inspection
Service

Plant Protection
and Quarantine

Airport Business Center
6135 N.E. 80th Avenue Suite A-5
Portland, OR 97218-4033
503 326-2814
503 326-2969 fax

Kemper McMaster
State Supervisor
U.S. Fish & Wildlife Service
2600 SE 98th Ave., Suite 100
Portland, Oregon 97266

January 17, 2006

Dear Mr. McMaster:

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS), in conjunction with Federal, State, and local cooperators, is preparing for possible grasshopper/ Mormon cricket suppression programs on rangeland in eastern Oregon again this year. The Plant Protection Act of 2000 (7 U.S.C. § 7717) directs APHIS to respond to land manager requests for assistance. Endangered Species Act (ESA), Section 7 consultations are proceeding between our agencies at the national level for the entire program area (17 western states). However, these national consultations will not be completed in time for this season. Therefore, this letter is to request an informal exchange of Section 7 consultation information between the FWS and APHIS to ensure that any grasshopper suppression programs conducted by APHIS in Oregon are in full compliance with the ESA.

In consultation with your Agency, APHIS prepared the attached Biological Assessment (BA) which specifies mitigative measures (buffers) for the following species which have been listed since the 1995 National Biological Opinion in the proposed area of Oregon. The BA also addresses diflubenzuron (Dimilin) and the RAATs strategy as treatment alternatives, which were not considered in the previous Opinion. The newly listed species are:

Mammals

Canada Lynx (*Lynx canadensis*) Threatened March 24, 2000.

Fish

Bull Trout (*Salvelinus confluentus*) Klamath Basin, Columbia River and Columbia Basin populations, Threatened June 6, 1998.

Plants

Howell's Spectacular Thelypody (*Thelypodium howellii* var. *spectabilis*) Threatened May 26, 1999.

Spalding's Catchfly (*Silene spaldingii*) Threatened October 10, 2001.

The informal local consultation process was used the past three years to obtain concurrence from your agency on the protective measures proposed by APHIS. For this



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season there are no changes in the species involved, chemicals available, or methods of application. We are proposing the same mitigation measures that were agreed to in 2005.

The BA is tiered to our 2006 Environmental Assessments, Program Guidelines and Application Prospectus. These documents are being updated for 2006. I will supply them as soon as they are available.

This letter is intended to request a consultation on the mitigation measures and arrive at a determination of No Effect or Not Likely to Adversely Affect to protect the species mentioned above. Please provide any coordination necessary with the FWS Klamath Falls Office for areas of Lake and Klamath Counties. Your cooperation and timely response in assisting APHIS to meet its Endangered Species Act responsibilities are appreciated. If you have any questions regarding these requests, please contact me at (503) 326-2814 x239.

Sincerely,

Gary W. Brown
PPQ Officer
USDA, APHIS, PPQ
Portland, Oregon

w/enclosures

cc: Mitch Nelson, APHIS State Plant Health Director, Portland, OR
Charles Brown, APHIS Environmental Documentation, Riverdale, MD
Nancy Gilbert, F&WS, Field Supervisor, Bend Fish and Wildlife Office
Curt Mullis, F&WS, Field Supervisor, Klamath Falls Fish and Wildlife Office



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