

January 17, 1994

Memorandum

To:Regional Director, Region 1
Portland, Oregon

Through:Assistant Regional Director - Ecological Services
Region 1, Portland, Oregon

From:Acting Field Supervisor, Ventura Field Office - Ecological Services,
Ventura, California

Subject:Amendment to Intra-Service Biological Opinion for the Issuance of a
Section 10(a)(1)(B) Permit for the Seascape Uplands Joint Venture,
Santa Cruz County, California (1-6-92-FW-23)

On March 5, 1992, the Ventura Field Office of the Fish and Wildlife Service (Service) issued a non-jeopardy biological opinion for the referenced permit issuance. That biological opinion contained two reasonable and prudent measures and five terms and conditions to reduce the take of the federally endangered Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*).

Specifically, the reasonable and prudent measures required that, to the extent practicable, Santa Cruz long-toed salamanders in construction areas be salvaged and adjacent habitat not be disturbed. The first three terms and conditions related to the control of other fossorial species with which the Santa Cruz long-toed salamander may have symbiotic relationships, conservation of other sensitive species at the project site, protection of Santa Cruz long-toed salamanders from predation at tunnels. The applicants for the section 10(a)(1)(B) permit, the County of Santa Cruz, and the Service have agreed to include these measures as conditions of approval of the proposed development.

Term and condition 4 required that vegetation clearing occur at least one year prior to grading to allow Santa Cruz long-toed salamanders to disperse. Service staff and other biologists familiar with this species do not believe that implementation of this term and condition would significantly reduce the level of incidental take. Hence, the Ventura Field Office is amending the previous biological opinion to delete this term and condition.

Term and condition 6 noted that parasitic flatworms in the breeding ponds may curtail Santa Cruz long-toed salamander reproduction and suggests that

measures be implemented, through pond management, to reduce the abundance of the flatworm. The habitat conservation plan commits to expending \$2,000 per year to study this potential problem. Without better information on the relationship among pond conditions, Santa Cruz long-toed salamanders, and their parasites, the Ventura Field Office believes that this term and condition should be changed to a conservation recommendation.

The Ventura Field Office believes that the proposed action, as described in the current habitat conservation plan, is not likely to jeopardize the continued existence of the Santa Cruz long-toed salamander. The incidental take statement contained in the Service's March 5, 1992, biological opinion remains valid. To reduce the incidental taking that may result from the proposed action, the following reasonable and prudent measure and term and condition shall be implemented by the Service:

The Service shall ensure that stipulations contained in the habitat conservation plan and implementation agreement to reduce the impacts of the proposed action and to manage habitat for the benefit of the Santa Cruz long-toed salamander are included in the section 10(a)(1)(B) permit for the development of the proposed Seascape Uplands Joint Venture.

If you have any questions concerning these amendments to biological opinion 1-6-92-FW-23, please contact Ray Bransfield of my staff at (805) 64-1766.