Responses to Comments - Animals

On February 5, 2002, proposed revisions to the vertebrate specie on the Regional Forester's Sensitive Species list were distributed internally and to partner agencies for comment. On October 18, 2002, proposed revisions for invertebrate and plant species were distributed for comment. A final review was completed in April 2003 by a panel established by the Regional Leadership Team for that purpose.

A separate summary table presents each species evaluated, with an indication of who provided comment and whether or not the comment supported the draft recommendation for the species. In this document, for cases where at least one reviewer advocated a change, we have distilled the reasons presented by the reviewers, and presented our response and final recommendations for the animals (vertebrates and invertebrates). Responses to comments on the plants are available in a separate document.

PROPOSED SPECIES: MAMMALS

1. **Fisher:** Bighorn NF, Shoshone NF, and Wyoming G&F disagreed with sensitive status. Bighorn reported only one record from the Forest and believe presence there to be highly unlikely. Shoshone stated they have only two historical records, both from the early 1920's near the Montana border. Further, only two records exist from Yellowstone, immediately to their west. WG&FD offered the same argument, stating that historically the species was limited to Greater Yellowstone ecosystem, with very few questionable records from Bighorn and Medicine Bow NFs.

   Response: This information strongly indicates lack of a current or historical resident population of this species within R2. Therefore, we withdrew the fisher from the revised sensitive species list.

2. **Marten:** The Black Hills, GMUG, PSICC, and Rio Grande NFs seemed to agree with listing. The Bighorn (apparently) and White River NFs disagreed. Comments by the Bighorn centered on its G5S3 ranking and status as furbearer. White River stated that they have plenty of habitat and expect it to increase.

   Response: This species has wide distribution in the Region, but is vulnerable to loss of late successional forest and fragmentation due to logging, roading, and other management actions. After review of the species evaluations, rationale for sensitive status, and comments, we affirmed the original recommendation to list the species as sensitive.

3. **Pygmy Shrew:** Black Hills, GMUG, PSICC, and Rio Grande NFs seemed to concur. The White River NF and South Dakota Heritage disagreed. White River argument was based on the assumption that most pygmy shrew habitat is within Wilderness, or is otherwise well protected through WCP Handbook guidelines. SD Heritage did not provide a rationale.

   Response: The species is a glacial relict, restricted to specific high-quality, high elevation wetland habitats. Recreation, livestock grazing, and other activities that are allowed in Wilderness may impact these habitats. The WCP Handbook provides best management practices, which allow some degradation of habitat and are focused

primarily on physical and chemical, rather than biological, characteristics of watersheds. The rarity of the species and its association with habitats that may be vulnerable to management activities indicate that it merits sensitive status. Therefore we affirmed the original recommendation to list the species as sensitive.

4. **River Otter:** ARP, GMUG, PSICC, Rio Grande, and San Juan NFs, Nebraska Game and Parks, and Wyoming G&F all concurred with recommendation to list. The Bighorn and White River disagreed. White River's argument centered on lack of documentation on the Forest since CDOW reintroduction, reporting only 2 records in the last 10 years, and on their belief that WCP Handbook provides adequate protection for riparian habitats. Bighorn arguments included lack of current occupation, belief that FS actions are unlikely to affect otter habitat, and its G5S3 ranking. The species is native to the Bighorn and they acknowledge that aggressive reintroduction is likely needed to reestablish river otters in many areas.

   Response: The species remains rare in the Southern Rockies and is listed as endangered by the State of Colorado. Both the species and its habitat clearly remain vulnerable in this part of its range, with some risk factors that are not addressed by the WCP Handbook. After review of the species evaluations, rationale for sensitive status, and comments, we affirmed the original recommendation to list the species as sensitive.

5. **White-tailed Prairie Dog:** The GMUG and Cheyenne Field Office of the USFWS agreed, Wyoming G&F disagreed with sensitive status. The argument against sensitive status was that the species is not a concern on National Forest System lands in Wyoming.

   Response: After review of the species evaluations and rationale for sensitive status, we concluded that there are legitimate concerns related to management on NFS lands, and affirmed the original recommendation to list the species as sensitive.

SPECIES NOT PROPOSED AS SENSITIVE: MAMMALS

1. **Spotted Bat:** The Black Hills, GMUG, Rio Grande NFs agreed with the draft recommendation not to list the spotted bat, while the ARP and San Juan NFs, Wyoming G&F, and USFWS/Cheyenne Field Office all advocated that it be given sensitive status. One commenter stated that there is suitable roosting habitat on the GMUG and no surveys have been done that would support the conclusion that spotted bats are unlikely to roost or breed on the Forest. The San Juan similarly supported listing and reported that some suitable roosting and foraging habitat is found on the Forest. They also pointed out that cliff roosting habitat is vulnerable to rock climbing, raptor surveys, archaeological exploration, etc; and that foraging habitat is vulnerable to human modification. Wyoming G&F is concerned about restricted distribution and numbers, and ongoing significant habitat loss. FWS/Cheyenne FO believes some protection by FS is warranted.

   Response: We have differing opinions among the Forests on the advisability of listing this species. Available information demonstrates rarity, limited distribution, low reproductive potential, and susceptibility to habitat modification and loss, and therefore we concluded that this species merits sensitive status.

2. **Cave/Mine Dwelling Bats (big brown bat, little brown bat, long-eared myotis, long-legged myotis, northern myotis, western small-footed myotis):** Wyoming G&F recommends listing these species, each of which is considered to be a species of special concern in Wyoming, since cave and mine-dwelling bats are vulnerable to habitat and colony loss.

   Response: Although the argument has merit, the available information did not indicate that these species are experiencing downward population or habitat trends across the region. We affirmed the original recommendation that these species do not warrant sensitive status.

3. **Gunnison's Prairie Dog:** The ARP NF noted that with the continuing downward plight of prairie dogs generally, it would be advisable to include Gunnison's prairie dog.

   Response: An evaluation should have been done on this species, but apparently it was missed in the screening process. Existing information (e.g., National Wildlife Federation's 2002 status report) demonstrates legitimate concerns for this species that are at least as great as for the white-tailed prairie dog. After review of available information, we concluded that this species merits sensitive status and it should be added to the revised list.

4. **Ringtail:** Both the ARP and San Juan NFs seemed to disagree with the decision to remove the ringtail from the Regional list. Both expressed concern about continued degradation and loss of low elevation riparian habitats. They recommended retention on list pending better information on population trend and cause and effect relationships related to FS management activities.

   Response: A case must be made to place a species on the revised list using the Regional criteria and process, without regard to whether the species is on the current list. After review of the available information, which indicates that this species is expanding its range despite impacts to low elevation riparian habitats, we affirmed the decision not to recommend this species for sensitive status.

5. **Dwarf Shrew:** The ARP, Black Hills, San Juan, Wyoming G&F, and FWS/Cheyenne FO all advocated listing as sensitive. All pointed out that information on habitat vulnerability and trends and population trends is scant, and does not inspire confidence that populations are secure, and therefore it should remain on the list. Wyoming mentioned its restricted distribution, believes its habitat is vulnerable, but stated that populations are relatively stable. FWS argued that the shrew is known from only a few scattered isolated locations within its range, and that FS exerts significant management control over the species' habitat.

   Response: A case must be made to place a species on the revised list using the Regional criteria and process, without regard to whether the species is on the current list. After review of the evaluations, rationale for recommendation and the comments, we affirmed the decision not to recommend this species for sensitive status.

6. **Abert's Squirrel:** The ARP and GMUG both supported listing of this species. The GMUG agreed with the rationale for the Front Range, but believes a different situation is found on the western slope and Cochetopa Pass country, where habitat alteration has led to small, patchy, and vulnerable populations. They have noticed no population expansion in the last

10 years. The ARP expressed considerable concern because of the large-scale alteration of Front Range ponderosa pine habitat due to development on private land, high road densities, and fire exclusion.

Response: After review of available information in the evaluations and comments, we affirmed the original recommendation not to list the species as sensitive. This species should receive strong consideration for MIS or other emphasis status by forests with substantial ponderosa pine communities and landscapes that are highly altered or at-risk.

7. **Northern Flying Squirrel:** The Black Hills NF and South Dakota Heritage both argued that this species should be listed, based on its status in the Black Hills. Both suggested that subspeciation is likely, but that the work has yet to be done to support that belief. South Dakota Heritage also makes a strong case for extensive loss of habitat in the Black Hills.

   Response: Although the isolated population in the Black Hills may indeed ultimately prove to be a distinct subspecies, an as-yet undescribed taxon cannot be considered for R2 sensitive status. Available information does not indicate that downward trends and substantial risks are prevalent for the species elsewhere in the Region. We therefore reaffirmed the original recommendation that the species not be listed as sensitive. This species should be considered for other emphasis lists on the Black Hills NF.

8. **Bear Lodge Meadow Jumping Mouse:** South Dakota Heritage recommended that this species be added to the sensitive species list.

   Response: This is a regional endemic of the Black Hills, found in riparian zones. While there are the usual generic threats postulated for a riparian species (e.g., grazing and noxious weeds), we found nothing to indicate that populations are vulnerable, or that there are known or projected declines in habitat or population trends. Therefore we concluded that it does not merit sensitive species status. However, because it is a riparian obligate with the potential for effects by FS actions, we recommend that it be considered for other emphasis species.

PROPOSED SPECIES: BIRDS

1. **American Bittern:** While 6 reviewers agreed with the recommendation to list, Wyoming G&F and FWS/R6 Migratory Bird Office (perhaps) disagreed. The Wyoming G&F argued that there is no or limited occurrence of the species and preferred habitat within the region. FWS, considering status throughout their Region 6, stated: "while secretive and often missed on surveys, they have stable populations and threats which are not considered substantial." Subsequently, the recommendation for sensitive species status was nominated for final review by the RLT panel.

   Response: We agree that this species is poorly monitored by existing protocols, so there is substantial uncertainty regarding its distribution, abundance, and population trend. Nevertheless, available information demonstrates historical downward trends in its wetland habitat and the potential for continuing impacts to its habitat, including the surrounding uplands used for foraging (high confidence). **Sensitive** status is warranted.

2. **Black Tern:** While 3 reviewers concurred, Wyoming G&F and the White River NF disagreed with the preliminary recommendation. Wyoming argument was the same as for

American bittern. The White River argued that primary life cycle activities occur off NFS lands and therefore FS activities will have little influence on the species. USFWS/MBO produced an assessment for this species in 2001 and concluded that the species did not warrant inclusion on the Birds of Conservation Concern list. Subsequently, the recommendation for sensitive species status was nominated for final review by the RLT panel.

Response: FWS status reviews show declining populations in CO and NE, with trend unknown in SD, WY and KS. BBS data show survey-wide declines of 61% over the past 30 years. Very small and localized breeding populations are vulnerable. Habitat trend is downward (medium confidence). Habitat loss and conversion are cited as the primary threat to the species. **Sensitive** status is warranted.

3. **Brown Creeper:** While 6 reviewers supported sensitive status, the Bighorn, Black Hills, and White River NFs and FS Region 1 disagreed with listing this species. Officially, Wyoming G&F agrees with listing, although one of their biologists suggested "other emphasis." Wyoming relied on state PIF Level II status and primary distribution on NFS lands as justification. Region 1 references upward population trends for the creeper. WRNF pointed to adequate late-successional habitat that is expected to increase in the future. Black Hills pointed to all evaluation criteria having B or C ranks, thereby not justifying listing. Bighorn considers the creeper common, which is supported by lack of serious concern by Wyoming PIF and its G5S4 rankings. In addition, roadless rules, reductions in logging, and trend to maturing forests combine to argue against listing. On the other hand, FWS/MBO seemed to agree with the listing, based on limited distribution and habitat, and the influence FS has on the management of that habitat. Subsequently, the recommendation for sensitive species status was nominated for final review by the RLT panel.

   Response: This species is widely distributed (G5) but not abundant. It is dependent on large-diameter ponderosa pine, spruce and Douglas-fir snags with loose bark for foraging and nesting. It is also associated with interior forest conditions. Past logging in old growth forests, especially in ponderosa pine communities, has likely diminished availability of habitat. However, there is no strong evidence of population decline. Forests should consider this species for **Other Emphasis** lists.

4. **Harlequin Duck:** Five reviewers agreed with sensitive status, with the only clear disagreement coming from the Bighorn NF. Disagreement was based on the peripheral status in R2 and lack of occurrence in most of the Region.

   Response: While Region 2 is on the periphery of the distribution of this species, historically the harlequin duck may have occurred more broadly in the mountainous portions of the Southern Rockies. They have been apparently extirpated by widespread degradation of the high quality mountain stream environments required by the species. Our evaluation indicates breeding on the Shoshone, and there is a small possibility of a residual population in the San Juans. Management actions such as mine reclamation may offer an opportunity for restoration of the species. We concluded that the recommendation for **sensitive** status should be affirmed.

5. **Ferruginous Hawk:** Five reviewers expressed agreement, while the White River NF disagreed. The White River NF commented that listing may be appropriate for grassland units, but not necessarily for forested units, based on lack of breeding habitat.

   Response: Review of the evaluations and rationale indicate that this species clearly meets the criteria for **sensitive** species status in Region 2, and therefore we affirmed the original recommendation.

6. **Loggerhead Shrike:** Four reviewers agreed, while the White River disagreed. White River stated that listing may be appropriate for grasslands units, but not necessarily for forested units. They believe that risks to the species do not generally come from FS management activities, except on some grasslands units.

   Response: We reviewed available information, which clearly demonstrates the importance of shortgrass prairie and desert scrub habitats for this species. Review of BBS data indicates that while slight population increases have occurred in some parts of the Northern Great Plains, the species has shown equal and extended declines (with moderate to high confidence) across the majority of its range. We concluded that **sensitive** status is warranted.

7. **Chestnut-collared Longspur:** Three reviewers agreed, while the Black Hills NF expressed a dissenting view. Their position is that species status overall is reasonably strong, most habitat loss is a consequence of native prairie conversion, and such conversion is not happening on NFS lands. Therefore, FS is not contributing to species vulnerability.

   Response: The distribution of this species is limited to the Northern Great Plains, with a comparatively restricted breeding range. BBS data appear to show declines throughout most of its range in Region 2, although confidence in the trend data is moderate at best. Region 2 manages a substantial amount of the habitat for this species, and FS management activities (grazing, fire use and suppression, etc.) influence suitability of its breeding habitat. While habitat loss on private lands is considered to be the primary threat to this species, NFS lands can make an important contribution to its conservation. We therefore affirmed the original recommendation for **sensitive** status.

8. **McCown's Longspur:** Three reviewers concurred, but the Black Hills NF expressed a dissenting view, with much the same argument as presented for chestnut-collared longspur. They do not believe the evaluation rankings support sensitive species status.

   Response: Similar to the chestnut-collared longspur, downward habitat trend, particularly habitat loss on private land, is the primary concern for this species. Please refer to the response for chestnut-collared longspur, above. As we explained above for brown creeper, the underlying data and information, rather than the rankings *per se*, were used to formulate recommendations. Our review of available information indicates that this species does meet the criteria for **sensitive** status, and therefore we affirmed the original recommendation.

9. **Northern Goshawk:** Five reviewers concurred, while the Black Hills and White River NFs disagreed with the decision to list. Black Hills NF argued that the species is widespread and the data point to stable populations. The White River NF stated that quality nesting habitat on the Forest is stable or increasing; species is a generalist in its foraging habits; is not

impacted by fragmentation; and territorial behavior leads to naturally dispersed pattern of occupancy. Furthermore, FWS decided *not* to put this species on its Birds of Conservation Concern list.

Comment: Our interpretation of The Wildlife Society's status review is that a declining population trend could not be inferred from combined study results, and the trend is best described as unknown (vs. stable). FS land management activities have the potential to directly affect the goshawk through both habitat alteration and disturbance. After reviewing the evaluations, rationale, and comments, we concluded that the original recommendation for **sensitive** status should be affirmed.

10. **Northern Harrier:** Six reviewers concurred, while the Bighorn NF and Wyoming G&F disagreed with the proposal to list. The Bighorn argued the species is stable and secure in Wyoming. Wyoming G&F argument was based on widespread distribution and population stability. Subsequently, the recommendation for sensitive species status was nominated for final review by the RLT panel.

    Response: Although this species is widely distributed (G5), BBS data indicate downward population trends throughout the western U.S. and Region 2. FS actions such as livestock grazing affect habitat quality for the northern harrier (undisturbed wetlands or grasslands with tall dense vegetation and high residual cover). The species is a priority species in the CO Partners in Flight bird conservation plan, and is identified as a bird of conservation concern by the U.S Fish and Wildlife Service (2002). **Sensitive species** status is warranted.

11. **Olive-sided Flycatcher:** The Bighorn and White River NFs dissented, with 4 NFs concurring. White River based its dissent on stable or increasing quality habitat on the Forest and major risks being on wintering grounds, beyond FS control. Bighorn based its argument on lack of a ranking of concern either by Heritage or PIF in Wyoming. On the other hand, FWS/MBO seems to agree with the listing, based on limited distribution and habitat, and the influence FS has on the management of that habitat.

    Response: Dissenting comments were based solely on status in Wyoming. Continent-wide population trends are substantially downward over a 30-year time frame. The recent FWS status review identified habitat loss or alteration on wintering grounds in Central and South America as the likely cause. Nevertheless, there is a clear linkage between NFS land management and breeding habitat quality, which can influence productivity and rate of population change. We therefore affirmed the original recommendation for **sensitive** status.

12. **Boreal Owl:** The only counter-argument is from the White River, based on habitat status on that Forest. FWS notes that they decided *not* to place the species on its Birds of Conservation Concern list (2001).

    Response: The arguments did not provide new information on status at the Regional level. After reviewing the evaluations and rationale for recommending **sensitive** status, we affirmed the original decision.

13. **Flammulated Owl:** The Bighorn and White River NFs disagreed with the proposal to list, while 3 NFs concurred. White River believes the primary risks to species occur off NFS

lands and that FS has little ability to positively impact the species. The Bighorn NF was skeptical of trend determinations, in comparison to Heritage rankings.

Response: We believe that most breeding habitat occurs on NFS lands. This species is closely associated with large-diameter ponderosa pine habitat and snags, which have been affected by FS management actions in the past and are likely to continue, particularly with the current emphasis on fuels treatments and stand density reduction under the National Fire Plan. Heritage Program rankings at the state level are based strictly on numbers of occurrences and may not provide a reliable basis for establishing conservation priorities, especially when counter to inferences drawn from well-established habitat relationships. After reviewing the evaluations and rationale for recommending **sensitive** status, we affirmed the original decision.

14. Purple Martin: Counter-arguments were made by the Bighorn, Black Hills, and Wyoming G&F. The Bighorn pointed to Heritage rankings that don't demonstrate concern, its broad occurrence beyond R2, and R2 peripheral status. Black Hills pointed to species resilience or plasticity in using human developed and agricultural lands, and recommended status as a species of local concern instead. Wyoming G&F argument is based solely on limited breeding in Wyoming. FWS decided *not* to place the species on its Birds of Conservation Concern list (2001).

Response: BBS data exhibit a statistically significant continent-wide population decline for the species. Unlike their eastern counterparts, the western subspecies of purple martin does not readily accept artificial nesting substrates, their population trends are unknown but postulated to be declining, and their nesting habitat is strongly associated with aspen stands, which are patchily distributed. Because western purple martins typically occur in small colonies (less than 5 pairs) that are widely scattered and often isolated from neighboring pairs, vulnerability to local extirpation is high. In addition, fidelity to nest sites is high, resulting in a low ability to respond to loss of preferred nesting trees by colonizing other areas. After reviewing available information, we affirmed the original recommendation for **sensitive** status.

15. Pygmy Nuthatch: Six reviewers agreed, Region 1 and the Black Hills disagreed. Region 1 cited USFWS data that show a population increase. Black Hills pointed to the B/C rankings in our evaluation and referred to the species as "common". Subsequently, the recommendation for sensitive species status was nominated for final review by the RLT panel.

Response: This species is a year-round resident that is strongly associated with mature ponderosa pine forests, although it also occurs in pinyon-juniper and lodgepole pine, and with large-diameter snags. Population trend data are ambiguous for this species. Mature ponderosa pine forest has been targeted for timber harvest due to its high value and accessibility. Fuels treatments under the national fire plan could reduce the number of large diameter standing snags if protective measures are not rigorously implemented. Because of the potential direct effects of FS management actions, Forests should consider this species for **other Emphasis species** lists.

16. Greater Sandhill Crane: Five reviewers agreed, Bighorn and Black Hills NFs disagreed. Bighorn believes that Heritage rankings (G5S4B, globally and in Wyo.), and Wyo. PIF rank

(Level 3) do not justify sensitive status, and recommended species of local concern on affected Colorado Forests. Black Hills felt that discussion in our evaluation did not support listing. At the same time, they state that arguments presented through additional information in our rationale statement do support listing.

Response: Available information indicates that population trends are relatively stable. Although habitat loss and conversion on private lands in valley floors is of concern, habitat on NFS lands appears to be stable with no significant threats identified. Recent genetic analysis of sandhill cranes (Rhymer et al. 2001) demonstrated that there is genetic differentiation among all subspecies except *G. c. tabida* and *G. c. rowani*, which are indistinguishable. This may result in a change to the Heritage Program ranking for *G.c. tabida*, which is currently S2B,S4N in CO. If the two subspecies were combined, this would further increase our confidence that populations are large and relatively stable. Based on the above information, we concluded that sensitive species status is not warranted. On Forests with important nesting habitat and staging areas, this species should be considered for inclusion on **other emphasis** species lists.

17. **Baird's Sparrow:** Wyoming G&F disagreed with the proposal based on the very limited occurrence of the species in Region 2. FWS/MBO does not make a recommendation, but bolsters Wyo G&F argument. They say that only sporadic breeding occurs as far south as Ft. Pierre. Subsequently, the recommendation for sensitive species status was nominated for final review by the RLT panel.

    Response: There is evidence of consistent long term downward trends in the population, along with evidence of significant habitat loss. This is a high priority PIF species, and both R1 and R2 have it on their sensitive species lists. However, comments from the Nebraska NF documented that the breeding range of this species does not appear to extend southward onto NFS lands in R2. There is little opportunity for management actions on NMFS lands in R2 to influence the species, and therefore it is **not of concern** in this region.

18. **Brewer's Sparrow:** Bighorn and Black Hills disagreed. Bighorn cited G5S3 ranking as possibly insufficient basis, yet acknowledged regional habitat declines. Black Hills argued that B and C ranks do not support listing, and that FS activities will have little effect on the species. Yet they acknowledge population declines throughout the U.S., including Colorado and Wyoming.

    Response: We disagree that FS actions have little effect on this species. The FS manages significant amounts of habitat in Region 2, and activities such as grazing and National Fire Plan projects have and will continue to influence habitat quality for this species. BBS data show highly significant declines all across its range in North America, including core areas. This illustrates the danger in relying exclusively on Natural Heritage Program ranks that are based solely on the number of occurrences statewide. After reviewing the evaluations and rationale, we affirmed the recommendation for **sensitive** status.

19. **Cassin's Sparrow:** Only the Black Hills dissented, arguing that our rationale does not provide sufficient basis to support the recommendation.

Response: We agree that the rationale statement is weak and should be re-written. BBS data show significant population declines range-wide and in CO, the only portion of Region 2 where sufficient information exists to draw reasonable conclusions. It is estimated the CO may host 20% of the US breeding range of this species. FS management can and has clearly influenced habitat quality within occupied range of this species. We concluded that the original recommendation for **sensitive** status should be affirmed, and will revise the rationale to more effectively present the basis for the recommendation.

20. **Grasshopper Sparrow:** Three reviewers concurred. The Bighorn NF disagreed, based on Wyoming G5S3 rank. Black Hills NF cited contradictory information in the evaluation.
    Response: BBS data show this species is declining across its extensive North American range, including core areas in mid-west prairie. Population trend data and potential for FS activities to influence habitat quality are ample to justify sensitive species status. See also our response to comments on Brewer's sparrow regarding Heritage Program ranks. We concluded that the original recommendation for **sensitive** status should be affirmed and will revise the rationale to more clearly portray the basis for our recommendation.

21. **Sage Sparrow:** FWS/MBO states only that this species did not make its Birds of Conservation Concern list (2001).
    Response: After reviewing the evaluations, rationale, and comments, we affirmed the original recommendation for **sensitive** status.

22. **White-faced Ibis:** Rio Grande, White River, and Wyoming G&F dissented with the recommendation to list. The Rio Grande says there are no occurrence records on the Forest. Likewise, the White River points to only incidental use of NFS lands by the ibis. Wyoming refers to limited occurrence of species and preferred habitat on NFS lands in Region 2. FWS decided *not* to place the species on its Birds of Conservation Concern list (2001)
    Response: We agree that the vast majority of breeding pairs in CO nest in the San Luis Valley, well removed from NFS lands. For the past 4 years, the Monitoring Colorado's Birds interagency partnership has attempted to inventory, map and census all colonial waterbird nesting locations in CO, and no new ibis sites have been found; they believe that there is low potential for undiscovered breeding sites on NFS lands. In WY, status is less well known, but again it is likely that the majority of potential breeding habitat is not on NFS lands. After reviewing available information including the evaluations, rationale, and comments, we agree that **sensitive** species status is not warranted.

23. **White-tailed Ptarmigan:** Four reviewers agreed, while the White River NF disagreed. They cite over 250,000 acres of *potential* habitat for the species on the Forest, few management activities affecting their habitat, and Forest-wide standards and guidelines in the Revised Forest Plan to protect alpine ecosystems "for most of the activities that have the most potential to affect ptarmigan."
    Response: The primary concern for ptarmigan habitat is not alpine breeding habitat, but rather subalpine wintering areas. These willow habitats are often popular winter recreation areas (both motorized and non-motorized). Ptarmigan are known to have low reproductive rates, high local site fidelity, and low dispersal capability, suggesting a

greater degree of vulnerability to disturbance. Recent research by the CDOW has demonstrated that some ptarmigan populations in CO have very low reproductive rates and high adult mortality due to cadmium toxicity. Populations most at risk occur in areas that have a long history of mining activities, and population maintenance is doubtful in some of these areas. After review of available information, we concluded that **sensitive** species status is warranted and we affirmed the original recommendation.

24. Lewis's Woodpecker: Region 1 seemed to question this listing based on insignificant declines in population numbers.

Response: BBS data show declining populations in the Colorado plains riparian habitats, but increasing populations in the southern ponderosa pine populations that comprise the bulk of woodpeckers on NFS lands in CO. However, this trend information is weak at best. The species evaluation presented a high degree of concern for downward habitat trends and habitat vulnerability to FS management. After review of available information, we affirmed the recommendation to list as **sensitive**.

25. Three-toed Woodpecker: Bighorn and White River disagree. The White River believes management activities will improve habitat and benefit the species. Black Hills NF did not believe Heritage rankings strongly support listing, and that timber harvesting and salvage logging will decrease on NFS lands. They agreed that National Fire Plan projects may improve habitat.

Response: BBS data do not provide solid indication of population trend for this species. As the evaluation pointed out, it is logical to assume that habitat quality has declined in Region 2 and across its range over the past 100 years. As a species that is strongly associated with stand-replacing disturbance events, it is likely that FS fire and pest management practices will discourage such events and attempt to limit the acreage of spruce-fir or lodgepole pine stands affected. Conifers weakened or killed by fire or insects are typically targeted for removal by salvage harvest, directly affecting habitat quality for this species. After review of available information, we affirmed the original recommendation for **sensitive** status, and will clarify the rationale statement as needed.

26. Yellow-billed Cuckoo: Wyoming G&F dissents, arguing that the species and its habitat are limited in the region (R2? Or Wyoming?). FWS questions listing the entire species, stating that the eastern "subspecies" is common and widespread. Subsequently, the recommendation for sensitive species status was nominated for final review by the RLT panel.

Response: One forest suggested listing only the western subspecies as sensitive. The western subspecies is a candidate for listing under ESA. Although it is generally agreed that the eastern subspecies is doing considerably better than the western, the species has declined dramatically throughout its range in North America. It is clearly more abundant along the eastern plains bottomland river corridors, but its habitat is patchy and highly fragmented, presenting a high potential for local extirpation especially in the western portion of Region 2. Loss of structure and function of riparian woodlands, use of pesticides that reduce availability of tent caterpillars and sphinx moths, removal of understory by livestock grazing, water diversions and flood control have reduced the habitat for this species. **Sensitive species** status is warranted for the species as a whole.

SPECIES NOT PROPOSED AS SENSITIVE: BIRDS

1. **American Dipper:** South Dakota Heritage makes an argument for listing. First, they point out the extensive decline of the species in the Black Hills. Secondly, they argue that our rationale for the Harlequin Duck is equally appropriate for the dipper. While the dipper currently remains fairly widespread, it is dependent on high quality mountain streams, habitat that continues to be degraded in many locations. They project long-term declines in the species.

   Response: BBS data do not indicate population declines, although state-level data for this species are unreliable in estimating population trend. We agree that this species is dependent on high quality mountain stream habitat. However, FS actions are unlikely to significantly affect the relative abundance or distribution of this species on anything other than local scales. While the harlequin duck was largely extirpated from Region 2 streams early in the 20th century, dippers have remained relatively common throughout their original range. The species should be considered for **other emphasis** species lists, and specifically as a potential MIS at the forest level.

2. **Common Loon:** The San Juan NF presents an argument for listing, based on the need to protect migratory stopover habitat in the Region outside the species breeding range.

   Response: The argument to list in order to protect migration habitat is not persuasive. Loons migrate well before recreational boating season gets underway, and very few suitable lakes occur on NFS lands in Region 2. The only breeding population in Region 2 is small, isolated, and limited to the Shoshone. After reviewing available information, we affirmed the original recommendation that the species not be listed as sensitive, but be considered by the Shoshone NF for **other emphasis**.

3. **Golden-crowned Kinglet:** The ARP and San Juan NFs and Wyoming G&F all recommended listing. The ARP argues that the kinglet probably should be retained because of its dependency on late-successional stage forest and the fact that it is far easier to monitor than other late-successional stage species. The San Juan believes our rationale stating "this species is likely sensitive to forest management strategies and developmental patterns that fragment or degrade late-successional spruce-fir forest" is a compelling argument to list. Wyoming only cites Wyoming PIF Level II status and the predominance of habitat as occurring on NFS lands.

   Response: BBS population trend data are inconclusive. The species evaluation indicated habitat trend is stable and vulnerability moderate. While it is true that the species is associated with mature and late-successional spruce-fir forests, arthropod abundance is likely the most important factor affecting the species. The ARP's argument lends credence to MIS status. We affirmed the original conclusion that the species does not merit sensitive status and is not of concern.

4. **Franklin's Gull:** We did not evaluate this species, but the Medicine Bow-Routt NF recommends listing because of its Wyoming PIF Level I status.

   Response: Status and trend of this species appears to be variable across its range, showing both increases and decreases. Areas managed by Region 2 appear to be

increasing, but there is low confidence in these population trend estimates. A widely distributed species, Region 2 is on the periphery of its range. We did not find evidence that management of NFS lands is expected to negatively affect the species. We concluded that the species does not warrant sensitive species status and not of concern.

5. **Swainson's Hawk:** The Medicine Bow-Routt NF presents the same argument for this species, that it is on the Wyoming PIF Level I list.

   Response: The Swainson's Hawk has a large breeding range in western and central North America, and winters mainly in southern South America. Numbers have declined in the western U.S. and about half of the former breeding range in California is now vacant. Widespread use of pesticides and rodenticides throughout the range have resulted in declines; recently experienced severe mortality associated with pesticide use in Argentina. The species remains common in some areas of the Great Plains. Easily disturbed during nesting; often abandons nest if disturbed before the eggs hatch. Vertebrates (mainly mammals) dominate the diet during the breeding season; invertebrates (especially crickets and grasshoppers) are common food at other times and sometimes for nonbreeders in summer. While populations appear to be stable in R2, the species is vulnerable to management actions including habitat alteration, disturbance, and reduction of prey base. Therefore, we recommend that this species be considered for **Other Emphasis** Species lists, to provide appropriate management to maintain its continued persistence and reproductive success.

6. **Merlin:** Wyoming G&F recommends listing this species based on their status as a species of special concern in Wyoming and PIF Level II status. They state FS has much of the species' primary habitat.

   Response: This species is holarctic in distribution and is only transient in most of R2. Breeding in R2 is restricted to the northwestern-most corner of Wyoming. Furthermore, its foraging habitat is broad, making specific meaningful conservation efforts in migratory habitat implausible. For these reasons, we affirmed the original recommendation.

7. **Osprey:** The ARP and San Juan NFs recommended retaining this species on the sensitive species list. The ARP pointed to overall rarity in much of this region, vulnerability to disproportionate loss of nests and young because of concentrated or colonial nesting behavior, and increase in recreational disturbance and development at large reservoirs and lakes used by ospreys. In addition to these reasons, the San Juan pointed to the effects of reservoir management during periods of drought, trend away from suitable nest trees, competition with humans for undisturbed nest sites along shorelines, and mortality to human influences, such as entanglement in fishing lines.

   Response: Subsequent to declines resulting from reproductive failure related to pesticides and mercury toxicity, this species has experienced range-wide population increases over the past several decades. It has demonstrated its ability to successfully reproduce on artificial nest structures and in proximity to heavy human activity. Its rarity and site fidelity emphasize the importance of protecting known nesting areas, but there is little else the FS can do to influence habitat amount, quality, survivorship, or reproductive

success. We concluded that the species does not merit sensitive status and affirmed the original recommendation.

8. **Barn Owl:** South Dakota Heritage strongly disputed the premise in our rationale that the species is most abundant in croplands off NFS lands and, therefore, NFS grassland units are not of great importance. SD Heritage claims this assumption is erroneous in its entirety. Their primary prey is voles, a prey species not abundant on cropland. They tie declines in the species directly to loss of native grasslands to cropland conversion.

   Response: Information in the CO Breeding Bird Atlas shows that the vast majority of nests in CO are in arroyo banks associated with irrigated areas or in rural buildings. Johnsgaard (1988) stated that barn owls are scarce in arid areas but more common where pastures or riparian areas are available. In general, small mammals are taken in open country in relation to their availability, indicating they are generalist predators. Nest site availability is probably limiting. Population trend information is difficult to obtain because high annual variability in reproductive output, and the BBS does not sample this species well. We agree that a more in-depth species review may be desirable, but do not see sufficient justification to list the species as sensitive at this time.

9. **Great Grey Owl:** The ARP pointed out that our rationale reads like a recommendation to list, as well as the fact that R4 lists this species.

   Response: We do not agree that the evaluation and rationale make a strong case for sensitive species status. This owl prefers to nest in large-diameter broken-top trees, in proximity to forest openings including meadows, riparian area, and clearcuts. They are known to accept artificial nesting structures and are irruptive in some winters. The species probably only breeds on the Shoshone, where some habitat vulnerability was identified. On balance, after reviewing available information, we concluded that the original recommendation not to list as sensitive should stand.

10. **Long-eared Owl:** SD Heritage disputes our rationale. As with barn owl, Heritage argues the species is a microtine specialist not suited to agricultural lands. They further argue that our rationale for listing the short-eared owl is equally applicable to the long-eared owl. Their biggest consideration was not factored in our assessment of this species. Heritage points out that the species concentrates in areas where microtine prey is at high cycle, thereafter becoming nomadic. Because of this characteristic, landscape level patterns and management considerations are paramount. Mosaics of grasslands, wooded riparian and woody draws at the landscape level are essential to the long-term persistence of the species.

    Response: Although the ranges of the long-eared and short-eared owls are similar, their ecologies are quite different. While the short-eared owl is a grassland obligate, the long-eared owl utilizes a wide variety of habitats including woodlands, forest edges or patches, brushy margins of forested tracts. Optimal habitat appears to be open habitat with abundant prey for foraging, plus nearby forest cover for nesting and conifer cover for roosting. They occur in forest types from pinyon-juniper to spruce-fir. In both CO and WY, they have been shown to be considerably more abundant and widespread than previously thought. Although in some areas there is evidence of declines, overall trends are thought to be relatively stable. They are not particularly sensitive to disturbance,

readily adapt to human environments if prey and nest sites are available, and have high reproductive potential. We concluded that the original recommendation should stand.

11. **Wilson's Phalarope:** MBR recommends listing because of its status as a Wyoming PIF Level I species.

    Response: The status of this bird is not clear. There is a nearly significant decline based on BBS across its range for the 1996-2000 period, but state-level population trend data are unreliable. The species has the widest breeding range of all phalaropes in North America. The species can be abundant in frequently tilled wetlands and there does not appear to be any evidence that light to moderate grazing is detrimental. After reviewing available information, we concluded that the original recommendation should be affirmed.

12. **Mountain Plover:** Wyoming G&F recommends listing due to its species of Special Concern Status in Wyoming and its Wyoming PIF Level I status in Wyoming.

    Response: The rationale for not listing as sensitive is that the species has been proposed for listing under ESA. If FWS should withdraw that proposal, the species will be placed on the R2 sensitive species list.

13. **Upland Sandpiper:** MBR and Wyoming G&F recommended listing due to its status as state Species of Special Concern and Wyoming PIF Level I status. FWS/Cheyenne FO likewise is concerned about its status in Wyoming and Colorado and recommended some level of protection by FS.

    Response: Wyoming and FWS did not present new information. This species has undergone large fluctuations in numbers over the past century. It was very common on the plains in the late 1800s, likely increased in numbers in the east as forests were cleared for agriculture, then crashed around the turn of the century. A subsequent rebound clearly occurred, although not likely to the levels in the late 1800s. The species appears to have continued increasing over the past 25 years in the central U.S. and Canada. We concluded that the original recommendation should be affirmed.

14. **Forster's Tern:** MBR recommends listing because of Wyoming PIF Level I status.

    Response: The species evaluation is at direct odds with other data sources, such as PIF and NatureServe, for instance by indicating the species is a common and widespread breeder in Wyoming. The species is poorly sampled by BBS and state-level trends are highly suspect. At larger scales, the species appears to be relatively stable but confidence is moderate at best. Clearly the number of breeding sites and pairs has dropped over the past century in CO. However, there is no significant habitat for this species on NFS lands. After reviewing available information, we concluded that the original recommendation should be affirmed.

15. **Sage Thrasher:** The ARP questioned why the rationale for the sage thrasher is not the same or similar to that for sage sparrow and Brewer's sparrow, which are recommended for listing. They believe that our rationale statement that the species uses habitats other than sage is misleading.

Response: In contrast to the sage sparrow and Brewer's sparrow, sage thrasher population trends are clearly stable or increasing across most of its range, with moderate to high confidence in the estimates based on BBS data. Locally, CO and WY show stable to increasing populations as well. Compared to the other two species, sage thrashers are more likely to occupy brushy margins, desert shrublands, cactus and some mountain shrublands. We concluded that the original recommendation should be affirmed.

16. **Prairie Falcon, Williamson's Sapsucker, and Red-naped Sapsucker:** FWS/MBO stated only that these are important species in this region and are omitted from our list.
    Response: No information was provided by FWS. All of these species are considered to be widespread and reasonably abundant in suitable habitat in much of Region 2. Population trends of all three are considered stable. No substantive information was found to suggest sensitive status is warranted at this time.

PROPOSED SPECIES: HERPETOFAUNA

1. **Blandings Turtle:** One reviewer concurred, while the Black Hills disagreed with our recommendation to list. They state that the species is secure throughout most of its habitat and is secure in Nebraska, the western edge of its range. They suggest that according to our evaluation criteria, the proper conclusion was inadequate information to make a decision, and that existing information does not demonstrate a viability concern.
    Response: The range of this species in R2 is restricted to the Nebraska and Samuel R.McKelvie NFs, where it is at the western periphery of its range. It is considered moderately threatened range wide, although survey data are scant. It is believed to be secure in NE (S4). Primary habitat threats do not appear to be applicable to NFS lands in SD. The Nebraska NF should consider this species for **other Emphasis Species** lists.

2. **Western Box Turtle:** Black Hills and PSICC disagreed with the recommendation to list. The Black Hills argued that populations appear secure throughout the species range, yet suggests that there are insufficient data to make a recommendation at this time. The PSICC believes that more coordination with states is needed to address threats of over-collection, private land conversion, etc. They recommend that the species be considered one of local management concern by those units where there may be a problem, since the species overall remains common in many areas.
    Response: Although overcollection is outside the jurisdiction of the FS, NFS units provide important habitat and it is possible that they may function as refugia for this grassland species. After reviewing available information, we affirmed the original recommendation for sensitive status.

3. **Smooth Green Snake:** While five reviewers concurred**,** the Black Hills, White River, and SD Heritage all disagreed with our decision to list this species. The Black Hills pointed to language in our evaluation that indicates the species has expanded its range in Colorado, where habitat remains plentiful (Hammerson). They don't believe the evaluation or our rationale justify sensitive species status, but do agree that local management emphasis status may be warranted in some areas. The White River maintains the species is widespread and

secretive, and its habitat is widespread and in a stable or upward trending condition. They don't believe we could improve habitat conditions for the species and that the WCP Handbook provides adequate protection for smooth green snake habitat. SD Heritage has found the species to be widespread in the Black Hills and rather non-specific in its habitat requirements. They suggest a status of local management emphasis would be more appropriate than sensitive.

Response: Overall, this species is widespread and locally common. The evaluation incorrectly states only one population occurs in South Dakota; it occurs in the northeastern and southeastern regions of the state and parts of the Black Hills. The Black Hills population is the eastern subspecies and is most often found in forest habitat. In the remainder of R2, the species is typically associated with riparian and other mesic habitats. There is no information available on population trends in R2, although there have been declines over the past 50 years in the northeastern U.S. Habitat trends are unknown, although there may historically have been some degradation of its riparian habitats. Forests should consider this species for **Other Emphasis** lists.

SPECIES NOT PROPOSED AS SENSITIVE: HERPETOFAUNA

1. Tiger Salamander: Four reviewers concurred with not listing this species as sensitive. The ARP expressed some concerns, regarding missing age groups and non-native stocking, which can severely impact salamander populations. The ARP recommended contacting Dr. Ruth Wiley at the Rocky Mountain Biological Laboratory at Gothic, Colorado.

Response: We contacted Dr. Wiley, but she apparently has little knowledge of the species outside her restricted research area, so could not provide a regional perspective. She confirmed our understanding that the species tends to disappear where trout are stocked into waters not naturally hosting these species. However, several forests reported that the species is common, widely distributed, frequently found in stock ponds and other artificial habitats. There is no indication of downward population or habitat trends, except in relation to fish stocking. We affirmed the original recommendation, with the commitment to improve coordination and develop guidance related to fish releases into waters not formerly occupied by fish.

PROPOSED SPECIES: FISHES

1. Mountain Sucker: The Bighorn NF disagreed with sensitive status due to its G5S5 ranking.

Response: The initial recommendation was that this species did not warrant sensitive status. The state of South Dakota provided additional information and suggested that the species be added to the sensitive species list. In Colorado, the mountain sucker is a state species of concern (S2); it occurs as a disjunct "island population" in the Black Hills of SD; there are very few occurrences in Nebraska (S1); and fish surveys in Wyoming indicate downward trends. Mountain suckers occupy small to medium streams with cool, clear water and gravel substrates for spawning. Primary threats include habitat alteration, specifically increased turbidity and sedimentation due to land management and irrigation practices, and introductions of nonnative fish. After review of available information, the species was recommended for sensitive status (memo of July 11, 2002).

2. **Speckled Chub:** One commenter questioned whether this species occurs on NFS land.
   Response: The speckled chub is a large stream/big river fish, adapted to feeding on sandy substrates in murky water. The species was formerly found in Colorado but is now believed extirpated in that state. In Nebraska and Kansas, it occurs downstream of Region 2 NFS lands. No records are known of this species occurring on either the Comanche or Cimarron NG's. Intensive inventories of plains fishes in the Arkansas River drainage, including the Comanche NG, were undertaken in 1980-81, with no evidence of the speckled chub or other darters occurring on the grasslands. Based on accounts of habitat in other states, we do not have suitable conditions to sustain these fish in R2. Therefore, this species is not eligible for inclusion as a sensitive species and we withdrew it from the revised list.

3. **Southern Redbelly Dace:** One reviewer questioned whether this species occurs on NFS land.
   Response: While the species is widespread in North America, it has apparently declined substantially in R2. It is unclear whether this species was native to Colorado. A couple of individuals were collected prior to 1980 along the main channel of the Arkansas River. During subsequent intensive sampling in the 1980s, not a single specimen was collected. In 1981, a population was found in a railroad ditch in Pueblo that was spring fed with abundant watercress, which is typical of its native habitat. The source of this population is a mystery. At one time, the Cimarron River through the Cimarron NG might have harbored this species, but that river has long been dewatered. Currently, no suitable habitat is apparently available on the Cimarron and little suitable habitat is available on the Comanche NG. This species requires clean, stable, low sediment stream systems. The Colorado DOW is considering reintroductions to reestablish the species to the state. We concluded that the species merits sensitive status.

SPECIES NOT PROPOSED AS SENSITIVE: FISHES

1. **Arkansas Darter:** FWS/Cheyenne FO pointed out that the species is a candidate for Federal listing, but also recognized that it may not occur on NFS land.
   Response: Dave Winters provided additional information on this species. Historical distribution information is extremely limited, but recent sampling efforts by the CDOW and Forest Service on the Comanche and Cimarron National Grasslands did not document presence of this species on NFS lands. Arkansas darters were found in three types of habitats: 1) a warm water stream north of the Arkansas River, Big Sandy Creek; 2) spring seeps and streams adjacent to the Arkansas River and Fountain Creek; and 3) edges of the Arkansas River and Fountain Creek where vegetation and roots from grasses and sedges are abundant. Because of the restricted habitat conditions required by this species and the very limited availability of spring environments, it is very unlikely that appropriate habitat conditions are available, particularly in light of grazing and water developments over the last 100 years. Isolated waters on the Cimarron and Comanche National Grasslands may have potential to provide adequate habitat conditions, but they are not connected to other habitats where genetic flow could occur. Without considerably more evidence that Arkansas darters historically occurred on NFS lands, or that they can flourish in existing habitats, we concluded that this species should not be placed on the sensitive species list.

PROPOSED SPECIES: INSECTS

1. **Dusted Skipper:** The Black Hills notes the preponderance of "D's" in the evaluation form and the assignment of B and C rankings to the remaining two criteria. They believe there is insufficient information to rank at this time.

   Recommend: The species is widespread, some populations are extensive, and Opler states that persistence is not threatened. It appears to have some tolerance for habitat alteration and uses a variety of habitats as adults. However, there is concern over loss of native prairie and bluestem habitats and the fragmenting and isolating effects of these losses. After review of available information, we agreed that the species does not warrant sensitive status. Units with bluestem habitats should considered this species for other emphasis and seek opportunities to restore bluestem habitats.

2. **Great Basin Silverspot:** The WRNF does not believe that any of the 3 criteria for listing have been met based on the evaluation, since there are no *documented* population or habitat declines or threats on NFS lands. Lack of information about species should not be a rationale for listing.

   Response: In the species evaluation, Dr. Opler presents a comparatively clear picture of population isolation, small numbers in the Region, known losses pointing to decline, narrow habitat requirements, and threats to and losses of habitat associated with springs and seeps. The rationale for listing seems solid, and therefore we affirmed the recommendation for sensitive status.

3. **Hudsonian Emerald:** The Bighorn suggests that there may be insufficient information to make a determination at this time. In addition, wetland habitats of this species likely are not subject to development threat on NFS lands.

   Response: The species is known only from two counties each in Colorado and Wyoming. Distribution is disjunct and may be relict. While little is known of population or habitat trends, habitat requirements are highly specific. They require "boggy" ponds, which are highly susceptible to a variety of altering effects. Dr. Opler also believes that the species does not recover well from disturbance. After reviewed the evaluation and rationale, we affirmed the recommendation hat this species warrants sensitive status.

4. **Ottoe Skipper:** The Black Hills concluded during their Phase II Amendment process that there was insufficient information to determine a status for this species at this time due primarily to lack of information on abundance and population trend. They note that our evaluation demonstrated similar lack of knowledge in these criteria. Therefore, they recommend we place in the insufficient information category.

   Response: The species is ranked as imperiled in Colorado, South Dakota, and Kansas (G3N3 rare). It is a prairie species, with abundance or trend data in R2 lacking. However, populations are thought to be small and localized, and habitats have been fragmented. Opler questions long-term security of this species. Habitat conversion, fragmentation, exotics, fire and grazing are existing threats. The species is closely associated with mid to tall grass habitats, which are increasingly rare and highly

fragmented. NFS grassland units could play a role in the maintenance of this species. We concluded that sensitive species status is warranted, and affirm the recommendation.

SPECIES NOT PROPOSED AS SENSITIVE: INSECTS

1. **Hop Feeding Azure:** This species was not considered by R2, but is recommended for addition to our sensitive species list by Colorado Natural Heritage. Occurs only along the Colorado Front Range in 14 known locations, up to 6800 feet. Feeds on the wild hops. Not currently known from NFS lands, but CNHP believes it could be found on lower elevation portions of PSICC. Assumes habitat reduction due to urbanization of the Front Range.
   Response: After reviewing available information, it appears very unlikely that this species occurs on NFS lands, and therefore is not eligible for sensitive species status.

2. **Theano Alpine:** Similar to #1, this species was not considered by R2, but is recommended for addition to our sensitive species list by Colorado Natural Heritage. Populations of this arctic/alpine species in R2 (Colorado and Wyoming) are disjunct from its primary range in the arctic. Furthermore, populations in R2 may be physically and genetically isolated. Approximately 30 known populations in Colorado and Wyoming; many on NFS lands.
   Response: After reviewing available information, we concluded that there is insufficient information to determine whether sensitive status is warranted for this species. This species should be a high priority for further evaluation and data collection.

3. **Tawny Crescent:** We have recommended insufficient information status. The Black Hills recommends we follow their lead for other emphasis status. They also point out inconsistency in our recommendation vs. rationale vs. different lists.
   Response: After reviewing the evaluations and rationale statement, it remains clear why we believe there is insufficient information to make a determination as to sensitive species status. Information, including that from the Black Hills, does indicate at least localized problems. Nonetheless, we affirmed the status of "insufficient information". We agree that the original rationale statement is unclear and needs to be rewritten.

PROPOSED SPECIES: MOLLUSCS

1 & 2. Callused and Mystery Vertigos: The Black Hills references new survey information that more than doubles previously known occupied sites. They rate the species as uncommon, as opposed to "rare" by the Regional evaluation. They also believe the Region inappropriately relied on fossil records, occurrence records of bleached shells, and speculation by Frest and Johannes (1993) to help infer a population decline. Fossil records are from a different climatic period and bleached shells likely resulted from a drift process from other areas. They believe the Region inferred loss of 1993 populations, which apparently remain occupied in 2002. The Revised Forest Plan, as amended by the Phase I decision, provides specific protection to all species of special concern identified by Frest and Johannes, including the vertigos. The Black Hills points out that the Region used this protection as a reason NOT to list the frigid ambersnail as sensitive. That and similar evaluations between the vertigos and the ambersnail are reasons the Black Hills highly recommends "other emphasis" status for these two species.

Response: The Black Hills appears to have misunderstood our use of fossil and bleached shell evidence of distribution. While they feel that we've inappropriately used that information to help infer a population and distribution decline, we used that information in recognizing that through climate change, a once broad distribution during glacial periods has receded during glacial retreat, leaving an apparent relict population in the Black Hills. Relict populations raise concern because they are limited to a very limited and narrow ecological setting that is inherently vulnerable to loss or modification, with concomitant species loss. However, after review of the evaluation, we concluded that there is no clear viability threat or shrinkage of populations and habitat. Endemism and uncommon status seem to indicate some level of attention, and therefore we agree that it should be considered for other emphasis species lists.

Cylindrical papershell – Additional information was provided by the ARP. In Cordiero's 1999 publication, he stated that this was the most common of the three bivalve species in CO at one time; however, none were very common. This species was reported only from the Platte River Basin, and none of the current or historical records appear to be on NFS lands.

Response Since its distribution remains uncertain, we concluded that there is **insufficient information** at this time to determine the status of this species.

SPECIES NOT PROPOSED AS SENSITIVE: MOLLUSCS

1. **Bear Lodge Mountainsnail:** This "undescribed taxon" was not evaluated as part of the revision process, but is under consideration by the Black Hills as a "species" of local concern. While recommended for separation from *O. strigosa berryi*, this taxonomic change has not been peer reviewed or accepted in the scientific community. It is unclear whether the Black Hills is recommending that we add this taxon to that category regionally.

   Response: After reviewing available information, we concluded that no further action needs to be taken with regard to this taxon. Undescribed taxa are not eligible for designation as a sensitive species. This "undescribed taxon" is endemic to the Black Hills and they already are evaluating it for special management status there.

2. **Cooper's Mountainsnail:** FWS expressed concern about removal from current list "without any accompanying descriptions of recommendations or evaluations".

   Response: The evaluation indicates population decline and extirpation, slow or unlikely recolonization, and vulnerability of many occupied sites. Based on the available information, we agree that the original "no concern" recommendation was incorrect, and that the species merits sensitive status.

3. **Frigid Ambersnail:** The Black Hills brings into question the consistency of determinations between the vertigos and the ambersnail.

   Response: After review, we agree that there were inconsistencies between the vertigos and the ambersnail, within the ambersnail rationale itself, and with the stated rationale for not listing. Furthermore, the evaluator raises significant taxonomic questions. Pending clarification of taxonomy, and other uncertainties in the evaluation, we concluded that this species should be placed into the "insufficient information" category.

4. **Hot Springs Physa:** Similar to #1 and 2 (Insects), this species was not considered by R2, but is recommended for addition to our sensitive species list by Colorado Natural Heritage. Only known from hot springs of the Colorado mountains. Little is known of this distribution, but considered uncommon to rare, and highly vulnerable to management of hot springs habitats. CNHP believes FS management of hot springs could be important to continued species viability, and that we should list as a sensitive species.
   Response: CNHP provides a brief but compelling argument. However, we concluded that this species should be designated as "insufficient information" at this time, and that an evaluation should be completed using the R2 process and criteria.

5. **Pahasapa Mountainsnail:** This "undescribed taxon" was not evaluated as part of the revision process, but is under consideration by the Black Hills as a "species" of local concern. It is unclear whether the Black Hills is recommending that we add this taxon to that categorization. While recommended for separation from *O. strigosa*, this taxonomic change has not been peer reviewed or accepted in the scientific community.
   Response: Since this is an "undescribed taxon" we concluded that no further action was needed at this time. This "undescribed taxon" is endemic to the Black Hills and they already are evaluating it for special management status there.

6. **Striate Disc:** FWS expressed concern about removal from current list "without any accompanying descriptions of recommendations or evaluations".
   Response: The species is found in widespread, though small colonies. Frest and Johannes (1993) speculate "on considerable range reduction over recent years". Furthermore, Cordiero states that the species is found only in undisturbed forested sites with minor isolation and minor grazing and logging pressure, at best, with no road proximity (Beetle 1989, Frest and Johannes 1993). Therefore, the original "no concern" recommendation seems questionable. Based on the available information, including consideration of its current wide distribution, we concluded that sensitive species status is not warranted, but that the species should be considered for other emphasis species lists.

Prepared by:
Gary Patton, Wildlife Biologist - Species Conservation Project
Nancy Warren, Regional TES Species Program Leader
Melanie Woolever, Regional Wildlife Program Leader
Chris Schultz, Regional Center of Excellence for Migratory Birds
Vic Starostka, Regional Fisheries Program Leader
Peter McDonald, Assistant TES Species Program Leader
Dave Winters, Regional Aquatic Ecologist