



United States Department of the Interior



FISH AND WILDLIFE SERVICE
134 Union Boulevard, Suite 670
Lakewood, Colorado 80228

In Reply Refer to:
FWS/IR5/IR7

TAILS: 06E24000-2020-TA-0030

December 10, 2019

Jenelle Kruetzer
ERO Resources Corporation
1842 Clarkson Street
Denver, Colorado 80218

Dear Ms. Kruetzer:

Thank you for your letter to the U.S. Fish and Wildlife Service on behalf of the Mile High Flood District, dated October 7, 2019, requesting renewal of the **Denver Metropolitan Block Clearance Zone** for the federally threatened Preble's meadow jumping mouse (*Zapus hudsonius preblei*). We reviewed your request under the authority of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*).

We agree with your determination that renewing the Preble's meadow jumping mouse block clearance zone for Denver within the boundaries established in 2016 is appropriate. We base this determination on the best available trapping records and habitat evaluations, which indicate that the Preble's meadow jumping mouse does not likely occur within the block clearance zone. Additionally, the block clearance zone is not likely important to the recovery of the subspecies due to the dense, urban development that dominates the zone.

In designating a block clearance zone, we eliminate the requirement that individuals and agencies coordinate with us before impacting potential Preble's meadow jumping mouse riparian or upland habitats inside the zone. Due to the likely absence of the Preble's meadow jumping mouse, activities within the block clearance zone that may impact riparian or upland habitats are not likely to adversely affect the subspecies.

Please remember that the block clearance zone does not remove the protections of the ESA for any Preble's meadow jumping mice that may occur within the block clearance zone. Although extremely unlikely, any individuals found within the block clearance zone retain all the protections of the ESA and we would immediately modify the block clearance zone based on any new distribution information.

INTERIOR REGION 5
MISSOURI BASIN

KANSAS, MONTANA*, NEBRASKA, NORTH DAKOTA,
SOUTH DAKOTA

*PARTIAL

INTERIOR REGION 7
UPPER COLORADO RIVER BASIN

COLORADO, NEW MEXICO, UTAH, WYOMING

This continuation of the Preble's meadow jumping mouse block clearance zone for the Denver Metropolitan Area is effective for three years from the date of this letter. After three years, the clearance expires, and if you request renewal, we will review and update the block clearance zone as needed. We may adjust the boundaries of the block clearance zone at any time.

We will post updated maps and GIS shapefiles of the block clearance zone on our web site.

Although the wetlands and riparian habitats within the block clearance zone likely do not support the Preble's mouse, we emphasize that these habitats should be conserved, protected, and enhanced for migratory birds, fish, other wildlife, and for their ability to control floods, improve water quality, and provide recreational opportunities.

Thank you for your concern for the Preble's meadow jumping mouse and other natural resources; we appreciate the opportunity to work with the Mile High Flood District and ERO Resources to conserve and protect the Preble's mouse. If we can be of any additional assistance, please contact Alison Deans Michael of my staff by telephone at (303) 236-4758 or by email to alison_michael@fws.gov.

Sincerely,

Liisa Schmoele
Colorado Ecological Services Office
Assistant Field Supervisor

cc: ERO Resources, Ron Beane, rbeane@eroresources.com
USACE, Denver Regulatory Office, Kiel Downing
CPW, Denver Headquarters, Tina Jackson