

From: Hammar, Melissa - FSIS
Sent: Monday, May 06, 2013 6:03 PM
To: Bolick, Thomas - OGC; NOVAK, SHEILA - OGC
Cc: Williams, Charles - FSIS
Subject: [REDACTED]

Hi Tom and Sheila,



From: Dennis, George [mailto:george_dennis@fws.gov]
Sent: Thursday, May 02, 2013 4:33 PM
To: Hammar, Melissa - FSIS
Subject: Re: Valley Meat Consultation 02ENNM00-2013-TA-0048

Melissa,
I have put it on my calendar. Please call me at 505-761-4754.

Regards,
George Dennis

George D. Dennis III, Ph.D.
Aquatics Branch Chief
New Mexico Ecological Services Field Office
U.S. Fish and Wildlife Service
2105 Osuna Rd NE
Albuquerque, NM 87113
505-761-4754
george_dennis@fws.gov

On Thu, May 2, 2013 at 2:25 PM, Hammar, Melissa - FSIS <Melissa.Hammar@fsis.usda.gov> wrote:
Thanks, George. May 6th at 1:00 pm (EST) works for me.

Melissa Hammar
Program Analyst
USDA/FSIS/OPPD/PID
Office: (202) 720-2096
FAX: (202) 690-0486
melissa.hammar@fsis.usda.gov

From: Dennis, George [mailto:george_dennis@fws.gov]
Sent: Thursday, May 02, 2013 11:56 AM

To: Hammar, Melissa - FSIS
Subject: Valley Meat Consultation 02ENNM00-2013-TA-0048

Melissa,

We have taken a look at the biological assessment for Valley Meat Plant Consultation and are ready to discuss the ESA consultation further. I am available next week May 6th (after noon your time), 7th (after noon), 8th (after 10 am), and 9th (after 10 am). It should not take more than 30-45 minutes. Let me know when it would be convenient for you to discuss the matter further. We have assigned consultation number 02ENNM00-2013-TA-0048 to this project. Please refer to this number in future correspondence.

Regards,
George Dennis

George D. Dennis III, Ph.D.
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**U.S. Department of Agriculture, Food Safety and Inspection Service &
U.S. Fish and Wildlife Service, New Mexico Ecological Services Field Office
Section 7 Consultation**

The Food Safety and Inspection Service (FSIS) has received and is reviewing an application for a modification to a grant of federal inspection filed by Valley Meat Company, LLC (Valley Meat). Valley Meat is a small (7,290 square-foot) slaughter and processing facility located at 3845 Cedarvale Rd., Roswell, New Mexico (33° 21' N/ 104° 25' W), that has existed as a slaughter facility since 1982. Its current owner, Mr. Ricardo de los Santos, has slaughtered cattle, veal calves, goats, sheep, lambs, and swine under a grant of federal inspection more or less continuously since January, 1991. On March 2, 2012, Valley Meat filed an application with FSIS to modify its grant of inspection to receive inspection services for the commercial slaughter of horses, mules, and other equines. In accordance with 16 U.S.C. 1536(a)(2), FSIS is requesting a Section 7 consultation with the U.S. Fish and Wildlife Service (FWS) to ensure that granting federal inspection to Valley Meat would not adversely affect a listed species or critical habitat.

Valley Meat's facility is located in Chaves County, New Mexico. The facility is located on a 20-acre site inside the extraterritorial industrial zone that has been set aside for light industrial use. FSIS has no reason to believe that the location of this industrial area or the facilities operating therein has ever been questions or challenged on the ground that it impinges on any natural resources or ecologically critical areas located in and around this area.

A map of Chaves County is attached. Mr. de los Santos' property boundary is marked in red. The slaughter facility is the building closest to the curve in Cedarvale Rd. The brown rectangle is the establishment's large lagoon and the red square is the establishment's small lagoon. The square on the right side of the property is a hay shed. There is also an equipment shed and some trailers next to the plant. (It can be best visualized if you enlarge to 400%.)

The facility would use its septic system and lagoons to manage its liquid waste. Sewage and other effluent from the facility would proceed to the lagoon after passing through the septic system. The facility currently has a discharge permit from the State of New Mexico for the discharge of up to 8,000 gallons of agricultural wastewater per day. The facility does not have any federal discharge permits.

Solid wastes would be stored in an inedible area in a freezer in the establishment until the waste could be picked-up by a rendering company for disposal. The waste would be collected approximately three times per week.

Valley Meat would not use any chemicals or sprays on live equines. However, carcasses would be sprayed with [REDACTED] to limit microbial growth. [REDACTED] is approved at up to 5% for livestock. Valley Meat previously used [REDACTED] as an anti-microbial intervention when it slaughtered cattle and other livestock.

The establishment intends to use bleach and [REDACTED] from [REDACTED], to clean and sanitize the facility. The establishment would also use some insecticide to control flies around the facility. The establishment previously used these cleaning compounds and insecticides when it slaughtered cattle and other livestock.

U.S. Department of Agriculture, Food Safety and Inspection Service &
 U.S. Fish and Wildlife Service, New Mexico Ecological Services Field Office
 Section 7 Consultation

| Listed and Sensitive Species in Chaves County | | | | | |
|---|---|-----------------------------|---|---------------|-----------|
| Common Name | Scientific Name | Group | Status | Determination | Rationale |
| Lesser prairie-chicken | <i>Tympanuchus pallidicinctus</i> | Bird | Candidate | | |
| Sprague's pipit | <i>Anthus spragueii</i> | Bird | Candidate | | |
| Texas hornshell (mussel) | <i>Popenaias popeii</i> | Mollusc - Invertebrate | Candidate | | |
| Wright's marsh thistle | <i>Cirsium wrightii</i> | Plant | Candidate | | |
| Noel's amphipod Designated Critical Habitat | <i>Gammarus desperatus</i> | Arthropod - Invertebrate | Endangered | | |
| Least Tern (Interior Population) | <i>Sterna antillarum</i> | Bird | Endangered | | |
| Pecos gambusia | <i>Gambusia nobilis</i> | Fish | Endangered | | |
| Black-footed ferret | <i>Mustela nigripes</i> | Mammal | Endangered | | |
| Koster's springsnail Designated Critical Habitat | <i>Juturnia kosteri</i> | Mollusc - Invertebrate | Endangered | | |
| Pecos assiminea snail Designated Critical Habitat | <i>Assiminea pecos</i> | Mollusc - Invertebrate | Endangered | | |
| Roswell springsnail Designated Critical Habitat | <i>Pyrgulopsis roswellensis</i> | Mollusc - Invertebrate | Endangered | | |
| Kuenzler's hedgehog cactus | <i>Echinocereus fendleri</i> var. <i>kuenzleri</i> <i>Escobaria</i> (= <i>Caryophantha</i>) | Plant | Endangered | | |
| Northern aplomado falcon | <i>Falco femoralis septentrionalis</i> | Bird | Experimental, Non-essential Population | | |
| Whooping Crane | <i>Grus americana</i> | Bird | Experimental, Non-essential Population | | |

U.S. Department of Agriculture, Food Safety and Inspection Service &
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| Species of Concern in Chaves County | | | | | |
|-------------------------------------|------------------------------------|--------|--------------------|---------------|-----------|
| Common Name | Scientific Name | Group | Status | Determination | Rationale |
| American peregrine falcon | <i>Falco peregrinus anatum</i> | Bird | Species of Concern | | |
| Arctic peregrine falcon | <i>Falco peregrinus tundrius</i> | Bird | Species of Concern | | |
| Baird's sparrow | <i>Ammodramus bairdii</i> | Bird | Species of Concern | | |
| Bell's vireo | <i>Vireo bellii</i> | Bird | Species of Concern | | |
| Black tern | <i>Chlidonias niger</i> | Bird | Species of Concern | | |
| Northern goshawk | <i>Accipiter gentilis</i> | Bird | Species of Concern | | |
| Western burrowing owl | <i>Athene cucularia hypugaea</i> | Bird | Species of Concern | | |
| Yellow-billed cuckoo | <i>Coccyzus americanus</i> | Bird | Species of Concern | | |
| Greenthroat darter | <i>Etheostoma lepidum</i> | Fish | Species of Concern | | |
| Headwater catfish | <i>Ictalurus lupus</i> | Fish | Species of Concern | | |
| Rio Grande shiner | <i>Notropis jemezianus</i> | Fish | Species of Concern | | |
| Black-tailed prairie dog | <i>Cynomys ludovicianus</i> | Mammal | Species of Concern | | |
| Desert pocket gopher | <i>Geomys arenarius</i> | Mammal | Species of Concern | | |
| Pecos River muskrat | <i>Ondatra zibethicus ripensis</i> | Mammal | Species of Concern | | |
| Swift fox | <i>Vulpes velox</i> | Mammal | Species of Concern | | |
| Townsend's big-eared bat | <i>Corynorhinus townsendii</i> | Mammal | Species of Concern | | |
| Western red bat | <i>Lasiurus blossevillii</i> | Mammal | Species of Concern | | |

On Thu, Apr 25, 2013 at 1:07 PM, Hammar, Melissa - FSIS <Melissa.Hammar@fsis.usda.gov> wrote:
Hi George,

The Food Safety and Inspection Service (FSIS) has received and is reviewing an application for a modification to a grant of federal inspection filed by Valley Meat Company, LLC (Valley Meat). Valley Meat is a small (7,290 square-foot) slaughter and processing facility located at 3845 Cedarvale Rd., Roswell, New Mexico (33° 21' N/ 104° 25' W), that has existed as a slaughter facility since 1982. Its current owner, Mr. Ricardo de los Santos, has slaughtered cattle, veal calves, goats, sheep, lambs, and swine under a grant of federal inspection more or less continuously since January, 1991. On March 2, 2012, Valley Meat filed an application with FSIS to modify its grant of inspection to receive inspection services for the commercial slaughter of horses, mules, and other equines. In accordance with 16 U.S.C. 1536(a)(2), FSIS is requesting a Section 7 consultation with the U.S. Fish and Wildlife Service (FWS) to ensure that granting federal inspection to Valley Meat would not adversely affect a listed species or critical habitat. FSIS is also requesting technical assistance on making this determination.

I've attached a map of Chaves County. (Mr. de los Santos' property boundary is marked in red.) I've also attached a description of the proposed action and a table of listed species. Please let me know when you are available to discuss.

Best regards,

Melissa Hammar
Program Analyst
USDA/FSIS/OPPD/PID
Office: (202) 720-2096
FAX: (202) 690-0486
melissa.hammar@fsis.usda.gov

From: Dennis, George [mailto:george_dennis@fws.gov]
Sent: Friday, April 19, 2013 6:10 PM
To: Hammar, Melissa - FSIS
Subject: Re: Section 7 Consultation

Melissa,

As per our telephone conversation you will need to send us a biological assessment for the section 7 consultation.

At a minimum you will need a map of the project area with the boundary of the project marked.
A description in the text the location by address and latitude and longitude.
A description of the action at the site resulting from your action the grant of inspection.
The action at the site may include off-site storage, surface or groundwater discharges, transportation of materials to another site. If there are any of these activities do they have a separate Federal permit? If so then not part of you action but describe and indicate what permit is in place.

Get a list of species for the county where the project area occurs.
Go to <http://www.fws.gov/southwest/es/NewMexico/SBC.cfm> to get species list. Select county and save list of species.

A description of the action at the site resulting from your action the grant of inspection.

The action at the site may include off-site storage, surface or groundwater discharges, transportation of materials to another site. If there are any of these activities do they have a separate Federal permit? If so then not part of you action but describe and indicate what permit is in place.

Get a list of species for the county where the project area occurs.

Go to <http://www.fws.gov/southwest/es/NewMexico/SBC.cfm> to get species list. Select county and save list of species.

Make a table with columns for species, determination, and rationale.

Add all candidate, experimental, threatened, and endangered species from your species list to this table.

Send me the above information via email and request technical assistance on making a determination.

I will review the location and table with you to complete filling out the table.

Then you will send the completed biological assessment to the address

New Mexico Ecological Services Field Office
U.S. Fish and Wildlife Service
2105 Osuna Rd NE
Albuquerque, NM 87113

attention the Field Supervisor and/or

send an electronic copy via email to me with cover letter to the Field Supervisor.

Regards,

George Dennis

George D. Dennis III, Ph.D.
Aquatics Branch Chief
New Mexico Ecological Services Field Office
U.S. Fish and Wildlife Service
2105 Osuna Rd NE
Albuquerque, NM 87113

505-761-4754
george_dennis@fws.gov

On Wed, Apr 17, 2013 at 1:53 PM, Hammar, Melissa - FSIS <Melissa.Hammar@fsis.usda.gov> wrote:

Hi George,

As you can see from the attached document, I need to set up a Section 7 consultation as soon as possible. We don't typically do these, so please let me know what I need to do so we can move forward.

Best,

Melissa Hammar

Program Analyst

USDA/FSIS/OPPD/PID

Office: (202) 720-2096

FAX: (202) 690-0486

melissa.hammar@fsis.usda.gov

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