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FISH AND WILDLIFE SERVICE

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

From: ^{for} Field Supervisor, Eastern Idaho Field Office,
Fish and Wildlife Service, Chubbuck, Idaho

Doug Lyle

Subject: Effects from Grazing on Leadore Hill Grazing Allotment, in Lemhi County, Idaho –
Concurrence
In Reply Refer To: 14420-2011-I-0344

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 its designated critical habitat. Under the Act, 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.

The BLM also made a determination that the proposed action will have no effect to Canada lynx (*Lynx canadensis*). We acknowledge your No Effect determination, but 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 determination for this listed species even if not required to do so under the Act.

Proposed Action

The action is continued authorization of grazing on approximately 1,500 acres of BLM land with approximately 39 cattle from June 16 through August 31 totaling 114 Animal Unit Months (Assessment, p. 124). Grazing is through issuance of one permit, and the Allotment is organized into two pastures; Lower and Upper (Assessment, p. 125).

Crossing permits can be applied for on an annual basis, but would be restricted to a maximum of 1200 cattle at one time and cattle would not be left on the allotment overnight. A maximum of 5000 cattle

would be allowed to cross the allotment in a year (Assessment, p. 124). Cattle crossing the Allotment would only use the Upper Pasture and the Carey Act Dam Bridge (Assessment, p. 124).

Species and Designated Critical Habitat Distribution in the Project Area

There are two streams in the Allotment boundary; Big Timber and Little Timber Creek (Assessment, p. 126). Two miles of Big Timber Creek and ½ mile of Little Timber Creek are exposed to grazing (Assessment, p. 126). The Segment of Big Timber Creek is used in the spring with cattle removed by June 30 (Assessment, p. 126).

Big Timber Creek is generally in good condition, and has been subject to flow improvements and fish barrier removals with cooperation from federal and state agencies and private landowners (Assessment, p. 127). In the watershed riparian and stream habitat is much improved from historic conditions (Assessment, p. 126). The Little Timber Creek segment on the Allotment is below a diversion structure and is dewatered during grazing season (Assessment, p. 126), but does show good bank stability (Assessment, p. 127), especially in its lower reach where it is influenced by spring water (Assessment, p. 126). Both streams have heavily armored substrates which make bank modification from grazing unlikely (Assessment, p. 127).

A strong population of resident bull trout occurs in the upper reaches of Big Timber Creek, but no spawning has been documented in the Allotment (Assessment, p. 128). Spawning bull trout have been found approximately ¼ of a mile upstream of the Allotment (Assessment, p. 129). Fluvial population of bull trout are likely to have been present historically, but are not present at this time (Assessment, p. 128), though fish passage barriers are being removed to improve likelihood of re-establishment (Assessment, p. 127).

Big Timber Creek and Little Timber Creek are designated critical habitat for bull trout under the Act (Assessment, p. 130). Critical habitat is proposed in those areas the Service believes have habitat components necessary for conservation of bull trout. The habitat component of importance in Big Timber and Little Timber Creeks are their potential to provide spawning and rearing habitat for resident fish and eventually fluvial bull trout.

In addition, the Lemhi River downstream of the Allotment is designated critical habitat, under the Act, for bull trout. The habitat component of importance in the Lemhi River is largely its ability to provide for bull trout movement to tributaries, and as an area to overwinter.

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, the segment of Big Timber Creek in the Allotment is not known to be occupied by bull trout (Assessment, p. 129), and is a very small segment of the entire creek. The segment has been impacted by historic and current irrigation practices (Assessment, p. 129), but is

improving and shows little impact from grazing (Assessment, p. 129). The creek has fenced sections which reduce the use from cattle (Assessment, p. 129). The BLM has included a wide array of permit terms and conditions, monitoring, and adaptive management techniques to limit impacts to upland and riparian habitats on this Allotment (Assessment, p. 128), and the number of cattle grazed on the Allotment is very small (Assessment, p. 124). Also, the allotment is grazed early in the season so there is no potential for overlap of spawning bull trout should spawning, which is upstream of the Allotment, expand into the Allotment (Assessment, p. 129). The aggregated effect of these actions and circumstances led the BLM to determine that any remaining effects to bull trout and their habitat, including important habitat components of critical habitat, are likely to be insignificant (Assessment, p. 130).

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 the condition of bull trout habitat within the Allotment, bull trout distribution, project design, and protective measures included as part of the proposal that reduce the impacts of grazing to bull trout and its occupied habitat to an insignificant level. We also concur with the determination that the proposed action is not likely to adversely affect designated critical habitat, because the grazing strategy and protective measures included as part of the proposal reduce the scale of impacts such that they are unlikely to be significant.

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, Challis (Feldhausen, Trapani)
NOAA, Boise (Mabe)
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