

## 2.6 APPENDICIES

### APPENDIX A MT-CPA-186 – Habitat Determination Screen for Canada Lynx in Montana

#### Introduction

MT-CPA-186 is a tool that helps NRCS personnel determine and document the effects of proposed federal actions on the Threatened Canada lynx. NRCS submitted a Programmatic Biological Assessment to the U.S. Fish and Wildlife Service (FWS) in April, 2007 as part of an on-going informal consultation on the effects of our FOTG conservation practices on federally listed threatened and endangered species. The process outlined in this document is necessary to comply with the resulting Letter of Concurrence from FWS which requires NRCS to: 1) determine occupied vs. unoccupied lynx habitat; 2) document "No Effect" determinations and 3) document "May Affect, Not Likely to Adversely Affect" determinations. Practices determined to be "May Affect, Likely to Adversely Affect" require formal consultation with the FWS.

#### Assumptions

- 1) You're familiar with the Programmatic Biological Assessment (BA).
- 2) When you encounter any practice(s) not included in the BA, inform your Area Biologist of the practice. Programmatic consultation is a continuous process, and includes an annual review with the FWS. Inclusion of additional practices in the BA is a common part of programmatic consultation.
- 3) You have access to the FWS web site, and know where to locate listed species by county and National Forest. Checking both lists is necessary to determine occupied vs. unoccupied lynx habitat.

#### T&E species list by MT county:

[http://www.fws.gov/montanafieldoffice/Endangered\\_Species/Listed\\_Species/countylist.pdf](http://www.fws.gov/montanafieldoffice/Endangered_Species/Listed_Species/countylist.pdf)

#### T&E species list by National Forest in MT:

[http://www.fws.gov/montanafieldoffice/Endangered\\_Species/Listed\\_Species/Forests.html](http://www.fws.gov/montanafieldoffice/Endangered_Species/Listed_Species/Forests.html)

- 4) Projects not occurring in forest community types are a NO EFFECT determination (including ALL shrub, sagebrush-grassland, and grassland community types).
- 5) Projects in forest community types within occupied habitat require that you use the CPA-186 (lynx habitat determination screen).
- 6) You will contact your respective Area Biologist with any questions regarding the FWS species lists, the designations of occupied versus unoccupied lynx habitat, and NO EFFECT vegetation community types.
- 7) NO EFFECT determinations (i.e., the CPA-52) will be reviewed and signed by a Designated Conservationist, and MAY AFFECT determinations (i.e., CPA-186 and CPA-185) will be reviewed and signed by an Area Biologist.
- 8) All effect determinations will be documented in the project file.

## **Background**

- 1) It is NOT NECESSARY to use CPA-186 for any county where lynx are not listed by the FWS. No paperwork is required.
- 2) If lynx are listed by the FWS in the county, but not listed by the FWS as occurring on the nearest National Forest in that county, the determination is NO EFFECT. Document the NO EFFECT determination and associated reasoning on the CPA-52. No further paperwork is required.
- 3) If lynx are listed by the FWS in the county, AND listed by the FWS as occurring on the nearest National Forest in that county, check the NRCS Practice Effects Table (Appendix B) in CPA-186 for any of the proposed practices. For those projects where ALL proposed practices have a NO EFFECT determination, document the NO EFFECT determination and associated reasoning on the CPA-52. No further paperwork is required.
- 4) If both the county and the nearest National Forest within that county are identified as occupied, and any one proposed practice in the NRCS Practice Effects Table (Appendix B) has a MAY AFFECT determination, proceed with the CPA-186 and CPA-185. ALL practices and associated effect determinations will be summarized on the CPA-185, and the practice with a MAY AFFECT, Not Likely to Adversely Affect determination clearly identified. Submit to the Area Biologist for review, and include CPA-186 and the CPA-185 in the landowner's project file.

## **MAY AFFECT Determinations**

Using the CPA-186, first determine whether the project site is located in Canada lynx habitat. Canada lynx habitat is characterized by four principle critical elements: 1) denning habitat; 2) rearing habitat; 3) travel corridors; and 4) foraging habitat. Canada lynx denning, rearing and travel corridor habitats are not considered limiting. Canada lynx foraging habitat, which overlaps with snowshoe hare habitat, is the element of concern. The snowshoe hare prey base is the limiting factor for lynx populations, and therefore, modification of snowshoe hare habitat is the basis for a MAY AFFECT determination. If foraging habitat has been ruled out at a specific project site through the use of the CPA-186, record this outcome on the CPA-186 and follow standard NRCS project implementation procedures.

If lynx foraging habitat has been determined to be present using CPA-186, the next step will be to examine the NRCS Practice Effects Table (Appendix B) to determine whether any practices require additional Conservation Measures (CM) for implementation. Conservation Measures are modifications to a practice that minimize impacts on lynx foraging habitat. The NRCS Practice Effects Table lists those practices most commonly used within Canada lynx range in Montana. If you do not find a specific NRCS practice in the table, contact your Area Biologist for assistance.

The NRCS Practice Effects Table indicates whether the specific practice was determined to have NO EFFECT (NE), MAY AFFECT, Not Likely to Adversely Affect (NLAA), or MAY AFFECT, Likely to Adversely Affect (LAA) on lynx foraging habitat. Seven of the practices have a CM required in order to reach a MAY AFFECT, Not Likely to Adversely Affect determination. Document the effects determination for the project on the CPA-186. Practices determined to be MAY AFFECT, Likely to Adversely Affect require formal consultation with the FWS; contact your Area Biologist for assistance.

## CANADA LYNX HABITAT EVALUATION TOOL

### FACTOR 1: Elevation

Does the potential project site occur above 4,000 feet in elevation (or above 3,500 feet for Glacier, Lincoln or Flathead counties)?

- No** Project will have **NO EFFECT** on lynx; document in CPA-52.
- Yes** GO TO Factor 2 for additional lynx habitat determination factors.

### FACTOR 2: Forest Habitat Types

**NOTE:** Forest habitat types, as defined below, were determined through the use of the Climax Series Key found on pages 19 – 22 in *Forest Habitat Types of Montana* (1997).

**Step 1:** Does the project site include at least one of the following primary forest habitat types that comprise the four principle critical habitat elements of lynx habitat?

#### Primary Forest Habitat Types – Coniferous Forests

Primary forest habitat types that may be exclusively present in lynx habitat include:

1. Subalpine fir (*Abies lasiocarpa*) – climax species

AND/OR

2. Engelmann spruce (*Picea engelmannii*) – climax species

AND/OR

3. Cedar-hemlock (*Thuja spp/Tsuga spp*) – climax species  
**Note:** habitat type found only in northwestern Montana

AND/OR

4. Lodgepole pine (*Pinus contorta*) – seral species  
Look for the following community types when determining lynx habitat:

- a. Lodgepole pine/twinflower (*Linnaea borealis*)
- b. Lodgepole pine/grouse whortleberry (*Vaccinium scoparium*)

**Note:** Community types further described in *Forest Habitat Types of Montana* (1997)

- Yes** The project is likely to occur in lynx habitat. Continue on to Factor 3 for additional factors to help determine if it is in lynx foraging habitat.
- No** GO TO Factor 2 – Step 2, Secondary Forest Habitat Types

**Step 2:** Is your project located within secondary forest habitat types **and is it less than ¼ mile** from primary forest habitat types?

Secondary Forest Habitat Types – Cool, Moist Forests

1. Grand fir (*Abies grandis*) – climax species

AND/OR

2. Douglas fir (*Pseudotsuga menziesii*) – climax species

Look for the following community types when determining lynx habitat:

a. Douglas fir/twinflower (*Linnaea borealis*)

b. Douglas fir/blue huckleberry (*Vaccinium globulare*)

c. Douglas fir/mountain snowberry (*Symphoricarpos oreophilus*)

**Note:** Community types further described in *Forest Habitat Types of Montana* (1997)

AND/OR

3. Quaking aspen (*Populus tremuloides*)

**Note:** Not a recognized habitat type in *Forest Habitat Types of Montana* (1997)

**No** Project will have **NO EFFECT** on lynx; document in CPA-52.

**Yes** The potential project is likely to occur in lynx habitat.

GO TO Factor 3 for additional factors to help determine if it is in lynx foraging habitat.

**FACTOR 3: Determination of the suitability of lynx foraging habitat**

Does the surrounding lynx habitat include one or more of the following characteristics?

- A. In a mixed stand of trees and shrub species, does the forest habitat consist of dense multi-layered stands of tree species?

AND/OR

- B. In a stand of trees, would the lower-most branches reach snow level during a year of average snow pack? (Refer to Snowcourse site data for your project area NRCS web link: [ftp://ftp.wcc.nrcs.usda.gov/data/snow/snow\\_course/mtsnow.txt](ftp://ftp.wcc.nrcs.usda.gov/data/snow/snow_course/mtsnow.txt))

AND/OR

- C. Does the landscape have a variety of age classes, primarily mid to advanced successional stages? These could result from burns or clearcuts that support dense understory vegetation.

AND/OR

- D. Does the landscape support foraging habitat for snowshoe hares in the summer months (i.e., a high density of young trees (early seral stage) or shrubs)?

**No**    **NO EFFECT**, project site is not in lynx foraging habitat; document in CPA-52.

**Yes**    All factors indicate that the potential project is in suitable lynx foraging habitat.

GO TO Appendix B to determine if specific Conservation Measures are required to arrive at a MAY AFFECT, Not Likely to Adversely Affect determination, prior to practice installation.

**NOTE:**

1. When determining foraging habitat in winter, if 50% or more of the trees in the area fit the qualifications described in characteristic B then the habitat should be considered foraging habitat.
2. Seasonal Option for Winter Field Work (deep snow).

Check for confirmation of snowshoe hare presence through direct hare observations and/or snowshoe hare sign such as browsed vegetation, tracks or fecal pellets? If these are found in an area that provides good habitat for snowshoe hares (i.e. available browse and thermal cover above the snow) this would indicate that the habitat is also good FORAGING habitat for lynx. This is an additional method for confirmation of foraging habitat at the proposed project site.

