

## Appendix F: Wildlife Biological Evaluation

United States  
Department of  
Agriculture

Forest  
Service

Willamette  
National Forest

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**Reply To:** 1950, 2670, Planning, Threatened,  
Endangered and Sensitive Species

**Date:** April 1, 2001

*Revised: 6/13/2005 and 1/7/06*

**Subject: BIOLOGICAL EVALUATION:** Threatened, Endangered and Sensitive Wildlife

**To:** Waldo Basin Plan Environmental Analysis File

### **Introduction**

This document addresses potential effects to proposed, threatened, endangered or sensitive (TES) fauna listed in the Region 6 Regional Forester's Federally Listed or Proposed, and Sensitive Species Lists (dated 7/21/04) with documented or suspected occurrences on the Willamette National Forest from activities associated with a timber salvage sale project. Biological evaluations of the potential effects to threatened, endangered and sensitive fish and flora are in separate documents prepared by the District Fish Biologist and District Botanist. This evaluation, required by the Interagency Cooperative Regulations (Federal Register, January 4, 1978), ensures compliance with the provisions of the Endangered Species Act of 1973, P.L. 93-205 (87Stat. 884), as amended. A review of potential effects to non-TES wildlife species is presented in the body of the Environmental analysis.

### **Pre-field Review**

A pre-field review was conducted to determine the presence and location of known TES wildlife populations or their habitat in the project area. The potential for TES sensitive species habitat is determined with the use of the R-6 Regional Forester's and Willamette NF Potential Endangered, Threatened and Sensitive Wildlife Lists, Oregon Natural Heritage Database and Willamette NF Database, previous wildlife surveys, aerial photos, USGS topographical maps, and the knowledge of individuals familiar with the area.

### **Brief Description of the Alternatives**

#### ***Alternative 1 – No Action***

No changes to management at Waldo Lake would occur, except more visitor education effort. Current management consists primarily of:

- All boat motors would be allowed and boat speed limit would remain 10 mph.
- Float planes would be allowed on the lake surface.
- An existing visitor education strategy.
- Chainsaw and generator use at dispersed campsites would be permitted, except during fire closures.

### *Alternative 2*

- Boat motors would be restricted to 4 cycle gas-powered and electric models only and boat speed limit would remain 10 mph.
- Floatplanes would be allowed on the lake surface.
- Chainsaw and generator use at dispersed campsites would be permitted, except during fire closures.

### *Alternative 3*

- Boat motors would be restricted to 4 cycle gas-powered and electric models only and boat speed limit would remain 10 mph. Gas-powered boat motors would be prohibited on the lake from July 15<sup>th</sup> to the 1<sup>st</sup> Monday after Labor Day.
- Floatplanes would be prohibited on the lake surface year-round.
- Chainsaw and generator use at dispersed campsites would be permitted, except during fire closures and the boat motor closure period described above.

### *Alternative 4 (Proposed Action)*

- Boat motors would be restricted to electric models only, and boat speed limit would remain 10 mph.
- Floatplanes would be prohibited on the lake surface year-round.
- Chainsaw and generator use at dispersed campsites would be prohibited year-round.

### *Alternative 5*

- All boat motors, including electric models, would be prohibited.
- Floatplanes would be prohibited on the lake surface year-round.
- Chainsaw and generator use at dispersed campsites would be prohibited year-round.

### **Impacts to Threatened, Endangered, or Sensitive Species within the Waldo Basin Project Area.**

The only Threatened, Endangered, or Sensitive (TES) species currently known to inhabit the Waldo Basin Project area is recognized by a historic Bald Eagle nest on the southwest (T21S, R55E-Section 36) corner of the lake. The nest is located along the southwest shoreline of Waldo Lake and currently has a Bald Eagle Management Area (BEMA) boundary delineated to protect the integrity of the historic nest location. During the past 13 years, this site has been monitored (1992-2005) but has not successfully reared young. This could be due to the low prey availability at Waldo Lake or other factors.

We continue to monitor this site in cooperation with Oregon Cooperative Fish & Wildlife Research Unit, Department of Fisheries and Wildlife at Oregon State University-Frank Isaacs, principle investigator. Frank Isaacs monitored this site in 2005 and will continue monitoring it into the foreseeable future. The historic nest site and adjacent roost trees are located across the lake from developed campgrounds and the area receives low use by dispersed campers. The primary mode of potential disturbance at this site would occur from noisy recreation-users or boat traffic, as no trails are directly adjacent to the nest site and no special-use permits direct recreation use near this historic nest site location.

Continued public use of motorized boats may increase the likelihood of future disturbance to the nesting eagles at this site. Most recreational boating at Waldo Lake occurs in August and September due to weather and pesky mosquito populations.

**Alternatives 4 and 5** have *the lowest potentials among the alternatives for causing future disturbance to the nesting birds by prohibiting public use of gas-powered boat motors on the lake.* **Alternative 3** creates *slightly higher potential than Alternatives 4 and 5 for boaters to disturb nesting birds at this site by permitting public use of 4-cycle boat motors prior to July 15 and after the Monday following Labor Day in September.* Alternatives 1 and 2 allow motorized boating throughout the recreation season, and therefore create higher potential than other alternatives for boater disturbance to nesting eagles.

The continued monitoring of this nest and adjacent roosting site conditions will determine what, if any, additional restrictions or measures should be taken to protect the integrity of this nest site. Past mitigation measures applied in special-use permits for large group activities around Waldo Lake have been avoidance of the nesting habitat during the critical-use period (Jan 1-August 31). Furthermore, no new special-use permits are being issued for group activities on the southwest end of the lake. No other restrictions or closures are currently in effect specific to this historic bald eagle nest site.

***All Action Alternatives provide for better protection from any potential adverse effects from increased recreation use around Waldo Lake by proactively managing future recreational use, particularly motorized uses.***

### **Determination**

A ***NO EFFECT*** determination for Alternatives 4 and 5 was found due to the restrictive nature of these alternatives (both reduce motorized boat traffic and noise associated with such traffic). A ***May Effect, Not Likely To Adversely Effect*** was determined for Alternatives 1, 2 and 3; however, none of these three alternatives will lead towards a downward trend in species viability. **No habitat modification occurs in any of the alternatives, the only potential effect is disturbance and where possible disturbance is mitigated or prevented by applying seasonal restrictions around nest sites during critical breeding season (Jan. 1-July 31<sup>st</sup>) if nesting birds are located.**

***Non-habitat modifying conclusions for ALL alternatives suggests that this type of action would be potential disturbance only, therefore these actions are covered under the Programmatic Disturbance Biological Assessment and subsequent, Biological Opinion. This was originally consulted on in the 2001 Disturbance Biological Assessment and subsequent Biological Opinion dated May 29<sup>th</sup>, 2001 and was re-submitted in the current Biological Assessment for Disturbance FY06-07 in August of 2005 and the subsequent letter of concurrence.***

*If other TES wildlife species are located after the decision notice is signed, mitigation measures will be applied to protect the viability of the species/population.*

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***Revised 6-13-2005 & 1-7-2006***

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**Table 1: Initial Screening for Effects Determination**

	<b>STEP 1</b> <i>PreField</i> <i>Review</i> <b>Habitat</b> <b>Present</b>	<b>STEP 2</b> <i>Field</i> <i>Recon.</i> <b>Species</b> <b>Survey?</b>	<b>STEP 3</b> <i>Conflict</i> <i>Determination</i> <b>Species</b> <b>Present?</b>	<b>STEP 4</b> <i>Analysis of</i> <i>Significance</i> <b>Conflict?</b>	<b>STEP 6</b> <i>FWS Review</i>  <b>Consultation</b>
Spotted Owl <i>Strix occidentalis caurina</i>	no	no	no	no	no-n/a
Bald Eagle <i>Haliaeetus leucocephalus</i>	yes	yes	yes	<b>No Effect for Alt 4 &amp; 5; May Effect Not Likely to Adversely Effect for Alts 1, 2 &amp; 3</b>	<b>Yes, Willamette Prog. B.O. Disturbance Concurrence May 29, 2001</b>
Canada Lynx <i>Lynx canadensis</i>	no	n/a	no	no	no
Least Bittern <i>Ixobrychus exilis</i>	no	n/a	no	no	
Bufflehead <i>Bucephala albeola</i>	no	n/a	no	no	
Harlequin Duck <i>Histrionicus histrionicus</i>	no	n/a	no	no	
American Peregrine Falcon <i>Falcon peregrinus anatum</i>	no	no	no	no	
Yellow Rail <i>Coturnicops noveboracensis</i>	no	n/a	no	no	
Black Swift <i>Cypseloides niger</i>	no	n/a	no	no	
Tricolored Blackbird <i>Agelaius tricolor</i>	no	n/a	no	no	
Baird's Shrew <i>Sorex bairdii permiliensis</i>	yes	no*	unknown	no	
Pacific Shrew <i>Sorex pacificus cascadenis</i>	yes	no*	unknown	no	
California wolverine <i>Gulo gulo</i>	no	n/a	no	no	
Pacific Fisher <i>Martes pennanti</i>	potential	n/a	no	no	
Pacific Fringe-tailed Bat <i>M. thysanodes vespertinu</i>	yes	no*	unknown	no	
OR Slender Salamander <i>Batrachoseps wrighti</i>	yes	no*	unknown	no	
Cascade Torrent Salamander <i>Rhyacotriton cascadae</i>	yes	no*	unknown	no	
Foothill Yellow-legged Frog <i>Rana boylei</i>	no	n/a	no	no	
Oregon Spotted Frog <i>Rana pretiosa</i>	no	n/a	no	no	
Northwestern Pond Turtle <i>C. marmorata marmorata</i>	no	n/a	no	no	

## New Sensitive Species

### **Oregon Slender Salamander (*Batrachoseps wrighti*)**

Range: West slope Cascades from the Columbia River to Southern Lane County

Habitat: Under bark and moss in mature and second growth Douglas fir forests. Under rocks or logs of moist hardwood forests within coniferous forest landscapes.

Ecology: Found near surface during fall and spring but retreats underground in late spring and summer.

### **Cascade Torrent Salamander (*Rhyacotriton cascadae*)**

Range: Cascade mountains of southern Washington and northern Oregon with a disjunct population in the southern Oregon Cascades.

Habitat: In rocks bathed in a constant flow of cold water, in cool rocky streams, lakes and seeps, usually within conifer or alder forests.

Ecology: Dependent on nearly continuous access to cold water. Can be found moving about in forests during wet weather.

### **Foothill Yellow-legged Frog (*Rana boylei*)**

Range: Coastal and Cascade mountains

Habitat: Found in permanent slow flowing streams in a variety of habitat types, including grassland, chaparral, and coniferous or deciduous forests and woodlands. They prefer streams with rocky bottoms, streamside vegetation, and sloping banks.

Ecology: Streams inhabited may dry to a series of potholes connected by trickles in summer. Small adults have been found 50 meters from permanent water on moist outcrops.

### **Least Bittern (*Ixobrychus exilis*)**

Range: West coast, from Oregon south to Baja, California. Oregon is the northern limit of its range. It is not illustrated with the boundaries of the WNF.

Habitat: Breeds in freshwater cattail and bulrush marshes east of the cascades.

Ecology: A solitary and secretive species rarely seen. Does not winter in Oregon.

### **Bufflehead (*Bucephala albeola*)**

Range: Breeds from Alaska across Canada and south to Oregon, California, and Wisconsin.

Habitat: nests near mountain lakes surrounded by open woodlands containing snags. In many areas, the preferred nest trees are aspen, but it will also nest in ponderosa pine and Douglas fir.

Reproduction: In Oregon, most Buffleheads nest in artificial nest boxes. Nesting begins in late April, young are fledged in early August. A game species in Oregon. Only several hundred pair are thought to breed in the state.

Ecology: After the breeding season, Buffleheads can be found on open waters throughout the state, along major rivers, and along the coast.

### **Yellow Rail (*Coturnicops noveboracensis*)**

Range: Breeds from central and eastern Canada south to New England and Great Lakes region. The Oregon populations are extralimital and were thought to have disappeared early this century. Illustrated in south central Oregon only. Not shown within the bounds of the WNF. Listed as a games species in Oregon, but not present in fall.

Habitat: Inhabits freshwater marshes and wet meadows with a growth of sedges, usually surrounded by willows, and often with standing water up to a foot deep during the breeding season.

Reproduction: Begins nesting in Oregon by May. Nest is a cup, built of marsh vegetation, and attached to emergent plants above water levels.

Ecology: Very secretive and little is known about its habits in Oregon. Mainly detected through its vocalizations during breeding season. Winter residence of Oregon populations is unknown.

### **Black Swift (*Cypseloides niger*)**

Range: Scattered distribution in western North America and Central America. Breeds from southern Alaska south to California and east to Colorado and Utah. The only illustrated locations in Oregon is on the western slope of the cascades in southeast Lane County.

Habitat: Nests in cliff faces near or behind waterfalls. In western North America, these situations are usually in deep canyons in wooded areas.

Reproduction: Breeding season is likely in June. Nests in small colonies. Nest consists of a cup made up of mosses, ferns, and other plant matter. A single egg is laid.

Ecology: Colonies consist generally of 5-15 pairs. They use a variety of habitats in other parts of their range such as sea cliffs and caves. They winter in Central America and Caribbean Sea Islands.

Comments: Black Swifts were discovered during the breeding season in Oregon at Salt Creek Falls, in Lane County, on the WNF. There are other sites in Oregon that qualify as breeding habitat. At Salt Creek Falls, it has not been possible to confirm breeding (eggs or nestlings seen). This is partly due to accessibility of the nesting area.

### **Tricolored Blackbird (*Agelaius tricolor*)**

Range: Restricted breeding distribution from southern Oregon south through cismontane California to northern Baja, California. Illustrated only outside boundaries of the WNF.

Habitat: Prefers to breed in freshwater marshes with emergent vegetation (cattails) or in thickets of willows or other shrubs. In Oregon it has bred in Himalayan blackberry growing in and around wetlands. Often found breeding in the company of Red-winged Blackbirds.

Reproduction: Breeds in April. Migrates to Oregon breeding grounds. Nest is made up of plant fibers attached to emergent vegetation or secured in a thicket of shrubs.

Ecology: This blackbird is colonial rather than territorial, defending only a few feet from the nest. After breeding season, it forms large flocks. Most of Oregon's Tricolored Blackbirds winter in California.

### **Baird's Shrew (*Sorex bairdii permiliensis*)**

Range: In Oregon, this species occurs in the Coast Range from Portland south to Lane County. Also occurs along the west slope of the Cascade Range from the Columbia River south to central Lane County.

Habitat: Open Douglas fir stands with numerous rotting logs. More specific habitat requirements are lacking.

### **Pacific Shrew (*Sorex pacificus Canadensis*)**

Range: Endemic to Oregon. Occurs in the Cascade Range from northeast Linn County to southern Jackson County.

Habitat: Moist wooded areas with fallen decaying logs and brushy vegetation.

### **Pacific Fisher (*Martes pennanti*)**

Range: From Boreal forest region in southern half of Canada with extensions into the United States in the Rocky Mountains, Cascade, Coast, and Sierra Nevada Ranges. Of the three specimens on deposit in systematic collections, two are from Lane County.

Habitat: Widespread, continuous-canopy forests at relatively low elevations. Most abundant in mountainous regions. Less abundant in foothill regions. Fishers occupy a wide variety of densely forested habitats at low to mid-elevations, (100-1800m). Typical habitats include subalpine Pacific fir (26%), western hemlock (54%), and Sitka spruce (20%). Aubry and Houston suggest that habitat for Fishers would be enhanced by minimizing forest fragmentation; both in remaining old growth and second growth; maintaining a high degree of forest floor structural diversity in intensively managed plantations; preserving large snags and live trees with dead tops; maintaining continuous canopies in riparian areas; and protecting swamps and other forest wetlands.

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