



United States Department of the Interior
FISH AND WILDLIFE SERVICE

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To: Field Manager, Salmon Field Office,
Bureau of Land Management, Salmon, Idaho

From: Field Supervisor, Eastern Idaho Field Office,
Fish and Wildlife Service, Chubbuck, Idaho

Subject: Concurrence for Effects from Grazing on Freestrip Grazing Allotment, in Lemhi
County, Idaho - Concurrence
In Reply Refer To: 14420-2011-I-0330 Internal Use: 1005.3000

This memorandum responds to the Bureau of Land Management's (BLM) request for Fish and Wildlife Service (Service) concurrence on effects of the subject project to species and habitats listed under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.; [Act]). The BLM's request dated September 16, 2011, and received September 19, 2011, included a biological assessment entitled *Biological Assessment for BLM Actions in the Canyon to Big Timber Watershed Assessment Area* (Assessment), dated September 2011. Since April 2010 the Service has coordinated with the BLM on this Assessment including reviews of drafts. The BLM batched multiple grazing actions in the Assessment for efficient presentation with the subject project being one of those batched actions. Through the Assessment, the BLM determined that the subject project may affect, but is not likely to adversely affect bull trout (*Salvelinus confluentus*), and will have no effect on its designated critical habitat, or on Canada lynx (*Lynx canadensis*). Under the Act, the bull trout is listed as a threatened species, and has critical habitat designated. Therefore, the Service's concurrence under section 7 of the Act has been requested.

The Service concurs with the BLM's determination, and the Service's rationale is presented below. Information contained in the Assessment is herein incorporated by reference. For clarity, the Service is issuing separate concurrence letters for each individual Allotment from the batched Assessment.

We acknowledge your No Effect determinations, but the regulations implementing section 7 of the Act do not require the Service to review or concur with no effect determinations; therefore the Service will not address them further. However, we do appreciate you informing us of your determinations even if not required to do so under the Act.

Previous Consultation

This Allotment was part of a previously batched consultation in 1999, and again in 2003 (Assessment, p. 13). Both times BLM determined that effects to bull trout fit within the may affect, but not likely to adversely affect category. Both times the Service concurred with that determination (Assessment, p. 13).

Proposed Action

The action is continued authorization of grazing through one permit with approximately 158 cattle from June 1 through October 31 on approximately 3,700 acres of public land and another 1,400 acres

of other lands for a total of 1,038 Animal Unit Months (Assessment, p. 65). The Allotment is organized into four pastures; Switchback, Freestrip, Frank Hall and Bell Field (Assessment, pp. 64 and 66). The Freestrip pasture will be rested one out of every four years (Assessment, p. 65). No crossing permits are proposed (Assessment, p. 65).

Species and Designated Critical Habitat Distribution in the Project Area

There are portions of three creeks in the allotment, Canyon, Whiskey Springs, and Chippie Creek (Assessment, p. 64). Whiskey Springs Creek (a tributary to Canyon Creek) is intermittent and does not contain fish (Assessment, p. 64). Chippie Creek is also a tributary to Canyon Creek but does not connect with Canyon Creek because a pond intercepts its flow (Assessment, p. 64). Bull trout occupy a Canyon Creek tributary named Rough Canyon Creek, but that tributary and occurrence is upstream of the Allotment on Forest Service lands (Assessment, p. 64). Bull trout have not been found in the Allotment (Assessment, p. 64). Riparian habitats and streambank stability along Canyon Creek within the allotment are generally in good condition or in an upward trend, but can be influenced by sediment from Whiskey Springs Creek (Assessment, pp. 67-68). Canyon Creek's condition has improved dramatically since 1990s, and is now much narrower with a large portion of the riparian area dominated by woody vegetation (Assessment, pp. 67 and 69).

There is no designated critical habitat in any streams within the Allotment (Assessment, p. 71).

Potential Impacts of Grazing in Fish and Riparian Habitats

In general, grazing rangelands has potential to impact fish and fish habitat by trampling redds, impacting stream temperature through reduction in plant shading, reducing complex bank structures by shearing overhanging banks, and increasing sediment in stream gravel through bank degradation (Assessment, pp. 29-42). Impacts can be reduced to a point where their effect to bull trout is insignificant by using move triggers, management of cattle with fences, active removal of cattle from riparian areas, and exclusion of livestock from spawning areas during spawning.

Effects from the Proposed Action

Specifically for this proposed action, that segment of Canyon Creek in the Allotment is not known to be occupied by bull trout (Assessment, p. 64). Recovery of the riparian area in Canyon Creek has been successful under similar past management (Assessment, pp. 67-68). Canyon Creek does have a higher than desired sediment substrate value, but bank stability and vegetation condition suggest that sediment level is not driven by livestock use (Assessment, p. 67). Also, the BLM has included a wide array of permit terms and conditions, monitoring, and adaptive management techniques to limit the impacts to upland and riparian habitats on this Allotment (Assessment, p. 65). The aggregated effect of these actions and circumstances led the BLM to determine that any remaining effects to bull trout and their habitat is likely to be insignificant (Assessment, p. 71).

Concurrence

Based on Service review of the Assessment, we concur with the BLM's determination that the project outlined in the Assessment and this memorandum, may affect but is not likely to adversely affect bull trout. This concurrence is based on condition of bull trout habitat within the Allotment, bull trout distribution, project design, and protective measures included as part of the proposal that reduce impacts of grazing to bull trout and its occupied habitat to an insignificant level.

This concludes informal consultation. Further consultation pursuant to section 7(a) (2) of the Act is not required. Reinitiation of consultation on this action may be necessary if new information reveals effects of the action that may affect listed species or designated habitat in a manner or to an extent not considered in the assessment, the action is subsequently modified in a manner that causes an effect to listed species that was not considered in the analysis, or a new species is listed or critical habitat is designated that may be affected by the proposed action.

Thank you for your continued interest in the conservation of endangered, threatened, and proposed species. If you have any questions regarding this consultation, please contact Doug Laye of this office at (208) 237-6975.

cc: BLM, Salmon (Feldhausen and Trapani)
NOAA, Boise (Mabe)
NOAA, Salmon (Murphy and Fealko)
IDFG, Salmon (Schmidt, Curet)