



United States
Department of
Agriculture

Forest
Service

Lewis and Clark
National Forest

1101 15th Street North
P.O. Box 869
Great Falls, MT 59403-0869
406 791-7700
FAX 406 731-5302

File Code: 2670/1920
Date: August 31, 2006

Mark Wilson
Field Supervisor
US Fish and Wildlife Service
Ecological Services
585 Shepard Way
Helena, MT 59601

Dear Mr. Wilson:

On August 4, 2006 I requested informal consultation on the Biological Assessment for the Rocky Mountain Ranger District Travel Management Plan. After additional discussion with your staff, I am submitting the enclosed Supplement to the Biological Assessment. This supplement revises determinations made for the gray wolf and Canada lynx based on reconsideration of existing information. There are no changes to the Proposed Project.

In accordance with Section 7 of the Endangered Species Act, I request concurrence with the biologist's determinations that the proposed Federal Action may effect, but is not likely to adversely affect the threatened grizzly bear (*Ursos arctos horribilis*) or Canada lynx (*Lynx canadensis*), or the endangered gray wolf (*Canis lupus*).

The biologist's determination that this action will have no effect on the threatened bald eagle (*Haliaeetus leucocephalus*) is unchanged.

If you have any questions regarding this Supplement to the Biological Assessment please contact Wendy Maples, District Biologist at 406-466-5341.

Sincerely,

Nancy Hall
for: LESLEY W. THOMPSON
Forest Supervisor

Enclosure

cc: Michael A Munoz, Wendy C Maples



**SUPPLEMENT
TO THE BIOLOGICAL ASSESSMENT
FOR
TERRESTRIAL WILDLIFE SPECIES**

Rocky Mountain Ranger District Travel Management Plan

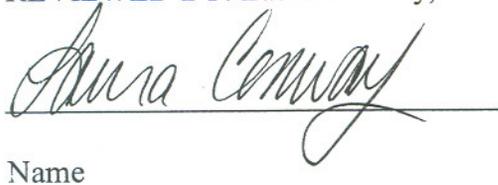
Rocky Mountain Ranger District
Lewis and Clark National Forest

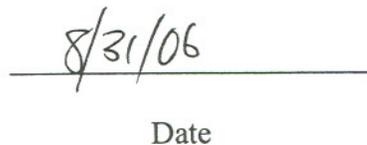
Prepared By: Wendy C Maples, District Biologist, Rocky Mountain RD


Name


Date

REVIEWED BY: Laura Conway, Forest Biologist, Lewis and Clark NF


Name


Date

Introduction

This Supplement to the Biological Assessment (BA) for Terrestrial Wildlife Species regarding the Rocky Mountain Ranger District Proposed Travel Management Plan contains revised determinations of affect for the Threatened Canada lynx and the Endangered gray wolf. In the original BA, a determination of NO EFFECT was arrived at for both species. After additional consideration and discussion with the U.S. Fish & Wildlife Service, the U.S.D.A. Forest Service has determined that the Proposed Travel Plan MAY AFFECT, BUT WOULD NOT LIKELY ADVERSELY AFFECT both the Canada lynx and gray wolf. This re-consideration was based primarily on the longevity and scope of the Travel Management Plan once it is implemented.

This document is not a Revised Biological Assessment, but a Supplement to the existing Assessment based on additional consideration of existing information. The Proposed Plan has not been modified, nor have additional listed species been found in the project area or added to the federal listing of Threatened and Endangered Species. This supplement addresses only Canada lynx and gray wolf. Determinations for the Threatened bald eagle and grizzly bear remain as in the Biological Assessment submitted to the U.S. Fish & Wildlife Service on August 4, 2006.

Information on the Proposed Project and on the legal status, local population and habitat status, and direct, indirect and cumulative effects for Canada lynx and gray wolf can be found in the BA. This document references the BA and includes only a discussion of the re-consideration and rationale for changing the Determination of Effects for both species.

Gray Wolf

Re-Consideration of Existing Information

A discussion of the status of the gray wolf on the Rocky Mountain Ranger District (RMRD) and the anticipated effects of the Proposed Plan can be found on pages 15-18 of the BA. On page 16, the BA references Claar et al. (1999) in stating, “Humans are responsible for the majority of mortalities of wolves through shooting and trapping both illegally and for management purposes, through vehicle collisions, and potentially due to den abandonment of displacement of packs due to disturbance”. The BA also states, “Humans may also impact wolves by altering distribution or abundance of their prey”.

Analysis in the Draft Environmental Impact Statement (DEIS) indicates that the expected impact of Alternatives similar to the Proposed Plan on distribution and abundance of ungulates (i.e. wolf prey) on the RMRD would be negligible (DEIS pp 255 - 270). The Proposed Plan would reduce the total mileage of motorized wheeled routes in the project area (the non-wilderness portion of the RMRD), and would reduce the total acreage available for snowmobiling. The existing known wolf pack (Red Shale Pack) is based almost entirely in wilderness, where no motorized travel occurs. Although livestock grazing occurs on the RMRD, it does not occur in the known territory of the existing pack, and the Lewis and Clark National Forest (LCNF) Plan includes provisions to make management decisions that favor Threatened and Endangered (T&E) Species where conflict may arise with livestock grazing (LCNF Forest Plan, p. 2-41). Based on these considerations and on the overall low level of motorized use within the project area (the non-

wilderness portion of the RMRD), the original determination in the BA was that the Proposed Plan would have No Effect on the gray wolf.

Although the Proposed Plan would reduce the overall mileage of motorized wheeled routes in the project area and would reduce the overall acreage available for snowmobiling, it would retain some opportunities for motorized travel. Under the Proposed Plan there would be 85 miles of road open to seasonal or year-round use; most of this mileage is main access roads to trailheads, campgrounds, and recreation residences. Traffic levels on these roads are therefore not likely to decrease. An additional 24 miles of trail would be open year-round or seasonally to ATV use, primarily in areas immediately adjacent to roads. Another 50 miles of trail would be open seasonally or year-round to motorcycle use. Approximately 27,500 acres would be open to snowmobiles in winter, along with roughly 24 miles of road or trail.

In the short term, with little or no wolf activity outside the wilderness, this mileage of motorized routes is unlikely to impact wolves. The Proposed Plan, however, is expected to be in place for at least 10-15 years after implementation. During this time, wolf activity within the project area could change. The Red Shale Pack could alter its territory, including den and rendezvous sites. One or more new pairs or packs of wolves could become established within the non-wilderness of the RMRD. It is not possible to predict what may happen with levels of motorized use under the Proposed Plan (refer to the Recreation section of the DEIS for a discussion of trends in motorized recreation). The Proposed Plan covers a large area (approximately 264,000 acres). Although motorized use would be confined to a few concentrated areas, the overall effect is a mix of motorized and non-motorized trails across a broad landscape.

The vast majority of wolf mortality in Montana is currently associated with private lands, through management removals related to livestock depredation (Sime et al. 2006). A small number of wolves are killed annually by vehicles (Sime et al. 2006), most or all of which occurs in association with high-speed travel on highways. Some known mortality cannot be assigned a cause (Sime et al. 2006), and it must be assumed that some illegal mortality may occur on both public and private lands. Illegal mortality requires access of humans into areas occupied by wolves. Both motorized routes and non-motorized routes provide that access. As noted in Claar (1999), "Of all recreational activities in Montana, big-game hunting probably has the greatest potential for detrimental impact to wolves". This is because hunters, armed with rifles, enter via foot, horse or vehicle into areas occupied by wolves.

Page 16 in the BA notes that wolves "exhibit a wide variety of individual behaviors with respect to humans. Some individuals within a pack may be extremely sensitive to human disturbance, while others may be extremely tolerant (Claar et al. 1999)". The Red Shale Pack has demonstrated great tolerance for human activity throughout the summer and fall, establishing a rendezvous site adjacent to one of the busiest wilderness administrative sites on the RMRD, near trails that are non-motorized but receive some of the heaviest foot and horse traffic on the RMRD during the summer and during hunting season. Nevertheless, the area experiences very little human activity during the spring, when denning takes place.

It has not been established whether motorized travel itself has greater or less potential to disturb or displace wolves than non-motorized travel. Claar et al. (1999) noted that all linear travel

routes, including roads and motorized trails, may provide easy travelways for wolves, but that there is a trade-off between easier travel and increased potential for mortality resulting from increased risk of human encounters. Various studies have shown a wide range of tolerance by wolves for motorized travel routes, depending on the location, nature, and level of motorized travel (Claar et al. 1999), as well as on individual wolves themselves. The potential exists, however, for motorized travel under the Proposed Plan to disturb or displace wolves that may colonize the project area in the future.

Determination of Effect

I have determined that implementation of the proposed Federal Action MAY AFFECT, BUT WILL NOT LIKELY ADVERSELY AFFECT the Endangered gray wolf. This determination is based on the following rationale:

1. The Proposed Plan is expected to be in place for a minimum of 10-15 years. This may mean:
 - a. Wolves could recolonize the project area and potentially be affected by travel management, particularly if they establish dens or rendezvous sites during a time of year when human visitation is minimal and subsequently experience unexpected human activity in the area.
 - b. Trends in both motorized and non-motorized use are not possible to predict over the expected life of the plan.
2. The Proposed Plan encompasses the entire non-wilderness portion of the RMRD. Therefore it includes a large area in which individual wolves may already occur, and in which wolves could establish packs and territories in the future.
3. Illegal mortality of wolves could occur as a result of both motorized and non-motorized access into areas currently inhabited by wolves, or into areas wolves may occupy in the future.

Canada Lynx

Re-Consideration of Existing Information

A discussion of the status of the Canada lynx on the Rocky Mountain Ranger District (RMRD) and the anticipated effects of the Proposed Plan can be found on pages 51-62 of the BA. As displayed in the BA (p.57), the Proposed Plan would maintain the existing mileage of over-the-snow routes in lynx habitat at 1.9 miles, the mileage of road regularly used by snowmobiles within lynx habitat at 3.3 miles, and the mileage of plowed road within lynx habitat at 0.7 miles. The Proposed Plan would reduce the overall acreage available for dispersed snowmobile activity in lynx habitat from a current total of 67,400 acres (29% of mapped lynx habitat in the project area) to a total of 7,400 acres (3% of mapped lynx habitat in the project area), eliminating dispersed snowmobiling from 10 of 16 Lynx Analysis Units (LAUs) in which it is currently allowed (BA p.55). As displayed on pages 57-61 of the BA, the RMRD meets all the relevant guidelines set forth in the Lynx Conservation Assessment and Strategy (LCAS), including specific guidelines for recreation and travel planning ([Agencies must] “provide a landscape with interconnected blocks of foraging habitat where snowmobile, cross country skiing, snowshoeing, or other snow compacting activities are minimized or discouraged”). Based on these

considerations, the original determination in the BA was that the Proposed Plan would have No Effect on Canada lynx.

Despite the overall reduction in over-snow travel, however, some opportunities for over-snow travel on designated routes, roads, and in dispersed areas would remain. The LCAS suggests that maintaining snowmobiling opportunities in mapped lynx habitat could have an impact on lynx. Furthermore, in early 2000 the USDA Forest Service submitted determinations of effect for ongoing actions occurring on several National Forests, including the LCNF. At that time it was determined that the existing level of snow compacting activity “May Affect, is Not Likely to Adversely Affect” Canada lynx. The mileage of routes available for over-the-snow activity would remain the same under the Proposed Plan as under the Existing Condition, for which that determination was made. Therefore the Proposed Plan should logically result in the same determination of effect. The acreage available for dispersed snowmobile activity was not included in the 2000 determination. Although that acreage would be substantially decreased under the Proposed Plan, opportunities for dispersed snowmobiling, and consequently for snow compaction and its possible impacts on lynx, would still occur on approximately 7,400 acres of lynx habitat in localized areas of the RMRD.

The Proposed Plan would likely be in place for a minimum of 10-15 years, ensuring that some level of dispersed snowmobile travel would be allowed on the RMRD for a lengthy period of time. As noted in the Recreation section of the DEIS, it is not possible to predict whether snowmobile use levels might increase or decrease over the life of the Proposed Plan.

Determination of Effect

I have determined that implementation of the proposed Federal Action MAY AFFECT, BUT WILL NOT LIKELY ADVERSELY AFFECT the Threatened Canada lynx. This determination is based on the following rationale:

1. The Proposed Plan would be in place for a minimum of 10-15 years. This may mean:
 - a. The existing mileage of over-the-snow routes in lynx habitat that would be maintained under the Proposed Plan would be in place through the life of the plan.
 - b. Approximately 27,500 total acres, of which approximately 7,400 acres are in mapped lynx habitat, would be open to dispersed snowmobiling through the life of the plan.
 - c. Trends in both motorized and non-motorized use are not possible to predict over the expected life of the plan.
2. The Determination of Effects made in 2000 for ongoing activities, which included the same mileage of over-the-snow routes as in the Proposed Plan, was “May Affect, Not Likely to Adversely Affect” Canada lynx.
3. Screens developed by the Level I Team, based on the LCAS, recommend a NLAA determination when any over-the-snow activities will occur within lynx habitat.

Literature Cited

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