

WILDLIFE BIOLOGICAL EVALUATION

PROJECT NAME: Grouse BMU Compliance Project

DATE: November 2, 2017

PROPOSED ACTION

This document discloses the potential effects on focal wildlife species from the Grouse Bear Management Unit (BMU) Compliance Project on the Bonners Ferry and Sandpoint Ranger Districts of the Idaho Panhandle National Forests (IPNF).

There are two alternatives for the Grouse BMU Compliance Project. Alternative 1 is no action. Alternative 2 is the proposed action. Within the perimeter of the Grouse BMU, the Forest Service proposes to store approximately 28 miles of road. Stored roads would no longer be drivable; they would be blocked with an earthen berm or a short section would be recontoured to match the original slope of the land. High-risk drainage structures would be removed and additional drainage, such as waterbars, would be installed. Culverts could be removed with machinery or by using explosives. Stored roads would remain part of the Idaho Panhandle's transportation system and could be reopened in the future. Roads stored to meet requirements for grizzly bear core habitat would remain stored for at least ten years. Additionally about 3.1 miles of unauthorized roads would be closed as well as 1.3 miles of user created ATV trail. Proposed work would remove any resource risks associated with these routes, and the road prism would be in an impassable state to discourage illegal use.

The Forest Service also proposes to re-route a section of the Grouse Creek Road (Forest System Road 280) from the bridge over North Fork Grouse Creek to approximately the Wylie Knob trailhead. Once the reroute is completed the proposed decommissioning would address a 1.96 mile problematic section of Road #280 that runs adjacent to Grouse Creek. In this 1.96 mile section of road, 0.32 miles at the east end of this section would be converted to a trail to allow horse and non-motorized access through the meadow and down to the creek. During decommissioning, we would remove drainage structures, decompact and partially or fully recontour the driving surface, and install additional drainage, such as waterbars and swales, to stabilize the road and keep it from eroding. Decommissioned roads would be impassable to discourage illegal motorized use.

The proposed activities would begin in the late summer or fall of 2018.

A complete narrative of the project, including specific location and alternative descriptions, can be found in detail in the Grouse BMU Compliance Project Environmental Assessment (EA).

I. WILDLIFE

The following tables display those Endangered, Threatened, Sensitive (TES), and Management Indicator Species that are known to (or may) occur on the Idaho Panhandle National Forests (Tables 1-3). Depending on the specific project, the scope, magnitude and effects this checklist will be considered as documentation for assessment of these species and considered as adequate for a biological assessment and evaluation unless otherwise specified.

Table 1. Threatened and Endangered Species – The current list of threatened, endangered, proposed and candidate species (TEPC), as well as proposed and final designated critical habitat, that may occur within Grouse BMU Compliance Project was requested and received from the U.S. Fish and Wildlife Service (FWS) on August 14, 2017 (USDI Fish and Wildlife Service 2017). The species list fulfills the requirements of FWS under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). On March 27, 2009, FWS designated critical habitat (CH) for Canada lynx, which included a small portion on the IPNF (USDI Fish and Wildlife Service 2009). On November 28, 2012, the FWS designated critical habitat for woodland caribou in the Selkirk Mountains (USDI Fish and Wildlife Service 2012).

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Species	Status	Species or Habitat Present?	Species or Habitat Potentially Affected?	Determination of Effects ¹		Comments	Design Features/ Mitigation Measures
				Species	CH		
Canada Lynx (<i>Lynx canadensis</i>)	ESA Listed - Threatened	Yes	Yes	NLAA	NE	Project occurs within the Lunch Peak Lynx Analysis Unit and project activities may temporarily displace lynx if they are present in proximity to project areas when activities are occurring. The project area does not occur within designated Critical Habitat. See additional effects analysis below.	None
Grizzly Bear (<i>Ursus arctos</i>)	ESA Listed - Threatened	Yes	Yes	LAA		Proposed action may affect grizzly bears by displacing them from or altering use of available habitats within the activity areas. Short term negative effects are expected, but the project is beneficial to bears in the long-term. Effects analysis is located in the Environmental Analysis (EA) and the Biological Assessment (BA).	Yes. See Design Features below.
Woodland Caribou (<i>Rangifer tarandus caribou</i>)	ESA Listed - Endangered	No	No	NE	NE	The project is not in the Southern Selkirk Mountains Recovery area. There is no identified caribou habitat or critical habitat in or near the project area.	None
North American Wolverine (<i>Gulo gulo luscus</i>)	ESA Proposed - Threatened	Yes	Yes	NLJ		Portions of the project activities occur within potential suitable habitat and potential suitable denning habitat. See additional effects analysis below.	None
Yellow-Billed Cuckoo (<i>Coccyzus americanus</i>)	ESA Listed - Threatened	No	No	NE	NE	The project does not occur within yellow-billed cuckoo habitat. (> 100 ac. patches of wide (100 m) riparian areas with dense willow/cottonwood forest). No critical habitat proposed for north Idaho.	None

¹NE - No Effect

NLAA - May Affect, Not Likely to Adversely Affect Species or Critical Habitat

LAA - May Affect, Likely to Adversely Affect Species or Critical Habitat

NLJ - Not Likely to Jeopardize the Continued Existence of the Species

Table 2. Sensitive Species – Sensitive species are those species identified by the Regional Forester for which population viability is a concern as of May 27, 2011 (per R1 Regional Forester’s letter dated February 25, 2011). This table distinguishes those species that were previously listed under the Endangered Species Act as Threatened and have since been delisted and added to the Regional Forester’s list per March 30, 2000 R1 direction.

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American Peregrine Falcon (<i>Falco peregrinus anatum</i>)	R1 USFS Sensitive – Delisted in 1999	No	No	NI	No suitable habitat (high, sheer cliffs) in project area.	None
Bald Eagle (<i>Haliaeetus leucocephalus</i>)	R1 USFS Sensitive – Delisted in 2008	No	No	NI	Project is not occurring within suitable eagle habitat.	None
Gray Wolf (<i>Canis lupus</i>)	R1 USFS Sensitive – Delisted in 2011	Yes	Yes	MIHH	Potential for disturbance to individuals if present during project implementation. See additional information below.	Yes. See Design Features below.
Black-backed Woodpecker (<i>Picoides arcticus</i>)	R1 USFS Sensitive	No	No	NI	Suitable habitat (concentrations of fire or beetle killed timber) would not be affected.	None
Black Swift (<i>Cypseloides niger</i>)	R1 USFS Sensitive	No	No	NI	Suitable habitat (steep, shaded waterfalls) would not be affected.	None
Coeur d'Alene Salamander (<i>Plethodon idahoensis</i>)	R1 USFS Sensitive	No	No	NI	No suitable habitat (fractured rock seeps) would be affected by the project.	None
Common Loon (<i>Gavia immer</i>)	R1 USFS Sensitive	No	No	NI	No suitable habitat (large lakes) would be affected by the project.	None
Fisher (<i>Pekania [Martes] pennanti</i>)	R1 USFS Sensitive	No	No	MIHH	Suitable habitat (large timber w/closed canopy) would be affected by the project. See additional impact analysis below.	None
Flammulated Owl (<i>Otus flammeolus</i>)	R1 USFS Sensitive	No	No	NI	No suitable habitat (dry forest type's with large ponderosa pine) would be affected by the project.	None.
Fringed Myotis (<i>Myotis thysanodes</i>)	R1 USFS Sensitive	No	No	NI	No suitable habitat (timbered dry forest types) would be affected by the project.	None.
Harlequin Duck (<i>Histrionicus histrionicus</i>)	R1 USFS Sensitive	Yes	Yes	MIHH	Grouse Creek is considered suitable habitat. See additional impact analysis below.	Yes. See Design Features below.
Northern Bog Lemming (<i>Synaptomys borealis</i>)	R1 USFS Sensitive	No	No	NI	No suitable habitat (sphagnum peat bogs) would be affected by the project.	None

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Pygmy Nuthatch (<i>Sitta pygmaea</i>)	R1 USFS Sensitive	No	No	NI	No suitable habitat (stands dominated by large ponderosa pines) would be affected by the project.	None.
Townsend's Big-eared Bat (<i>Corynorhynchus townsendii</i>)	R1 USFS Sensitive	No	No	NI	No suitable habitat (caves or mines) would be affected by the project.	None
Western Toad (<i>Bufo boreas</i>)	R1 USFS Sensitive	Yes	Yes	MIH	Species may be affected by mechanized ground disturbing activities. Aquatic BMPs limit potential for negative effects to breeding habitat. See additional information below.	None

¹NI - No Impact

MIH - May Impact Individuals or Habitat, but Will Not Likely Contribute To A Trend Towards Federal Listing Or Loss Of Viability To The Population Or Species

WIFV - Will Impact Individuals or Habitat with A Consequence That the Action May Contribute To A Trend Towards Federal Listing Or Cause A Loss Of Viability To The Population Or Species

ADDITIONAL EFFECTS ANALYSIS/COMMENTS:

Canada Lynx – The following project activities would take place in the Lunch Lynx Analysis Unit (LAU): Storage of Forest Service Roads (FSR) 2636, 2695, 2742, 2743, and 2743A. The following project activities would take place in mapped lynx habitat: Storage of FSR 2636, 2695, 2742, and 2743. Activities would occur in the road prism where vegetation has been previous degraded or removed. Project activities that are proposed for the Grouse BMU Compliance project that are within a LAU and mapped lynx habitat are considered roads and road maintenance. These type of activities were covered in under the Programmatic BA for activities that are not likely to adversely affect Canada lynx, grizzly bear, and designated Canada lynx habitat (USDA Forest Service 2014a). Effects to Canada lynx resulting from the Grouse BMU Compliance project would be insignificant and/or discountable. Therefore, the Grouse BMU Compliance project **may affect, but is not likely to adversely affect lynx or their habitats.**

North American Wolverine – Forest Service Roads (FSR) 2625C, 2636, 2636UC, 2695, 2742, 2743, and 2743A occur within potential wolverine habitat. Portions of FSR 2695 and 2742 occur within potential wolverine denning habitat. Project activities that are proposed for the Grouse BMU Compliance project are road maintenance and reconstruction. These activities were covered in the Wolverine Programmatic Biological Assessment and are projects that are routinely conducted on National Forest System Lands and were found not to be a threat to wolverine (USDA Forest Service 2014). The US Fish and Wildlife Service subsequently concurred with the Forest Service’s determinations within the Wolverine Programmatic Biological Assessment and found that conferencing is not required (USDI Fish and Wildlife 2014b). The US Fish and Wildlife Service recently issued a letter confirming the 2014 concurrence letter on the Wolverine Programmatic Biological Assessment remains valid (USDI Fish and Wildlife 2016b). Given the findings from the US Fish and Wildlife Service along with the remote likelihood of effects to wolverines; the Grouse Creek Compliance project is **not likely to jeopardize the continued existence of the North American wolverine.**

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Gray Wolf - There would be no reductions in prey densities as a result of project activities. Due to the ability of gray wolves to thrive under a variety of land uses, successful wolf recovery in the northern Rocky Mountains does not depend on land-use restrictions, with the possible exception of temporary restrictions around active den sites on federally managed lands (USDI Fish and Wildlife Service 2003). Project design features are in place to protect any newly discovered den or rendezvous site if found during layout or implementation of the Tower Project. Other ongoing and reasonably foreseeable activities would not increase motorized access or negatively affect prey species. As a result, the Grouse BMU Compliance, in conjunction with past, present and reasonably foreseeable actions, **may impact gray wolf or their habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species.**

Fisher - Road storage, closing the undetermined roads, and decommissioning the section of the Grouse Creek Road would have no impact to fisher habitat. However, the approximate 1.48 miles of new road construction proposed on Forest Service Land for the Grouse Creek Road re-route would occur within capable and suitable fisher habitat. Assuming the road clearing on new system road averages 45 feet, the new construction would remove about 8 acres of capable and suitable fisher habitat. Consequently, the Grouse BMU Compliance Project in conjunction with past, present and reasonably foreseeable actions **may impact fisher or their habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species.**

Harlequin Duck - The proposed action may impact individual harlequin during project implementation. No project activities would occur between April 15 and August 15 within 300 feet of Grouse Creek to reduce potential disturbance to harlequin ducks during breeding and rearing seasons. As a result, the potential for disturbance to harlequin ducks is discountable. The reroute of the 280 road would move the road away from the Grouse Creek which would also reduce disturbance of females and/or young from traffic. Consequently, the Grouse BMU Compliance Project in conjunction with past, present and reasonably foreseeable actions **may impact harlequin ducks or their habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species.**

Western Toad- The proposed action may impact individual toads during project implementation. No project activities would occur between April 1 and June 15, when the majority of breeding by this species would take place. As a result, the potential for disturbance to breeding habitat and reproduction is discountable. The project also would result in a decrease in motorized access through storage of approximately 28 miles of roads and closing of about 2.7 miles of undetermined roads. This would reduce the risk of direct mortality from vehicles, as well as potentially reduce the spread of pathogens such as Chytrid fungus which has been suggested as a major element contributing to toad population declines (Maxell 2000). In addition the reroute of the 280 road would move the road away from the Grouse Creek which would also reduce direct mortality from vehicles by moving the road out of the Grouse Creek riparian area. Other present and reasonable foreseeable activities within the analysis area (public activities, fire suppression and the North Zone Roadside Salvage project) would not affect breeding habitat, and potential mortality to individual toads from traffic related to these activities would be minor and is accounted for by assessing motorized access. Consequently, the Grouse BMU Compliance Project in conjunction with past, present and reasonably foreseeable actions **may impact western toads or their habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species.**

DESIGN FEATURES/MITIGATION MEASURES

Grizzly Bear

- No road storage, road decommission, or road building activities would take place between April 1 and June 15 to reduce potential of disturbance during the spring. Activities associated with this project can occur during this seasonal restriction time on roads that are open on the Motor Vehicle Use Map (MVUM).
- Forest Service personnel, contractors and subcontractors would be given a copy of the Grizzly Bear Management and Protection Plan and the Idaho Panhandle National Forests (IPNF) Food Storage Order. The National Forest System lands within the proposed action areas are covered by the

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IPNF Food Storage Order. The order would be included in all contracts. Compliance with the provisions of the IPNF Food Storage Order is mandatory.

- Contractors and subcontractors would not be permitted to hunt, transport hunters, discharge firearms, or transport big game animals with vehicles in any areas that are otherwise closed to motorized vehicles.

Gray Wolf

- Any gray wolf den or rendezvous sites identified in or adjacent to proposed activity areas would be spatially and/or temporally buffered as appropriate. No project activities (excluding maintenance and hauling on year-round open road systems) would be allowed within one (1) mile of occupied sites, from April 1 to July 1 for den sites and from July 1 to August 15 for rendezvous sites. Upon review by a qualified Forest Service wildlife biologist, these distances could decrease based on topographical characteristics at each site.

Harlequin Duck

- No road decommissioning would take place between April 15 and August 15 within 300 feet of Grouse Creek to reduce potential of disturbance to suitable breeding or rearing habitat.

Raptors

- If a raptor nest is discovered before or during project implementation, timing restrictions and distance buffers, based on the best available information, as well as site-specific factors (e.g., topography, available habitat), would be implemented to reduce disturbance.

Other Threatened, Endangered, and Sensitive Wildlife Species Management

- If any threatened, endangered or sensitive species are located during project layout or implementation, the timber harvest and associated activities would be altered, as necessary, so that proper protection measures are taken.

FOREST PLAN COMPLIANCE:

The project is consistent with applicable goals, desired conditions, standards, and guidelines from the Forest Plan for the management of wildlife habitat and species populations (Project File WL3). This project complies with other direction and recommendations regarding management of the various components of wildlife habitat. The project complies with applicable conservation strategies for wildlife species. This project is consistent with the Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), National Forest Management Act (NFMA) and other direction and requirements for the management of wildlife species and habitat.

This project is consistent with the Forest Plan goal to manage and schedule activities to avoid or minimize disturbance to sensitive species and manage habitat to promote their perpetuation into the future (USDA 2015).

PREPARED/APPROVED BY: 

DATE: November 2, 2017

*The signature of journey level biologist is required.

References

USDA Forest Service. 2011. Region One Sensitive Species List – Wildlife (Final). 5 p.

USDA Forest Service. 2014a. Programmatic Biological Assessment for activities that are not likely to adversely affect Canada lynx, grizzly bear, and designated Canada lynx critical habitat. Region One. Missoula, MT. 72 p.

USDA Forest Service. 2014b. Programmatic Biological Assessment for the North American Wolverine. Region One. Missoula, MT. 14 p.

USDA Forest Service. 2015. Idaho Panhandle National Forests. Land Management Plan 2015 Revision. Northern Region. 187 p.

USDI Fish and Wildlife Service. 2009. Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the Contiguous United States Distinct Population Segment of the Canada Lynx; Final Rule. Federal Register, Vol. 74, No. 36, Wednesday February 25, 2009 p. 8616-8702.

USDI Fish and Wildlife Service. 2013. Endangered and Threatened Wildlife and Plants; Threatened Status for the Distinct Population Segment of the North American Wolverine Occurring in the Contiguous United States. Federal Register, Vol. 78, No. 23, February 4, 2013, p. 7864-7890.

USDI Fish and Wildlife Service. 2014. Letter of concurrence with determination of the programmatic biological assessment for the North American wolverine. Montana Field Office, Helena, MT. May 23, 2014.

USDI Fish and Wildlife Service. 2014. Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the Western Distinct Population Segment of the Yellow-billed Cuckoo (*Coccyzus americanus*); Final Rule. Federal Register, Vol. 79, No. 192, October 3, 2014, p. 59991-60038.

USDI Fish and Wildlife Service. 2016b. Letter confirming that the May 2014 concurrence with determination of the programmatic biological assessment for the North American wolverine remains valid. Montana Field Office, Helena, MT. June 15, 2016.

USDI Fish and Wildlife Service. 2017. Official Species Letter for the Grouse BMU Compliance Project. Idaho Fish and Wildlife Office, Boise, ID. August 14, 2017.