

Appendix D
BLM DILLON FIELD OFFICE
Biological Evaluation for Special Status Fish and Wildlife Species
Form Revised May 2009 - Updated May 2013

Project: Upper Horse Prairie Watershed EA # DOI-BLM-MT-B050-2013-010-EA

Step 1a.	Step 1b.	Step 1c.	Step 2	Step 3.	Step 4.	Step 5.	Step 5.	Step 5.
List of all Special Status Species that are known or suspected to occur on the DFO.	Current Management Status of the Species.	Does the species occur on this portion of the Field Office?	Is the species or its habitat found in the surrounding area?	Could this proposal have any effect?	Are Irreversible or Irretrievable Resources involved?	Alt A level of effect	Alt B level of effect	Alt C level of effect
Canada Lynx (<i>Lynx canadensis</i>)	Threatened	N/A	N/A	--	--	--	--	--
Grizzly Bear (<i>Ursus arctos horribilus</i>)	Threatened	N/A	N/A	--	--	--	--	--
Greater Sage Grouse (<i>Centrocercus urophasianus</i>)	Candidate	Y	Y	Y	N	MIIH	BI	BI
North American Wolverine (<i>Gulo gulo luscus</i>)	Proposed Threatened	N	Y	N	--	--	--	--
Mammals								
Fisher (<i>Martes pennanti</i>)	Sensitive	N/A	N/A	--	--	--	--	--
Fringed myotis (<i>Myotis thysanodes</i>)	Sensitive	Y	Y	N	--	--	--	--
Gray Wolf (<i>Canis lupus</i>)	Sensitive	Y	Y	N	--	--	--	--
Great Basin pocket mouse (<i>Perognathus parvus</i>)	Sensitive	Y	Y	Y	N	MIIH	BI	BI
Long-eared Myotis (<i>Myotis evotis</i>)	Sensitive	Y	Y	N	--	--	--	--
Long-legged Myotis (<i>Myotis volans</i>)	Sensitive	Y	Y	N	--	--	--	--
Pygmy Rabbit (<i>Brachylagus idahoensis</i>)	Sensitive	Y	Y	Y	N	MIIH	BI	BI
Townsend's Big-eared Bat (<i>Plecotus townsendii</i>)	Sensitive	Y	Y	N	--	--	--	--

(cont.) List of all Special Status Species that are known or suspected to occur on the DFO.	Current Management Status of the Species.	Does the species occur on this portion of the Field Office?	Is the species or its habitat found in the surrounding area?	Could this proposal have any effect?	Are Irreversible or Irretrievable Resources involved?	Alt A level of effect	Alt B level of effect	Alt C level of effect
Birds								
Bald Eagle (<i>Haliaeetus leucocephalus</i>)	Sensitive	Y	Y	N	--	--	--	--
Black Tern (<i>Chlidonias niger</i>)	Sensitive	N	Y	N	--	--	--	--
Black-backed Woodpecker (<i>Picoides arcticus</i>)	Sensitive	Y	Y	Y	N	NI	MIIH	MIIH
Black-crowned Night Heron (<i>Nycticorax nycticorax</i>)	Sensitive	N/A	N/A	--	--	--	--	--
Bobolink (<i>Dolichonyx orysivorus</i>)	Sensitive	Y	Y	N	--	--	--	--
Brewer's sparrow (<i>Spizella breweri</i>)	Sensitive	Y	Y	N	--	--	--	--
Burrowing Owl (<i>Athene cunicularia</i>)	Sensitive	N	N	N	--	--	--	--
Common Loon (<i>Gavia immer</i>)	Sensitive	N	Y	N	--	--	--	--
Ferruginous Hawk (<i>Buteo regalis</i>)	Sensitive	Y	Y	N	--	--	--	--
Flammulated Owl (<i>Otus flammeolus</i>)	Sensitive	Y	Y	Y	N	NI	BI	BI
Franklin's Gull (<i>Larus pipixcan</i>)	Sensitive	N/A	N/A	--	--	--	--	--
Golden Eagle (<i>Aquila chrysaetos</i>)	Sensitive	Y	Y	N	--	--	--	--
Great Gray Owl (<i>Strix nebulosa</i>)	Sensitive	Y	Y	Y	N	NI	MIIH	MIIH
Harlequin Duck (<i>Histrionicus histrionicus</i>)	Sensitive	N/A	N/A	--	--	--	--	--
Loggerhead Shrike (<i>Lanius ludovicianus</i>)	Sensitive	Y	Y	Y	N	NI	BI	BI
Long-billed Curlew (<i>Numenius americanus</i>)	Sensitive	Y	Y	N	--	--	--	--

(cont.) List of all Special Status Species that are known or suspected to occur on the DFO.	Current Management Status of the Species.	Does the species occur on this portion of the Field Office?	Is the species or its habitat found in the surrounding area?	Could this proposal have any effect?	Are Irreversible or Irretrievable Resources involved?	Alt A level of effect	Alt B level of effect	Alt C level of effect
Marbled Godwit (<i>Limosa fedoa</i>)	Sensitive	N/A	N/A	--	--	--	--	--
McCown's longspur (<i>Calcarius mccownii</i>)	Sensitive	Y	Y	N	--	--	--	--
Northern Goshawk (<i>Accipiter gentilis</i>)	Sensitive	Y	Y	Y	N	NI	MIIH	MIIH
Peregrine Falcon (<i>Falco peregrinus anatum</i>)	Sensitive	N	Y	N	--	--	--	--
Sage Sparrow (<i>Amphispiza belli</i>)	Sensitive	Y	Y	N	--	--	--	--
Sage thrasher (<i>Oreoscoptes montanus</i>)	Sensitive	Y	Y	N	--	--	--	--
Sedge Wren (<i>Cistothorus platensis</i>)	Sensitive	N/A	N/A	--	--	--	--	--
Swainson's Hawk (<i>Buteo swainsoni</i>)	Sensitive	Y	Y	N	--	--	--	--
Three-toed Woodpecker (<i>Picoides tridactylus</i>)	Sensitive	Y	Y	Y	N	NI	MIIH	MIIH
Trumpeter Swan (<i>Cygnus buccinator</i>)	Sensitive	N/A	N/A	--	--	--	--	--
White-faced Ibis (<i>Plegadis chihi</i>)	Sensitive	N	Y	N	--	--	--	--
Amphibian/reptiles								
Boreal/Western toad (<i>Bufo boreas</i>)	Sensitive	Y	Y	N	--	--	--	--
Plains Spadefoot (<i>Spea bombifrons</i>)	Sensitive	N	Y	N	--	--	--	--
Northern leopard frog (<i>Rana pipiens</i>)	Sensitive	N	Y	N	--	--	--	--
Fish								
Westslope cutthroat trout (<i>Onchorhynchus clarkii lewisi</i>)	Sensitive	Y	Y	Y	N	MIIH	BI	BI

Step 6. Are there any specific recommendations to avoid significant effects (if any)? These are mitigation measures needed to avoid determinations of: LAA, LJ, WIFV. If so, the narrative describing these recommendations would be discussed in the NEPA document.

Step 7. Documentation: This short form is intended to follow a seven-step process to provide basic biological evaluations. Judgments must not be arbitrary but should be reasoned. This form provides a “road map” of that reasoning and assumes the judgments are drawn from numerous sources. Any species-specific impacts should be discussed in the NEPA document or below under the Narrative of Potential Impacts.

The signature below certifies that:

1. The wildlife and fisheries biologists have reviewed the proposed action and its alternatives, but may or may not have provided input to alternative design, depending on the issues.
2. The wildlife and fisheries biologists have an understanding of the specific conditions found in the affected area. Column 1a lists all possible Special Status Species in the Dillon Field Office. Column 1b identifies the species’ current management status. Column 1c indicates whether there are no records (N/A), or whether the species is considered a Transient (T) or Resident (R) {for our purposes, resident includes migratory species that fulfill a portion of their life history here}. Step 2 is satisfied by field visits or knowledge of local conditions from previous visits resulting in enough information to determine if the area is potential habitat for species listed in Step 1. Extensive surveys are not necessary if the conservative approach is taken that “suitable habitat” means the potential for occupancy.
3. The wildlife and fisheries biologists have an understanding of the species habitat needs and other attributes important to the determination. This can be a combination of literature review, professional experience, and consultation with others.
4. The wildlife and fisheries biologist have assimilated the above information in making the “determinations” (i.e. final judgments about the scientific significance of the effects).

Signed: \s\Kelly Bocking **Date:** 5-14-13 **Signed:** \s\Paul Hutchinson **Date:** 5-14-13

Printed Name and Title: Kelly Bocking, Wildlife Biologist Paul Hutchinson, Fisheries Biologist

Definitions of Abbreviations for the Short Form

N/A – “Not Applicable.” Indicates this species does not occur in the project area or that the project would have no bearing on its potential habitat. These species were removed from detailed analysis after field review of existing and potential habitats and consideration of distribution records.

FEDERALLY LISTED SPECIES

NE - No Effect

***LAA** - May Effect - Likely to Adversely Affect (formal consultation required)

NLAA - May Effect, Not Likely to Adversely Affect (informal consultation - concurrence with determination - required)

BE - Beneficial Effect (informal consultation - concurrence with determination - required)

SPECIES PROPOSED FOR LISTING

NE - No Effect

NLJ - Not likely to jeopardize the continued existence of the species or result in the destruction or adverse modification of proposed critical habitat

***LJ** - Likely to jeopardize the continued existence of the species or result in the destruction or adverse modification of proposed critical habitat

SENSITIVE SPECIES

NI - No Impact

MIH - May Impact Individuals or Habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species.

***WIFV** - Will Impact Individuals or habitat with a consequence that the action may contribute to the need for federal listing or cause a loss of viability to the population or species.

BI - Beneficial Impact

* triggers formal consultation process

NARRATIVE of POTENTIAL IMPACTS

LISTED and PROPOSED SPECIES:

Canada Lynx and Grizzly Bear: These two species are not known to occur in the UHPW. This habitat is generally too dry for Canada lynx. Lynx habitat can generally be described as moist boreal forests that have cold, snowy winters and a snowshoe hare prey base. Lynx are highly specialized predators of snowshoe hares and the habitat in the UHPW does not support a sufficient population of snowshoe hare as a prey base. The UHPW lies between the Bitterroot and Yellowstone grizzly bear recovery zones. The UHPW does not fall within either of these recovery zones and is not currently occupied habitat. The Bitterroot recovery zone is not currently occupied. The grizzly bear population in the Yellowstone recovery zone is estimated at over 500 bears. The Beaverhead Mountain range south of the UHPW acts as linkage between the two recovery zones. A DNA study (Servheen 2010) in the Beaverhead Mountains of ID and MT in 2009 did not detect the presence of grizzly bears in the area. As a result of that study it was determined that only 17% of the black bears in the study area are black color phase and 53% are brown phase black bears. Therefore mis-identification of black bears using the study area is highly likely. The timber harvest identified in the action alternatives will not have any effect on lynx or grizzly bears.

North American Wolverine: The distinct population segment (DPS) of wolverines in the contiguous United States was proposed for listing as Threatened in the Federal register on February 4, 2013. Male and female wolverine home ranges can be over 300 and 125 sq. miles respectively, including a wide variety of alpine, boreal, and arctic habitats. Although wolverine habitat surrounds the UHPW, they have not been documented on BLM lands within the UHPW, but due to the large home range, transients are possible. “The conservation status of wolverines in the contiguous United States is less secure than wolverines in adjacent Canada due to fragmented habitat, small population size, reduced genetic diversity, and their vulnerability to threats analyzed in this finding.” (Fed. Reg. 2013.) The primary listing factor was “Reduction in Habitat Due to Climate change.” Due to the large home range, small scale treatments that may fragment habitat do not have a significant effect on wolverine. Activities identified in Alternatives B and C of the UHPW E.A. fall into the category outlined in the Federal Register on page 26 as follows: “*Land management activities (principally timber harvest, wildland firefighting, prescribed fire, and silviculture) can modify wolverine habitat, but this generalist species appears to be little affected by changes to the vegetative characteristics of its habitat. In addition, most wolverine habitat occurs at high elevations in rugged terrain that is not conducive to intensive forms of silviculture and timber harvest. Therefore, we anticipate that habitat modifications resulting from these types of land management activities would not significantly affect the conservation of the DPS, as we described above.*” Therefore the commercial timber harvest activities proposed under the action alternatives would not have an effect on habitat conditions for wolverines.

No impacts are anticipated to any listed or proposed Threatened or Endangered species associated with implementation of this decision under any alternative.

CANDIDATE SPECIES:

Greater Sage Grouse: Alternative A the “no action” would maintain the current conditions. Allotments not meeting habitat requirements for nesting and brood rearing would not see any improvements. Alternatives B and C were developed to improve nesting and brood rearing habitat. Changes in grazing management would lead to an increase in residual herbaceous cover resulting in higher nest success and greater chick survival due to reduced predation. Fences constructed to improve livestock management would impact sage grouse by creating collision hazards as well as raptor perches that can lead to increased predation by avian predators. All new fences located near known high concentrations of sage grouse would be marked to mitigate collision hazards. Location of fences would be chosen after determining which high risk areas should be avoided for fence building. Using BLM fence construction standards for wildlife would also help to mitigate collision hazards. This is discussed in further detail under the perspective allotment and alternative in the UHPW EA. Projects designed to improve brood rearing habitat in the old seeding pastures within the Brenner, Coyote Flat, Exchange, Rape Creek and Trail Creek allotments would have a beneficial effect on sage grouse.

Non-commercial mechanical/prescribed fire treatments would restore/maintain sagebrush communities in the long-term for sagebrush obligate species including sage grouse, pygmy rabbits, sage sparrows, and sage thrashers. Forage and cover for sagebrush obligate species would be reduced in the short-term. All fuels treatments are in summer habitat over three miles from any known active lek. Radio Telemetry data on sage grouse collected between 2000 and 2005 by the BLM indicates minimal use in the units by sage grouse. The relocations in the area occurred between June and September. No known nesting habitat would be burned. In units with a low density of conifers and a high canopy cover of sagebrush, only mechanical removal of conifers would be allowed. As sagebrush repopulates the burned areas, the potential for conifers to expand into the burned area is reduced; habitat for sagebrush dependent species would be restored in the long-term. The treatments are designed to create more edge and a mosaic burn pattern, ensuring residual sagebrush canopy cover would remain within the burn units and provide security and nesting cover. No alternatives proposed would impact sage grouse to the extent that would lead to listing of this species.

BLM SENSITIVE SPECIES:

Great Basin Pocket Mouse, Pygmy Rabbit: These species are scattered throughout the watershed although some allotments have higher concentrations than others where friable soils are present for burrowing. Under Alternative A, increased predation is expected as compared to alternative B and C, due to the reduced herbaceous cover. However, alternative A would not likely lead to a decline in the overall species population. These species would benefit under alternatives B and C because of the increase in herbaceous

understory in sagebrush steppe habitats. Providing increased hiding cover would reduce the potential for predation. Proposed pipeline routes under alternative B and C would be surveyed to minimize burrow disturbance when trenching. Prescribed fire treatments proposed under Alternatives B and C would be surveyed to determine presence of pygmy rabbits and impacts would be mitigated by avoiding the densest patches of big sagebrush or reducing the size of the burn units to maintain the best pygmy rabbit habitat in those units. If burning is expected to reduce too much sage brush, or if the density of conifer colonization is low, only mechanical tree removal would be used instead of fire. None of the alternatives are expected to lead to listing of these species.

Black-backed and Three-toed Woodpeckers: Alternative A would not impact these species. Timber harvest under Alternative B and C would impact these species by removing dead conifers that provide opportunities to forage on wood boring larva and other insects. Under Alternative B, 2,000 acres of timber could be removed and under Alternative C, over 3,800 acres could be harvested. Although the commercial harvest would be removing dead trees that are foraging habitat, there are thousands of acres of beetle infested trees in adjacent forest that would continue to provide nesting and foraging habitat in the UHPW on BLM and USFS public lands as well as adjacent private lands. Implementing the prescribed fire treatments to reduce conifer colonization under Alternative B and C would also create snags that would provide a foraging source.

Flammulated Owl: Alternatives A would not impact flammulated owls. This species is a cavity nester and prefers open, old growth mixed conifer and aspen forest, but will roost in thickets. Foraging often occurs along forest and grassland interface. Alternative B and C would have a beneficial impact by maintaining the old growth mixed conifer by removing beetle infested trees and leaving snags. If nesting is found within the harvest units, timing restrictions would be imposed during the breeding season to minimize disturbance. Maintaining aspen clones by focusing on removal of the conifer colonization would also be beneficial.

Loggerhead Shrike: Alternative A would not impact Loggerhead shrikes which forage on insects in open grasslands and shrublands. Loggerhead shrikes prefer early seral sagebrush and short grass and are negatively influenced by increased tree canopy cover. Alternative B and C would create more grassland in the short term with the prescribed fire treatments in the UHPW. Burning in late seral sagebrush to remove colonizing Douglass fir, create a mosaic in the sage brush and increase the edge and patchiness would improve foraging and nesting habitat.

Northern Goshawk and Great Gray Owl: These species would not be impacted under Alternative A. Impacts associated with Alternatives B and C from commercial timber harvest would be mitigated as follows. Surveys would be completed prior to any activity and if nesting is found, the units would be modified to avoid nests and nearby foraging habitat for the birds. Timing restrictions would also be imposed to minimize disturbance during the nesting season if nests are found within or directly adjacent to the harvest units. Any impacts associated with this disturbance would not be sufficient to lead to listing of the species.

Westslope cutthroat trout (WCT): Current management in the majority of occupied WCT habitat resulted in habitat reaching or moving towards PFC. However, in three streams (Sheser, Bear, Trapper) habitat conditions are not improving. Under Alternative A, no action would be taken to improve these issues. Alternatives proposed under B and C would improve WCT habitat in these streams by reducing livestock impacts. These changes should result in increased stream bank vegetation and improvements to stream banks and channel morphology as well as reduce sedimentation. The proposed timber harvest and burn units are unlikely to have a negative impact to WCT. It is likely that they will have a beneficial impact by creating off water livestock forage that will draw livestock away from WCT habitat.