

Appendix C

SPECIAL STATUS SPECIES

APPENDIX C: SPECIAL STATUS SPECIES

TABLE C-1: THREATENED AND ENDANGERED FISH AND WILDLIFE IN THE NORTH CASCADES COMPLEX

Common Name	Latin Name	Status	
		Federal	State
American peregrine falcon	<i>Falco peregrinus anatum</i>	Species of concern	Endangered
Bald eagle	<i>Haliaeetus leucocephalus</i>	Threatened	Threatened
Black-backed woodpecker	<i>Picoides albolarvatus</i>		Candidate
Bull trout	<i>Salvelinus confluentus</i>	Threatened	
California wolverine	<i>Gulo gulo luteus</i>	Species of concern	Threatened
Canada lynx	<i>Lynx canadensis</i>	Threatened	Threatened
Cascades frog	<i>Rana cascadae</i>	Species of concern	
Chinook salmon	<i>Oncorhynchus tshawtscha</i>	Threatened	
Columbia spotted frog	<i>Rana luteiventris</i>	Species of concern	Candidate
Ferruginous hawk	<i>Buteo regalis</i>	Species of concern	Threatened
Flammulated owl	<i>Otus flammeolus</i> - eastside only		Candidate
Fringed myotis	<i>Myotis thysanodes</i>	Species of concern	
Golden eagle	<i>Aquila chrysaetos</i>		Candidate
Gray wolf	<i>Canus lupus</i>	Endangered	Endangered
Grizzly bear	<i>Ursus arctos</i>	Threatened	Endangered
Harlequin duck	<i>Histrionicus histrionicus</i>	Species of concern	
Keen's myotis	<i>Myotis keenii</i>		Candidate
Lewis' woodpecker	<i>Melanerpes lewis</i>		Candidate
Little willow flycatcher	<i>Empidonax traillii brewsteri</i>	Species of concern	
Long-eared myotis	<i>Myotis evotis</i>	Species of concern	
Long-legged myotis	<i>Myotis volans</i>	Species of concern	
Marbled murrelet	<i>Brachyramphus marmoratus marmoratus</i>	Threatened	Threatened
Merlin	<i>Falco columbarius</i>		Candidate
Northern goshawk	<i>Accipiter gentilis</i>	Species of concern	Threatened
Northern red-legged frog	<i>Rana aurora aurora</i>	Species of concern	
Northern spotted owl	<i>Strix occidentalis caurina</i> -	Threatened	Endangered
Olive-sided flycatcher	<i>Contopus borealis</i>	Species of concern	
Pacific fisher	<i>Martes pennanti pacifica</i>	Species of concern	Endangered
Pileated woodpecker	<i>Dryocopus pileatus</i>		Candidate
Small-footed myotis	<i>Myotis ciliolabrum</i>	Species of concern	
Tailed frog	<i>Ascaphus truei</i>	Species of concern	
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	Species of concern	Threatened
Vaux's swift	<i>Chaetura vauxi</i>		Candidate
Western gray squirrel	<i>Sciurus griseus griseus</i>	Species of concern	Threatened
Western toad	<i>Bufo boreas</i>	Species of concern	Candidate
Western toad	<i>Bufo boreas</i>		Candidate
Westslope cutthroat trout	<i>Oncorhynchus clarki lewisi</i>	Species of concern	
Yuma myotis	<i>Myotis yumanensis</i>	Species of concern	



TABLE C-2: STATE OF WASHINGTON SPECIAL STATUS SPECIES

Scientific Name	Common Name	Wetland Rating	East or West	Elevation (feet)	Habitat	Blooming time	Washington State Status
Graminoids							
<i>Carex scripoidea</i> var. <i>scirpoidea</i>	Canadian single spike sedge	FACU	Both	5,000–7,200	Moist meadows, streambanks, rocky slopes	July–August	Sensitive
<i>Carex scopulorum</i> var. <i>prionophylla</i>	Mountain sedge	FACW	East	4,600	Moist-wet meadows, lakeshores, streambanks	July–August	Watch
<i>Carex stylosa</i>	Long styled sedge	FACW	West	2,700–6,700	Marshes, streambanks, bogs, wet depressions, seeps	August–September	Sensitive
<i>Eleocharis atropurpurea</i>	Purple spike rush	OBL	East	500 in CA	Wet ground, lake shores	Annual, early spring	Possibly extirpated
<i>Eriophorum viridicarinatum</i>	Green keeled cottongrass	OBL	Both	2,000–6,600	Cold swamps and bogs	June–July	Sensitive
<i>Poa arctica</i> ssp. <i>arctica</i>	Gray's bluegrass	FACU	Both		Alpine ridges		Review group 2
Forbs							
<i>Agoseris elata</i>	Tall agoseris	UPL	Both	5,000–7,000	Open moist woods, rocky or talus, shrubby slopes	June–August	Sensitive
<i>Aster sibericus</i>	Arctic Aster	UPL	Both	4,000–7,200	Open rocky gravelly places at high elevation	July–August	Sensitive
<i>Astagalus arrectus</i>	Palouse milk vetch	UPL	East	1,000–4,000	Grassy hillsides, sagebrush flats openings in Ponderosa Pine or Douglas fir forest gravelly or sandy flats	Late April–June	Threatened
<i>Campanula lasiocarpa</i>	Alaska harebell	UPL	West	6,500–7,000	Rock crevices in alpine zones	July–August	Sensitive
<i>Cicuta bulbifera</i>	Bulb-bearing hemlock	OBL	Both	240–3,700	Edges of marshes, lakes, bogs, meadows shallow standing or slow moving water	August–September	Sensitive
<i>Cimicifuga elata</i>	Tall bubane	UPL	West	600–3,000	Moist shady woods in mature or old growth coniferous deciduous forest	May–August	Sensitive
<i>Coptis asplenifolia</i>	Spleenwort-leaved goldthread	FAC	West	0–3,000	Open rocky areas in moist coniferous forests	April–May	Sensitive
<i>Corydalis aurea</i>	Golden smoke	UPL	Both	300–6,000	Moist to dry well drained soil, gravelly open areas	May–July	Watch
<i>Cyperpedium faciculatum</i>	Clustered lady slipper	FACU	Both	1,200–5,000	Moist to dry and rocky open conifer forest	May–mid-June	Sensitive
<i>Cyperpedium parviflorum</i>	Yellow lady slipper	UPL	East	2,100–3,400	Bogs, seeps, margins of lakes and ponds, moist woods	May–June	Threatened

TABLE C-2: STATE OF WASHINGTON SPECIAL STATUS SPECIES (CONTINUED)

Scientific Name	Common Name	Wetland Rating	East or West	Elevation (feet)	Habitat	Blooming time	Washington State Status
Forbs (continued)							
<i>Dodecatheon pulchellum</i> var. <i>watsonii</i>	Few flowered shooting star	FACW	Both	5,500–7,500	Meadows and rock out crops subalpine and alpine	July	Watch
<i>Draba aurea</i>	Golden draba	UPL	Both	6,000–7,000	Open to forested slopes, to alpine meadows	June–August	Sensitive
<i>Epipactis gigantea</i>	Giant hellebore	OBL	Both	0–4,000	Streambanks, lake shores, seeps, springs	April–July	Watch
<i>Erigeron salsihii</i>	Salish fleabane	UPL	East	6,000–8,000	Dry alpine ridges	July–August	Sensitive
<i>Eritrichium nanum</i> var. <i>elongatum</i>	Pale forget-me-not	UPL	East	7,000–9,000	Open rocky places	June–August	Sensitive
<i>Erythronium revolutum</i>	Pink fawn lily	FAC	West	100–200	River banks, edge of woods, open or moderate shade	April–May	Sensitive
<i>Fritallaria camschatcensis</i>	Black lily	UPL	West	0–3,000	Moist to wet meadow, open, riparian areas, tide flats	May–June	Sensitive
<i>Galium kamtschaticum</i>	Boreal bedstraw	UPL	West	1,500–2,100	Moist coniferous forest, seeps and areas of standing water	July–August	Watch
<i>Gentiana glauca</i>	Glaucous gentian	FAC	Both	7,000–8,000	Tundra, dry to moist alpine areas	July–September	Sensitive
<i>Githopsis specularioides</i>	Common blue-cup	UPL	Both	200–2,300	Dry, open places in foothill, areas of thin soils, talus slopes	April–June	Sensitive
<i>Hackelia hispida</i> var. <i>disjuncta</i>	Sagebrush stickseed	UPL	East	600–2,100	Cliffs rocky, talus slopes grasslands to open forest	May–June	Sensitive
<i>Hackelia venusta</i>	Showy stickseed	UPL	East	1,000–2,500	Dry loose granitic sand and crevices in granite or talus, Ponderosa pine forest	May–June	Endangered
<i>Hypericum majus</i>	Canadian St. John's wort	FACW-	Both	100–2,300	Along ponds and lakeshores, riparian areas	July–September	Sensitive
<i>Iliamna longisepala</i>	Longsepal globemallow	UPL	East	500–4,500	Sagebrush steppe, open hillsides, dry streams, open Ponderosa and Douglas fir forest	June–August	Sensitive
<i>Impatiens aurelia</i>	Orange balsam	FACW	Both	Low elevation	Moist shaded areas	June–August	Review group 2
<i>Limosella acaulis</i>	mudwort	OBL	Both	< 4000	Ponds edges, lakeshores, river edges in areas of slow moving water	May–November	Watch
<i>Listera borealis</i>	Northern twayblade	FACU	Both	3,000–6,500	Moist woods in moderate to deep shade, along streams, associated with old growth or old second growth	June–July	Watch
<i>Lobelia dortmanna</i>	Water lobelia	OBL	West	0–500	Shallow low elevation ponds and lakes	June–August	Threatened
<i>Loiseleurua procumbens</i>	Alpine Azalea	UPL	Both	6,300	Alpine slopes and subalpine meadows	July–August	Threatened

TABLE C-2: STATE OF WASHINGTON SPECIAL STATUS SPECIES (CONTINUED)

Scientific Name	Common Name	Wetland Rating	East or West	Elevation (feet)	Habitat	Blooming time	Washington State Status
Forbs (continued)							
<i>Mimulus pulsiferae</i>	Pulsifer's Monkey-Flower	UPL	East	1,000–2,000	Seasonally moist, open places in foothills, and openings in Ponderosa Pine/Douglas fir forest	June–July	Sensitive
<i>Mimulus suksdorfii</i>	Suksdorf's monkey flower	FAC-	East	2,000–4,000	Moist areas in sagebrush steppe/Ponderosa Pine forest	May–August	Sensitive
<i>Mimulus washingtonensis</i>	Washington monkey-flower	OBL	East	Low elevation	Wet to moist places at low elevation	May–September	Possibly extirpated
<i>Orthocarpus bracteosus</i>	Rosy owl's clover	UPL	Both	1,500–2,500	Moist meadows at low elevation in transition zone between wetland and upland	June–August	Endangered
<i>Parnassia kotzebuei</i> var. <i>kotzebuei</i>	Kotzebue's grass-of-parnassus	OBL	East	No data available	Alpine areas	July–September	Sensitive
<i>Penstemon eriantherus</i> var. <i>whitedii</i>	Fuzzy-tongued penstemon	UPL	East	3,500	Open sagebrush shrub, open areas in valleys and foothills	May–July	Sensitive
<i>Petrophyton cinerascens</i>	Chelan rockmat	UPL	East	800–1,800	Ledges and crevices of cliffs and rocky outcrops	July–August	Endangered
<i>Pinguicula vulgaris</i>	Common butterwort	OBL	Both	1,500–7,000	Moist seeps, meadows and talus slopes	July–August	Watch
<i>Plancherella obtusata</i>	Small northern bog orchid	FACW	Both	800–5,000	Moist places in forests, bogs, streambanks, marshes, meadows	June–July	Sensitive
<i>Pleuricospora fimbriolata</i>	Sierra sap	UPL	Both	1,000–4,000	Dry coniferous forest with little understory	July–August	Watch
<i>Polemonium viscosum</i>	Skunk polemonium	UPL	East		Open rocky place in high elevation, mostly above timberline	July–August	Sensitive
<i>Potamogeton obtusifolius</i>	Blunt leaved pondweed	OBL	West	50–2,000	Waters of lakes and slow moving streams	August–September	Sensitive
<i>Potentilla diversifolia</i> var. <i>perdissecta</i>	Diverse-leaved cinquefoil	UPL	West	6,500–8,000	Montane to alpine, rocky slopes, meadows and streambanks	June–August	Sensitive
<i>Ranunculus cooleyae</i>	Cooley's buttercup	FAC	West	1,500–6,000	Moist slopes and rock crevices	July–August	Sensitive
<i>Salix tweedyi</i>	Tweedy's willow	FACW-	East	5,200–7,200	Streambanks moist meadows in mid to high elevation meadows	June–July	Sensitive
<i>Salix vestita</i> var. <i>erecta</i>	Rock willow	FAC	East	High elevation	Open moist areas in springs or wetlands near or above timberline	July–September	Possibly extirpated
<i>Sanicula marilandica</i>	Black snake-root	UPL	East	2,900–5,200	Low moist ground, meadows, marsh edges, riparian flood plains	June–August	Sensitive

TABLE C-2: STATE OF WASHINGTON SPECIAL STATUS SPECIES (CONTINUED)

Scientific Name	Common Name	Wetland Rating	East or West	Elevation (feet)	Habitat	Blooming time	Washington State Status
Forbs (continued)							
<i>Saxifraga integrifolia</i> var. <i>apetala</i>	Swamp saxifrage	FACW	East	5,900–6,500	Vernally moist meadows, seeps and ephemeral streams	March–July	Watch
<i>Saxifraga rivularis</i>	Pygmy saxifrage	FACW	Both	5,500–7,000	Damp cliffs, shaded rock outcrops, talus near snow banks, moist meadows	July–August	Sensitive
<i>Saxifragopsis fragarioides</i>	Strawberry saxifrage	UPL	East	1,400–4,500	Crack and crevices on cliffs and rock outcrops in Ponderosa pine and Douglas fir forest	June–July	Threatened
<i>Silene seelyi</i>	Seely's silene	UPL	East	1,500–6,300	Cliffs and talus slopes	May–August	Sensitive
<i>Spiranthes porrifolia</i>	Western ladies tresses	UPL	Both	60–6,800	Meadows, seeps streams	May–August	Sensitive
<i>Swertia perennis</i>	Swertia	UPL	Both	4,000	Montane to subalpine meadows, streambanks	July–August	Review group 1
<i>Trifolium thompsonii</i>	Thompson's clover	UPL	East	140–4,000	Open to sparsely wooded sagebrush community, near edges of the Ponderosa pine zone	May–June	Threatened
<i>Utricularia minor</i>	Lesser bladderwort	OBL	Both	300–2,000	Shallow standing or slowly moving water	June–September	Review group 1
<i>Botrychium lanceolatum</i>	Lance-leaved moonwort	FACW	Both	760–6,000	Moist sites, alpine meadows	June–September	Watch
<i>Botrychium lunaria</i>	Common moonwort	FAC	Both	3,000–6,400	Moist open areas in meadows and forests	June–September	Watch
<i>Botrychium minganense</i>	moonwort	UPL	Both	2,000–5,700	Moist sites in deciduous and coniferous forest, subalpine sites	June–September	Watch
<i>Botrychium pedunculosum</i>	Stalked moonwort	UPL	Both	1,600–3,000	Moist wooded sites	June–September	Sensitive
<i>Botrychium pinnatum</i>	Northwestern moonwort	UPL	Both	2,100–6,500	Dry to moist forest, subalpine meadows and alpine ridge tops	June–September	Watch
<i>Boytrichium simplex</i>	Little moonwort	FAC	Both	5,000–7,000	Moist to dry meadows, bogs, swamps	June–September	Watch
<i>Cryptogramma stelleri</i>	Steller's rockbrake	UPL	East	3,000	Moist shaded cliffs, ledges, rocky slopes, often on limestone	June	Sensitive
<i>Lycopodiella inundata</i>	Bog clubmoss	FACW	West	1,500–6,400	Bogs, marshes, pond margins	July	Sensitive
<i>Lycopodium dendroideum</i>	Treelike clubmoss	FACU	Both	800–3,600	Rock outcrops, talus fields, moss and significant debris layer	June–July	Sensitive
<i>Pellea brachyptera</i>	Sierra cliff brake	UPL	East	770–2,200	Dry Rocky slopes, talus, outcrops in Douglas fir and Ponderosa Pine forest	August–September	Sensitive





United States Department of the Interior

NATIONAL PARK SERVICE

North Cascades National Park
Lake Chelan National Recreation Area
Ross Lake National Recreation Area
810 State Route 20
Sedro-Woolley, Washington 98284-1239

IN REPLY REFER TO:

L76

July 29, 2003

Tamara Black
U.S. Fish and Wildlife Service
Western Washington Office
510 Desmond Drive SE, Suite 102
Lacey, Washington, 98503

Dear Ms. Black:

The National Park Service (NPS), North Cascades National Park Service Complex (NOCA) and the Washington Department of Fish and Wildlife (WDFW) are currently collaborating on an Environmental Impact Statement (EIS) for mountain lakes fishery management. The EIS will include an assessment of non-native trout stocking and potential restoration of lakes with reproducing populations of non-native trout. The NPS is the lead agency, and WDFW is a Cooperating Agency. In accordance with Section 7 of the Endangered Species Act, we wish to begin informal consultation with your agency so that we may fully evaluate the potential effects of fisheries management actions on federally listed species.

The EIS formally began with publication of the enclosed Notice of Intent on January 16, 2003. Four public scoping meetings were held in March 2003, and we are now working on the Draft EIS. Based on results of internal and public scoping, we have defined the geographic scope of management actions considered in the EIS to include all *natural* (i.e. unregulated) mountain lakes, rivers and creeks in North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area. The EIS will not govern fisheries management in NOCA reservoirs (Lake Chelan, Ross Lake, Diablo Lake, and Gorge Lake) or the Skagit River. These water bodies, however, along with those on adjacent lands will be considered in the watershed-based impact assessment.

We wish to request the most current list of Rare, Threatened and Endangered species that potentially inhabit NOCA, along with any pertinent critical habitat designations. We also understand that the westslope cutthroat trout is being petitioned for listing as Threatened throughout its range. We are very concerned about interbreeding of westslope cutthroat trout and non-native rainbow trout in the Stehekin river watershed, and wish to request any information that may help us in the biological evaluation process for the EIS.



For more technical information on the EIS, call or e-mail Roy Zipp, Natural Resource Specialist at 360-873-4590 extension 31; roy_zipp@nps.gov. You may also wish to visit the website at: www.nps.gov/noca/highlakes.htm.

Sincerely,

Daniel L. Allen
Resource Management Specialist



United States Department of the Interior

FISH AND WILDLIFE SERVICE
 Western Washington Fish and Wildlife Office
 510 Desmond Drive SE, Suite 102
 Lacey, Washington 98503
 Phone: (360) 753-9440 Fax: (360) 534-9331

AUG 26 2003

Dear Species List Requester:

We (U.S. Fish and Wildlife Service) are providing the information you requested to assist your determination of possible impacts of a proposed project to species of Federal concern. Attachment A includes the listed threatened and endangered species, species proposed for listing, candidate species, and/or species of concern that may be within the area of your proposed project.

Any Federal agency, currently or in the future, that provides funding, permitting, licensing, or other authorization for this project must assure that its responsibilities under section 7(a)(2) of the Endangered Species Act of 1973, as amended (Act), are met. Attachment B outlines the responsibilities of Federal agencies for consulting or conferencing with us.

If both listed and proposed species occur in the vicinity of a project that meets the requirements of a major Federal action (i.e., "major construction activity"), impacts to both listed and proposed species must be considered in a biological assessment (BA) (section 7(c); see Attachment B). Although the Federal agency is not required, under section 7(c), to address impacts to proposed species if listed species are not known to occur in the project area, it may be in the Federal agency's best interest to address impacts to proposed species. The listing process may be completed within a year, and information gathered on a proposed species could be used to address consultation needs should the species be listed. However, if the proposed action is likely to jeopardize the continued existence of a proposed species, or result in the destruction or adverse modification of proposed critical habitat, a formal conference with us is required by the Act (section 7(a)(4)). The results of the BA will determine if conferencing is required.

The Federal agency is responsible for making a determination of the effects of the project on listed species and/or critical habitat. For a Federal agency determination that a listed species or critical habitat is likely to be affected (adversely or beneficially) by the project, you should request section 7 consultation through this office. For a "not likely to adversely affect" determination, you should request our concurrence through the informal consultation process.

Candidate species and species of concern are those species whose conservation status is of concern to us, but for which additional information is needed. Candidate species are included as an advance notice to Federal agencies of species that may be proposed and listed in the future. Conservation measures for candidate species and species of concern are voluntary but recommended. Protection provided to these species now may preclude possible listing in the future.



For other federally listed species that may occur in the vicinity of your project, contact the National Marine Fisheries Service (NOAA Fisheries) at (360) 753-9530 to request a list of species under their jurisdiction. For wetland permit requirements, contact the Seattle District of the U.S. Army Corps of Engineers for Federal permit requirements and the Washington State Department of Ecology for State permit requirements.

Thank you for your assistance in protecting listed threatened and endangered species and other species of Federal concern. If you have additional questions, please contact Tami Black at (360) 753-4322 or Yvonne Dettlaff at (360) 753-9582.

Sincerely,



for Ken S. Berg, Manager
Western Washington Fish and Wildlife Office

Enclosure(s)



ATTACHMENT A

August 22, 2003

**LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES,
CRITICAL HABITAT, CANDIDATE SPECIES, AND SPECIES OF CONCERN
THAT MAY OCCUR IN WESTERN WASHINGTON
PREPARED BY
U.S. FISH AND WILDLIFE SERVICE
WESTERN WASHINGTON OFFICE**

(Revised July 14, 2003)

FWS REF: 1-3-03-SP-1754

SKAGIT COUNTY

LISTED

Wintering bald eagles (*Haliaeetus leucocephalus*) occur in the county from about October 31 through March 31.

There are 25 bald eagle communal winter night roosts located in the county.

There are eight bald eagle wintering concentrations located in the county in the following areas: Fidalgo Island; Guemes Island; Skagit River-S. Fork Nooksack River; Skagit River; Skagit-Sauk Rivers; Corkindale Staging Area; Illabot Creek Staging Areas; and Samish Bay.

There are 46 bald eagle nesting territories located in the county. Nesting activities occur from about January 1 through August 15.

Bull trout (*Salvelinus confluentus*) occur in the county.

Canada lynx (*Lynx canadensis*) may occur in the county.

Gray wolves (*Canis lupus*) may occur in the county.

Grizzly bears (*Ursus arctos* = *U. a. horribilis*) may occur in the county.

Marbled murrelets (*Brachyramphus marmoratus*) occur in the county.

Northern spotted owls (*Strix occidentalis caurina*) occur in the county throughout the year.

Major concerns that should be addressed in your biological assessment of the project impacts to listed species include:



1. Level of use of the project area by listed species;
2. Effect of the project on listed species' primary food stocks, prey species, and foraging areas in all areas influenced by the project; and
3. Impacts from project construction (i.e., habitat loss, increased noise levels, increased human activity) that may result in disturbance to listed species and/or their avoidance of the project area.

DESIGNATED

Critical habitat for the northern spotted owl has been designated in Skagit County.
Critical habitat for the marbled murrelet has been designated in Skagit County.

PROPOSED

None

CANDIDATE

Oregon spotted frog (*Rana pretiosa*)

SPECIES OF CONCERN

California wolverine (*Gulo gulo luteus*)
Cascades frog (*Rana cascadae*)
Long-eared myotis (*Myotis evotis*)
Long-legged myotis (*Myotis volans*)
Northern goshawk (*Accipiter gentilis*)
Olive-sided flycatcher (*Contopus cooperi*)
Pacific fisher (*Martes pennanti pacifica*)
Pacific lamprey (*Lampetra tridentata*)
Pacific Townsend's big-eared bat (*Corynorhinus townsendii townsendii*)
Peregrine falcon (*Falco peregrinus*)
River lamprey (*Lampetra ayresi*)
Tailed frog (*Ascaphus truei*)
Western toad (*Bufo boreas*)

ATTACHMENT A

August 22, 2003

**LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES,
CRITICAL HABITAT, CANDIDATE SPECIES, AND SPECIES OF CONCERN
THAT MAY OCCUR IN WESTERN WASHINGTON
PREPARED BY
U.S. FISH AND WILDLIFE SERVICE
WESTERN WASHINGTON OFFICE**

(Revised July 14, 2003)

FWS REF: 1-3-03-SP-1754

WHATCOM COUNTY

LISTED

Wintering bald eagles (*Haliaeetus leucocephalus*) occur in the county from about October 31 through March 31.

There are 24 bald eagle communal winter night roosts located in the county.

There are six bald eagle wintering concentrations located in the county at Lummi Island, Nooksack River-Bellingham Bay, and along the Nooksack River.

There are 48 bald eagle nesting territories located in the county. Nesting activities occur from about January 1 through August 15.

Brown pelicans (*Pelecanus occidentalis*) occur in Lummi Bay in the county.

Bull trout (*Salvelinus confluentus*) occur in the county.

Canada lynx (*Lynx canadensis*) may occur in the county.

Gray wolves (*Canis lupus*) may occur in the county.

Grizzly bears (*Ursus arctos* = *U. a. horribilis*) may occur in the county.

Marbled murrelets (*Brachyramphus marmoratus*) occur in the county.

Northern spotted owls (*Strix occidentalis caurina*) occur in the county throughout the year.



Major concerns that should be addressed in your biological assessment of the project impacts to listed species include:

1. Level of use of the project area by listed species;
2. Effect of the project on listed species' primary food stocks, prey species, and foraging areas in all areas influenced by the project; and
3. Impacts from project construction (i.e., habitat loss, increased noise levels, increased human activity) that may result in disturbance to listed species and/or their avoidance of the project area.

DESIGNATED

Critical habitat for the northern spotted owl has been designated in Whatcom County.
Critical habitat for the marbled murrelet has been designated in Whatcom County.

PROPOSED

None

CANDIDATE

Yellow-billed cuckoo (*Coccyzus americanus*)

SPECIES OF CONCERN

California wolverine (*Gulo gulo luteus*)
Cascades frog (*Rana cascadae*)
Long-eared myotis (*Myotis evotis*)
Long-legged myotis (*Myotis volans*)
Northern goshawk (*Accipiter gentilis*)
Olive-sided flycatcher (*Contopus cooperi*)
Pacific fisher (*Martes pennanti pacifica*)
Pacific lamprey (*Lampetra tridentata*)
Pacific Townsend's big-eared bat (*Corynorhinus townsendii townsendii*)
Peregrine falcon (*Falco peregrinus*)
River lamprey (*Lampetra ayresii*)
Tailed frog (*Ascaphus truei*)
Western gray squirrel (*Sciurus griseus griseus*)
Botrychium ascendens (triangular-lobed moonwort)

ATTACHMENT B

FEDERAL AGENCIES' RESPONSIBILITIES UNDER SECTIONS 7(a) AND 7(c) OF THE ENDANGERED SPECIES ACT OF 1973, AS AMENDED

SECTION 7(a) - Consultation/Conference

- Requires:
1. Federal agencies to utilize their authorities to carry out programs to conserve endangered and threatened species;
 2. Consultation with the U.S. Fish and Wildlife Service (FWS) when a Federal action may affect a listed endangered or threatened species to ensure that any action authorized, funded, or carried out by a Federal agency is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. The process is initiated by the Federal agency after it has determined if its action may affect (adversely or beneficially) a listed species; and
 3. Conference with the FWS when a Federal action is likely to jeopardize the continued existence of a proposed species or result in destruction or an adverse modification of proposed critical habitat.

SECTION 7(c) - Biological Assessment for Construction Projects *

Requires Federal agencies or their designees to prepare a Biological Assessment (BA) for construction projects only. The purpose of the BA is to identify any proposed and/or listed species that is/are likely to be affected by a construction project. The process is initiated by a Federal agency in requesting a list of proposed and listed threatened and endangered species (list attached). The BA should be completed within 180 days after its initiation (or within such a time period as is mutually agreeable). If the BA is not initiated within 90 days of receipt of the species list, please verify the accuracy of the list with the Service. No irreversible commitment of resources is to be made during the BA process which would result in violation of the requirements under Section 7(a) of the Act. Planning, design, and administrative actions may be taken; however, no construction may begin.

To complete the BA, your agency or its designee should (1) conduct an onsite inspection of the area to be affected by the proposal, which may include a detailed survey of the area to determine if the species is present and whether suitable habitat exists for either expanding the existing population or potential reintroduction of the species; (2) review literature and scientific data to determine species distribution, habitat needs, and other biological requirements; (3) interview experts including those within the FWS, National Marine Fisheries Service, state conservation department, universities, and others who may have data not yet published in scientific literature; (4) review and analyze the effects of the proposal on the species in terms of individuals and populations, including consideration of cumulative effects of the proposal on the species and its habitat; (5) analyze alternative actions that may provide conservation measures; and (6) prepare a report documenting the results, including a discussion of study methods used, any problems encountered, and other relevant information. Upon completion, the report should be forwarded to our Endangered Species Division, 510 Desmond Drive SE, Suite 102, Lacey, WA 98503-1273.

* "Construction project" means any major Federal action which significantly affects the quality of the human environment (requiring an EIS), designed primarily to result in the building or erection of human-made structures such as dams, buildings, roads, pipelines, channels, and the like. This includes Federal action such as permits, grants, licenses, or other forms of Federal authorization or approval which may result in construction.





**STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE**

Mailing Address: 600 Capitol Way N – Olympia, Washington 98501-1091 – (360) 902-2200, TDD (360) 902-2207
Main Office Location: Natural Resources Building – 1111 Washington Street SE – Olympia, WA

July 18, 2003

Roy Zipp
North Cascades National Park
7280 Ranger Station Road
Marblemount, Washington 98267

Dear Mr. Zipp:

Enclosed is the information we discussed on the telephone on Wednesday, July 17, 2003. I included more than you probably need. The additional information may help you understand how we process Environmental Impact Statements (EISs). It does not mean that you will need to follow our procedures.

The two sections that concern you for the EIS you are preparing is the list of Elements of the Environment (WAC 197-11-444) and the approach to alternatives and mitigation expectations (WAC 197-11-442(5) and (6)). Remember, this is a non-project action as defined by SEPA because it is a programmatic EIS concerning the overall impacts from fish stocking in high lakes, rather than the actual stocking of a specific lake (a project action). There is a little more flexibility for a non-project action, but as I stated on the phone, often local issues may get overlooked in a NEPA document.

While some issues are not significant enough to be mentioned in a NEPA EIS, there may be some specific items that do cause concern. An obvious example would be if a National Park decided to spray Bt along their borders to prevent gypsy moth infestation. The County may have designated in their Comprehensive Plan a critical area along side one of those parks whereby they were protecting a prairie habitat that sustained state candidate butterflies. Another example is that the Park may decide to open access to tour groups, but the road into the park is a two-lane road by a school.

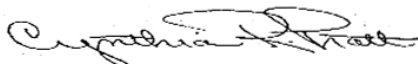
It doesn't look like this programmatic will trigger local issues, but look over the documents I have enclosed to be sure. I also sent information as to how SEPA adopts a NEPA document. If it is an EIS, it is fairly straight-forward in that, once determined that the NEPA EIS is adequate (and has not been appealed unfavorably or has not received a poor rating by EPA), then the adoption may be completed with a seven-day waiting period before action occurs. This means

Roy Zipp
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a review period is not necessary because the NEPA EIS has already been sent out for review. An Environmental Assessment, on the other hand, does require a SEPA review period (usually 14 days, but could be longer).

I hope this information will help you with the EIS. If you need to contact me, my phone number is (360) 902-2575. I can also be reached by e-mail at prattcrp@dfw.wa.gov. Please keep me informed as to the progress of the EIS. I will need to review it after it is final so that I can adopt it.

Sincerely,



Cynthia R. Pratt
SEPA/NEPA Coordinator
Habitat Program

Enclosures

cc: Rich Costello, RHPM, Region 4

