

TECHNICAL NOTES

U.S. DEPARTMENT OF AGRICULTURE STATE OF WYOMING NATURAL RESOURCES CONSERVATION SERVICE

BIOLOGY TECHNICAL NOTE NO. 45

November 2011

To: All Field and Area Offices

From: Brian Jensen, State Biologist

UTE LADIES' – TRESSES ORCHID POTENTIAL HABITAT RATING SHEET

This technical note transmits a rating sheet to be used if practices and/or circumstances have potential to affect Ute Ladies – Tresses Orchid habitat. The disturbance can be direct or indirect.

UTE LADIES' - TRESSES ORCHID POTENTIAL HABITAT RATING SHEET (November 2011)

Complete this ranking sheet **IF** the practice(s) and/or circumstances have potential to affect ULT habitat (springs, wetlands, wet meadows, riparian, subirrigated areas (applicable in all but Teton Co)). The disturbance can be direct or indirect, (i.e. heavy equipment mobilization, trailing livestock or increased livestock activity around tanks, or if a practice has the potential to change the hydrology of a site).

Yes or No*	DISQUALIFYING HABITAT FEATURES **	Notes
	Site is above 7,000 ft. in elevation (populations outside Wy found a greater than 7000 ft elevation)	
	Site does not have appropriate hydrology - area is composed of mostly upland vegetation - area dries up by mid-July with water table lower than 12 inches below the soil surface	
	Heavy clay soils present (i.e. 2" ribbon can be formed)	
	Soils strongly alkaline (pH 8.5 or greater)	
	Site soils or hydrology heavily disturbed - stream banks channelized and stabilized by heavy riprap - highway rights-of-way built on filled or compacted soil or rock material - construction sites where construction has either stripped the topsoil or where construction has been completed within the last 5 years but the area has not been revegetated *Note: ULT have been found in some heavily disturbed sites where hydrology is appropriate (i.e. revegetated gravel pits, heavily grazed riparian edges and pastures, and along well-traveled trails developed on old berms).	
	Stream banks steep - abrupt transition from stream margin to upland areas (hydrology goes abruptly from too wet, to too dry)	
	Entire site characterized by standing water with cattails, bullrushes, and other aquatic vegetation *Note: margins of such areas may be suitable	
	Riparian areas or stream banks vegetated with dense rhizomatous species such as reed canarygrass, tamarisk, teasel, common reed, or saltgrass	
	Riparian areas overgrazed or otherwise managed such that the vegetative community is composed of upland native or weedy species or is unvegetated. *Note: the orchid can tolerate rather extreme overgrazing as long as it has not resulted in a drop in the water table as indicated by conversion of the riparian vegetative community to mostly upland species.	
	Potential habitat is no longer in natural condition (i.e. has been converted to ag uses and is now plowed and cropped or has been converted to lawns or golf courses - <i>at least one population in WY maintained by annual mowing of hay field</i>)	
	Wetland is a brackish playa or pothole not fed by springs or not in the floodplain of or connected hydrologically with a riparian system or other source of fresh water.	

* Any "Yes" answer normally disqualifies habitat as potential unless extenuating circumstances exist. If all answers on this rating sheet are "No", the site may qualify as potential habitat.

** Derived from *RECOMMENDATIONS AND GUIDELINES FOR UTE LADIES'-TRESSES ORCHID (Spiranthes diluvialis) RECOVERY AND FULFILLING SECTION 7 CONSULTATION RESPONSIBILITIES (USFWS 6/1/95)*

WYOMING NRCS - UTE LADIES' TRESSES POTENTIAL HABITAT AND EFFECTS DETERMINATION PROCESS

Prerequisite requirements:

Practice type and/or circumstances have potential to affect ULT

Determination that practice exceeds minimum disturbance threshold in the area of potential habitat. Disturbance can be direct or indirect (i.e. trailing livestock or increased livestock activity around tanks).

WY NRCS Potential Habitat and Effects Determination Process:

1. Planners will fill out this checksheet to determine what sites are **NOT** suitable habitat for Ute Ladies' - Tresses. The check sheet will be used for additional documentation with the NRCS-CPA-52.

2. For those sites that are **NOT** eliminated in step 1, practice is on **HOLD** until survey is performed. Inventory (survey) to identify T&E, Candidate, and proposed plants, go to the site during window of ID (i.e. bloom for ULT - late July - mid Sept.) to see if there are plants present.

- The surveys will be performed according to USFWS guidelines for time windows and methods.
- Only one survey will be required.
- Assessments can be after the fact in the case of emergency work (i.e. EWP exigency)
- Planners will take digital pictures of any plant that resembles ULT or a related species, gps the location, immediately notify the ARC and State Biologist, and forward images to them.

IF THE PLANT IS FOUND (AND CONFIRMED ULT) IN THE SURVEY:

- a) Move or modify the practice so that the suitable habitat and plant are not adversely effected
- b) The landowner may choose to back away from the practice (in which case the inventory results will **NOT** be shared with USFWS, or anyone else, without written permission from the landowner)
- c) The landowner wants to move forward with the practice - **CONSULTATION WITH USFWS BEGINS** and includes providing them with the survey and report (which then becomes public information). This option may lead to mitigation to proceed with the project.
- d) The landowner may choose to proceed with the project on their own, in which case NRCS will withdraw all assistance (TA & FA).