

Northern Rockies Lynx Management Direction Final Environmental Impact Statement

Responsible Agency: USDA Forest Service

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Abstract: The Forest Service is proposing to incorporate management direction into land management plans that conserves and promotes the recovery of lynx. The Final Environmental Impact Statement (FEIS) discloses the effects of six alternatives which were developed to meet the purpose and need and respond to primary issues.

Public comments collected during scoping were used to identify primary issues, management concerns, alternatives and the scope of the Draft EIS (DEIS). The DEIS was submitted for public comment in January 2004. Over 5,000 comment letters and e-mails were received, read, and considered in the development of the FEIS. Comments were used to verify primary issues, correct and clarify information presented in the DEIS and modify alternatives. A new Alternative (Alternative F) has been developed in response to public and other agency comments on the DEIS. Alternative F is the FEIS preferred alternative. Six alternatives, including no action, were fully developed and considered in the FEIS.

In addition, Alternative F evaluates the effects of where to apply the management direction through two Scenarios. Scenario 1 would apply the management direction to *all* lynx habitat in the planning area. Scenario 2 would apply the management direction only to *occupied* lynx habitat.

The Bureau of Land Management (BLM) was originally a cooperating agency in this proposal but has since decided to modify their plans through a separate planning process.

Purpose and need

The Purpose and Need is to incorporate management direction that conserves and promotes recovery of Canada lynx, by reducing or eliminating adverse effects from land management activities on National Forest System (NFS) lands, while preserving the overall multiple-use direction in existing plans.

Proposed action

In order to provide conservation and recovery of Canada lynx the Forest Service (FS) is proposing to incorporate management direction into land and resource management plans for 18 national forests (NF) in Idaho, Montana, Utah, and Wyoming (see Table 1-2 and Figure 1-1). The specific proposed management direction is described in Alternative B found in Chapter 2 of this document (see Table 2-1).

The Bureau of Land Management (BLM) was originally a cooperating agency in this proposal but has since decided to modify their plans through a separate planning process.

Background

The U.S. Fish and Wildlife Service (FWS) listed Canada lynx as a threatened species in March 2000, saying the main threat was the lack of

guidance to conserve lynx in 10- to 15-year-old national forest and Bureau of Land Management (BLM) plans. The FS and BLM signed conservation agreements with the FWS to consider the Lynx Conservation Assessment and Strategy (LCAS) during project analysis, and the FS agreed to not proceed with project determinations of “likely to adversely affect” lynx. This management direction would replace these agreements.

The management direction primarily relies on the science and recommendations from several sources:

- *Ecology and Conservation of Lynx in the United States* (2000), which summarizes current knowledge; and
- *Lynx Conservation Assessment and Strategy* (LCAS) (2000), which recommends conservation measures for activities which could place lynx at risk by altering their habitat or reducing their prey.
- FWS’s *Final Listing Decision and Remand Notice* (2000 and 2003), which determined the Canada lynx was a threatened species. The Listing Decision and Remand Notice identified threats to lynx populations and lynx individuals.

Public involvement

The public has been involved from the time when the FS first began trying to determine the scope of public interest in the project, on September 11, 2001, when a notice was published in the *Federal Register*, Volume 66, Number 176, pp. 47160-47163.

On August 15, 2002, a Notice of Intent to prepare an Environmental Impact Statement was published in the *Federal Register*, Vol. 67, No. 158, pp. 53334-53335. The FS prepared an EIS because of the level of interest expressed during scoping. FEIS Chapter 2 summarizes public involvement efforts.

The DEIS was released in January 2004. Over 5,000 comments were received. Comments were used to verify primary issues, correct and clarify information presented in the DEIS and modify alternatives. A new alternative, Alternative F, was developed in response to public and other agencies comments.

Issues

The scoping process was used to identify conflicts associated with the Proposed Action and to identify issues to use as a basis for developing alternatives. Comments that addressed the effects of the Proposed Action were sorted into *primary issues*. Five primary issues were identified. They reflect conflicts between lynx conservation and alternative uses of natural resources.

1. Over-the-snow trails

Issue: What are the effects of limiting the growth of designated over-the-snow routes on opportunities for over-the-snow recreation?

2. Wildland fire risk

Issue: What are the effects of management direction on the risks of wildland fire to communities?

3. Winter snow shoe hare habitat in multistoried forests

Issue: What is the effect on lynx of allowing projects in winter snowshoe hare habitat in multistoried forests?

4. Precommercial thinning

Issue: What are the effects of limiting precommercial thinning on restoring tree species and forest structures that are declining?

5. FWS Remand Notice

Issue: What level of management direction should be applied to activities that the FWS remand notice found were not a threat to lynx populations?

These primary issues were used to develop alternatives to the Proposed Action that meet the Purpose and Need. Several *management concerns* were also identified as a basis for formulating alternatives.

Additional management concerns addressed in alternatives

Internal agency comments, as well as some public comments, expressed other concerns about the Proposed Action, largely involving procedural or administrative considerations rather than environmental consequences. Some people thought the Proposed Action would increase the complexity, cost, or rigidity of management without comparable benefits for lynx. These concerns have been addressed by developing different language in alternatives – see Chapter 2 for details.

Alternatives considered in detail

The range of alternatives was determined by evaluating the public letters sent during the scoping period, the comments on the DEIS, and the Purpose and Need. The level of scientific information available on lynx and lynx habitat, the FWS Listing Decision, the Remand Notice, and ESA requirements were also considered.

Within these parameters, the alternatives developed display a reasonable range to guide future projects, respond to the issues, and meet the Purpose and Need. Six alternatives were developed in detail. Chapter 2, Table 2-1 shows the differences in management direction among the action alternatives, B, C, D, E, and F.

- ♦ *Alternative A* is the no-action alternative. In this case, no action

means no change to the existing plans, and no management direction to address the listing of lynx.

- ♦ *Alternative B*, the Proposed Action, was developed from conservation measures recommended in the LCAS. Alternative B addresses activities on National Forest System lands that can affect lynx and their habitat.
- ♦ *Alternative C* was designed to respond to issues of over-the-snow recreation management and foraging habitat in multistoried forests, while providing a comparable level of protection to lynx as Alternative B, the Proposed Action.
- ♦ *Alternative D* was designed to address the issues of managing over-the-snow recreation and multistoried forests, similar to Alternative C. Alternative D also allows some precommercial thinning in winter snowshoe hare habitat, but still contributes to lynx conservation.
- ♦ *Alternative E* addresses the issue of wildland fire risk while contributing to lynx conservation. It also responds to statements made in the Remand Notice, which states the FWS has no information to indicate that grazing or snow compaction is a threat to lynx at this time. Alternative E was identified as the preferred alternative in the DEIS.
- ♦ *Alternative F is the FEIS preferred alternative.* Alternative F was developed in response to comments

on the DEIS. Alternative F addresses concerns regarding Alternative E, the DEIS preferred alternative. Many people felt Alternative E would not meet the purpose and need because it did not provide adequate regulatory mechanisms to adequately address lynx needs.

- ♦ Alternative F was designed to provide adequate regulatory mechanisms for those risk factors found to be a threat to lynx populations. Alternative F also addresses the issues of wildland fire risk while contributing to lynx conservation. It responds to statements made in the Remand Notice, which state the FWS has no information to indicate that grazing or snow compaction is a threat to lynx at this time. Alternative F has been identified as the preferred alternative in the FEIS.
- ♦ In addition, Alternative F evaluates the effects of where to apply the management direction through two Scenarios. Scenario 1 would apply the management direction to *all* lynx habitat in the planning area. Scenario 2 would apply the management direction only to *occupied* lynx habitat.

Management direction considered

Some public comments offered suggestions for management direction beyond that found in the initial scoping letter, or in Alternatives A through E in the DEIS. Each of these suggestions was

considered. The suggested directions were compared to the Proposed Action and the other alternatives, to see whether they represented a distinctly different approach but still met the Purpose and Need.

Some of these suggestions were dismissed from detailed consideration; other were used to formulate Alternatives C through E in the DEIS and Alternative F in the FEIS. How each of the suggestions was considered is summarized and discussed in the FEIS Chapter 2 *Management direction considered*.

Nature of effects

The proposal is programmatic in nature, consisting of direction that would be applied to future management activities. It does not prescribe site-specific activities on the ground, or irreversibly commit resources. Council on Environmental Quality regulations define *direct effects* as those occurring at the same time and place as the action. There are no direct environmental consequences; therefore the analysis in the FEIS discusses only *indirect* and *cumulative* effects of the alternatives, including disclosing the indirect effects of not taking future actions. Direct effects would result from site-specific projects, and will be evaluated when those decisions are made.

In analyzing effects, it is assumed the standards would be met because complying with standards is

mandatory. The analysis of effects is based primarily on projections of how future activities and areas would change because of the proposed standards. Such projections are inherently uncertain.

It is also assumed that the objectives generally would be achieved and the guidelines generally followed, though that may not always be true.

The baseline for effects disclosed in this chapter is the existing plans. The effects of existing plans have been previously determined and disclosed. The FEIS Chapter 3 describes changes in effects resulting from incorporating lynx conservation measures. Chapter 2, Table 2-2 summarizes the effects.

Generally, effects are presented as changes from existing plans, represented by Alternative A. Some effects on lynx are presented by comparing them to Alternative B, the Proposed Action, which was designed to conserve lynx. Cumulative effects include the effects of the existing plans.

Decision framework

The FEIS has been prepared to evaluate the effects of the Proposed Action, and to look at alternative ways of achieving the Purpose and Need, while responding to the primary issues and management concerns.

The responsible officials will decide whether or not to incorporate management direction into existing plans for the conservation and recovery of Canada lynx, and if so, what that direction would contain and where it would apply.

Responsible officials

Kathleen McAllister, Deputy Regional Forester for the Northern Region, has been directing the preparation of the FEIS. The responsible officials are:

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