

1 Appendix M

2 **Statement of No Effect for Selected Listed**
3 **Species Potentially Occurring Within Clark**
4 **County, WA, and Multnomah County, OR –**
5 **Columbia River Crossing**

6 This document discusses listed species, and in some cases their designated critical habitats, that could
7 potentially occur in the Columbia River Crossing (CRC) project area, but that analysis has determined
8 would not be affected by the project. Thus, this document states that the CRC project will have **no effect**
9 on these species. Within this document, the term “project area” refers to the project corridor along
10 Interstate 5 in Portland, Oregon, and Vancouver, Washington, and satellite areas related to staging and
11 casting yards. The term “action area” refers to the area of potential effect from all project activities.
12 Section 3.18 of the CRC Biological Assessment (BA) provides details on the extent of the action area.
13 The species addressed in the document are mainly terrestrial, and are discussed relative to their use of and
14 presence in the action area. Details on these species are given below.

15 Species lists covering the terrestrial and aquatic portions of the action area were obtained from the U.S.
16 Fish and Wildlife Service (USFWS) website for Clark County, Washington¹ and for Multnomah County,
17 Oregon.² A species list covering the aquatic portion of the action area was also obtained from the National
18 Marine Fisheries Service (NMFS) website.³ The species lists were most recently obtained in January 2010
19 and are included in Appendix L of the CRC BA.

20 Nine listed species and one critical habitat designation may occur within Clark and Multnomah Counties,
21 but are not addressed in the CRC BA, either because suitable habitat for these species does not occur
22 within the action area or because critical habitat is not designated within the action area. These listed
23 species and designated critical habitats are described below.

24 **Columbian White-Tailed Deer (*Odocoileus virginianus leucurus*)**
25 **Columbia River DPS – Endangered**

26 Columbian white-tailed deer are closely associated with riparian habitats in the lower Columbia River.
27 The Columbia River distinct population segment (DPS) population of this species occurs on both banks of
28 the river in Clatsop and Columbia Counties, Oregon, and Wahkiakum and Cowlitz Counties, Washington
29 (USFWS 2008). The deer in this population use “tidal spruce” habitats characterized by densely forested
30 swamps covered with tall shrubs and scattered spruce, alder, cottonwood and willows (USFWS 2008).

31 There are five subpopulations along the lower river in Oregon and Washington, from Crims Island
32 (RM 54) downstream to Karlson Island (RM 32). This species has been re-introduced to habitat in the
33 lower Columbia River basin as part of the recovery strategy. Distribution includes the Julia Butler Hansen
34 National Wildlife Refuge and Tenasillahe Island, Puget Island, Westport, and Wallace Island in
35 Washington; and Lord Island (across from Longview, Washington) and Crims Island in Oregon, both of
36 which were introductions. The nearest documented population of this species is on Crims Island,
37 approximately 52 miles downstream of the project area (USFWS 2008).

¹ <http://www.fws.gov/wafwo/speciesmap/CLARK.html>.

² <http://www.fws.gov/oregonfwo/Species/Lists/Documents/County/MULTNOMAH%20COUNTY.pdf>.

³ <http://www.nwr.noaa.gov/Species-Lists.cfm>.

1 Riparian habitat in the terrestrial portion of the project area is extremely limited and does not meet habitat
2 requirements for Columbian white-tailed deer. The terrestrial portion of the action area is primarily
3 characterized by urban and industrial land uses. A small area of mature forest habitat is present on the
4 west end of Hayden Island; however, based on knowledge of current distribution and habitat use, this
5 species does not occur in the terrestrial portion of the action area.

6 Critical habitat has not been designated for this species.

7 Therefore, based on lack of presence in the action area, the project will have **no effect** on Columbian
8 white-tailed deer.

9 **Northern Spotted Owl (*Strix occidentalis caurina*) – Threatened**

10 Preferred nesting, roosting, and foraging habitat for northern spotted owls typically consists of older
11 forest stands with a mosaic of age classes and spatial distribution. Suitable forest stands include multi-
12 layered canopies of several tree species of varying size and age, both standing and fallen dead trees, and
13 open space among the lower branches to allow flight under the canopy. Forest stands with these attributes
14 are usually at least 150 to 200 years old (USFWS 2008).

15 No habitat containing appropriate structure and composition for northern spotted owls occurs in the action
16 area. Forested habitat within the action area is limited to small, patchy, relatively young stands of
17 cottonwoods and willows (near riparian areas) and Douglas-fir and western red cedar (in Leverich Park
18 near Burnt Bridge Creek). These forested areas do not contain habitat of suitable structure or stand size to
19 meet this species' life history requirements.

20 Critical habitat is designated for northern spotted owls in eastern Multnomah County, but is not
21 designated in the action area (73 FR 47325).

22 Therefore, based on lack of presence of individuals and designated critical habitat in the action area, the
23 project will have **no effect** on northern spotted owls.

24 **Gray Wolf (*Canis lupus*) – Endangered**

25 Gray wolves are habitat generalists and prefer wildland areas with an abundance of prey species (e.g.,
26 medium and large mammals). Wolves exhibit a strong social structure and form packs of 2 to 12 animals.
27 Packs typically occupy territories as large as 518 to 1,295 km² (200 to 500 mi²).

28 The Northern Rocky Mountain (NRM) gray wolf DPS encompasses the eastern one-third of Washington
29 and Oregon, a small part of north-central Utah, and all of Montana, Idaho, and Wyoming. In May 2009,
30 gray wolves in the NRM DPS were delisted, except in Wyoming, where they continue to be regulated as a
31 nonessential, experimental population (74 FR 15123).

32 However, in some portions of Oregon and Washington, gray wolves remain federally protected: wolves
33 occurring west of Highways 395, 78, and 95 in Oregon remain protected under the federal Endangered
34 Species Act (ESA); east of this demarcation, they are protected by the Oregon ESA and managed by the
35 Oregon Department of Fish and Wildlife (ODFW) through its Wolf Conservation and Management Plan
36 (ODFW 2005). Similarly, wolves occurring in the western two-thirds of Washington remain protected
37 under the federal ESA, and in the eastern one-third of the state they are protected under state law and
38 managed by the Washington Department of Fish and Wildlife (WDFW) under the Draft Wolf
39 Conservation and Management Plan (WDFW 2009a).

40 Gray wolves have recently been documented in very limited distribution in northeastern Oregon
41 (ODFW 2009) and northeastern Washington (WDFW 2009b). There have been no documented records of
42 gray wolves in western Oregon or Washington since the early-to-mid 1900s (ODFW 2005;
43 WDFW 2009a).

1 Critical habitat has been designated for this species, but is only present in Michigan and Minnesota
2 (43 FR 9607).

3 The terrestrial portion of the action area is an urbanized and industrialized area that does not contain
4 wildland habitat or an abundance of large prey species. Gray wolves and their habitat do not occur in the
5 action area. Therefore, based on lack of presence, the proposed project will have **no effect** on the
6 gray wolf.

7 **Golden Paintbrush (*Castilleja levisecta*) – Threatened**

8 Golden paintbrush is a perennial herb in the figwort or snapdragon family (*Scrophulariaceae*) that
9 historically occurred from the Puget Trough of Washington and British Columbia to the Willamette
10 Valley in Oregon. In Washington, this species is currently limited to eleven populations, more than half of
11 which occur in the Puget Sound area (i.e., Whidbey, San Juan, and Lopez Islands) (NatureServe Explorer
12 2009). Historical records for this species exist from Clark, Island, Jefferson, King, Pierce, San Juan,
13 Skagit, and Thurston Counties (NatureServe Explorer 2009). This species has not been documented in
14 Clark County since at least 1980, and is thought to be extirpated from southwest Washington
15 (WDNR-NHP 2009; NatureServe Explorer 2009). In Oregon, golden paintbrush historically occurred in
16 the grasslands and prairies of the Willamette Valley in Benton, Linn, Marion, Multnomah, and Polk
17 Counties (NatureServe Explorer 2009). The species is thought to be extirpated from these areas; the last
18 documented occurrence of golden paintbrush in Oregon was in 1938 in Linn County (USFWS 2008).

19 Habitat for golden paintbrush in Oregon and southwest Washington consisted of upland prairies and
20 grasslands with small deciduous shrub thickets, and was closely associated with Oregon white oak
21 woodlands. As historical fire regimes have been altered, habitat for this species in some areas has been
22 colonized by trees (e.g., Douglas-fir [*Pseudotsuga menziesii*]), and non-native Scotch broom (*Cytisus*
23 *scoparius*) (USFWS 2008).

24 The terrestrial portion of the action area is primarily characterized by urbanized and industrialized land
25 uses. No upland prairie or grassland habitats are present in the action area. Vegetative habitat in the action
26 area is dominated by landscaped areas consisting of non-native grasses, shrubs, and trees. According to
27 the Oregon Natural Heritage Information Center (ORNHIC) and Washington Department of natural
28 Resources, Natural Heritage Program (WDNR-NHP) databases, there are no records of this species
29 occurring within 1 mile of the project area (ORNHIC 2009b; WDNR-NHP 2009).

30 CRC biologists conducted plant surveys in May to December of 2006 and confirmed that neither golden
31 paintbrush nor suitable habitat is present in the project area.

32 Critical habitat has not been designated for this species.

33 This species and its habitat do not occur in the project area. Therefore, based on lack of suitable habitat,
34 the project will have **no effect** on golden paintbrush.

35 **Willamette Daisy (*Erigeron decumbens* var. *decumbens*) –** 36 **Endangered**

37 The Willamette daisy is endemic to Willamette Valley native prairies. Currently, only about 5,000
38 individuals are documented, distributed among 32 populations in Oregon (ORNHIC 2009a); these
39 populations occur in an area extending from Grand Ronde to Goshen, Oregon (USFWS 2008). The
40 historical range of the species included Multnomah County, but currently existing occurrences are only
41 documented in the southern portion of the Willamette Valley, from Yamhill County southward. The
42 current range is limited to approximately 7,400 square kilometers (USFWS 2008). Currently, Willamette
43 daisy populations are known mainly from bottomlands, but one population is found in an upland prairie
44 remnant. This species occurs on the Wapato, Bashaw, and McAlpin soil series. These soil types do not

1 occur in the action area (McGee 1972; Green 1983). The action area contains only soils of the Hillsboro,
2 Lauren, Wind River, Sauvie, Rafton, and Pilchuck series (McGee 1972; Green 1983).

3 Reasons for the decline of this species include fire suppression, habitat fragmentation, and land use
4 conversion from native prairie to agriculture. Additionally, few of the populations are located on
5 protected land (ORNHIC 2009a).

6 Suitable habitat for the Willamette daisy is not present within the project area. Although open grasslands
7 occur in the project area, native prairies are absent. Grasslands within the project area are heavily
8 impacted by urbanization and an intensive road maintenance regime under which the plant cannot persist.
9 Furthermore, the project area does not lie within the current range of the Willamette daisy. The nearest
10 current detection is in Yamhill County, more than 20 miles from the project area (USFWS 2008).

11 CRC biologists conducted plant surveys in May to December of 2006 and confirmed that neither
12 Willamette daisy nor suitable habitat is present in the project area. According to ORNHIC and
13 WDNR-NHP databases, there are no records of this species occurring within 1 mile of the project area
14 (ORNHIC 2009; WDNR-NHP 2009).

15 Designated critical habitat for Willamette daisy does not occur in Multnomah County or anywhere in
16 Washington. All designated critical habitat units in Oregon occur in Marion, Lane, Benton, and Linn
17 Counties (71 FR 34566).

18 This species and its habitat do not occur in the project area. Therefore, based on lack of suitable habitat,
19 the project will have will have **no effect** on Willamette daisy.

20 **Nelson's Checker-Mallow (*Sidalcea nelsoniana*) – Threatened**

21 Nelson's checker-mallow is a regionally endemic species that historically ranged throughout western
22 Oregon and Washington from Benton County, Oregon, to Lewis County, Washington, and from central
23 Linn County, Oregon, to just west of the Coast Range crest. The species occurs along streams, in
24 meadows, and in other open areas such as roadsides. It may also occur in areas where prairie or grassland
25 remnants persist, such as along fencerows, drainage ditches, and the edges of plowed fields, usually in
26 proximity to remnant prairie or grassland habitats (WDNR-NHP 2009). It may co-occur with non-native
27 herbaceous species and along the edges of forests, but will not tolerate shading (USFWS 2008). It may
28 also occur in Oregon ash (*Fraxinus latifolia*) swales (USFWS 2008). The species' native habitats are
29 maintained by periodic disturbances, such as fire or flooding, which reduce competition from woody
30 species. Standing water may be present at some sites. Common associated plant species include tall
31 fescue (*Festuca arundinacea*), common velvet grass (*Holcus lanatus*), common rush (*Juncus effusus*),
32 oxeeye daisy (*Leucantheum vulgare*) and other weedy species (WDNR-NHP 2009).

33 In the Willamette Valley, Nelson's checker-mallow occurs on the following soil types: Wapato, Bashaw,
34 McAlpin, Malabon, Coburg, and Salem Series (USFWS 2008). These soil types do not occur in the action
35 area (McGee 1972; Green 1983). The action area contains only soils of the Hillsboro, Lauren, Wind
36 River, Sauvie, Rafton, and Pilchuck series (McGee 1972; Green 1983).

37 In Washington, the current range of the plant includes two locations: one in Lewis County and the other
38 in Cowlitz County. This species has not been documented in Clark County (WDNR-NHP 2009). In
39 Oregon, the range is limited to five relict populations, none of which occur within 2 miles of the action
40 area. Accordingly, there are no documented detections of Nelson's checker-mallow in the action area
41 (ORNHIC 2009b; WDNR-NHP 2009).

42 Suitable habitat does not occur in the action area. Although disturbed roadsides, fence lines, and other
43 grasslands occur in the action area, these areas are highly disturbed and are characterized by urbanized
44 development and an intense roadside maintenance regime. Additionally, suitable soils are not present in
45 the action area. According to ORNHIC and WDNR-NHP databases, there are no records of this species
46 occurring within 1 mile of the project area (ORNHIC 2009; WDNR-NHP 2009).

1 CRC biologists conducted plant surveys in May to December of 2006 and confirmed that neither the
2 species nor suitable habitat was present in the action area.

3 Critical habitat has not been designated for this species.

4 This species and its habitat do not occur in the project area. Therefore, based on lack of suitable habitat,
5 the project will have **no effect** on Nelson's checker-mallow.

6 **Kincaid's Lupine (*Lupinus sulphureus* ssp. *kincaidii*) – Threatened**

7 Kincaid's lupine historically occurred in native upland prairies and open woodlands in the Willamette and
8 Umpqua Valleys in Oregon, extending north to Lewis County, Washington (ORNHIC 2009a;
9 WDNR-NHP 2009). In suitable prairie habitats, dominant species generally include red fescue (*Festuca*
10 *rubra*), Idaho fescue (*Festuca idahoensis*), Tolmie's mariposa (*Calochortus tolmiei*), Hooker's catchfly
11 (*Silene hookeri*), broadpetal strawberry (*Fragaria virginiana*), rose checker-mallow (*Sidalcea virgata*),
12 and common lomatium (*Lomatium* spp.) (ORNHIC 2009a). Suitable soils are normally mesic to slightly
13 xeric. Historically, Kincaid's lupine occurred in areas maintained by periodic fires, which prevented trees
14 from invading its prairie habitat (WDNR-NHP 2009).

15 Suitable habitat for Kincaid's lupine does not occur within the project area. Native prairies are absent, and
16 grasslands within the project area are heavily impacted by urbanization and an intensive road maintenance
17 regime, under which the plant cannot persist. According to ORNHIC and WDNR-NHP databases, there
18 are no records of this species occurring within 1 mile of the project area (ORNHIC 2009;
19 WDNR-NHP 2009).

20 CRC biologists conducted plant surveys in May to December of 2006 and confirmed that neither
21 Kincaid's lupine nor suitable habitat is present in the project area.

22 The nearest designated critical habitat units occur in Lewis County, Washington, and Yamhill County,
23 Oregon, more than 20 miles from the project area (71 FR 63861).

24 This species and its habitat do not occur in the project area. Therefore, based on lack of suitable habitat,
25 the project will have **no effect** on Kincaid's lupine.

26 **Water Howellia (*Howellia aquatilis*) – Threatened**

27 Water howellia is an annual aquatic plant in the bellflower family (*Campanulaceae*) that occurs
28 sporadically in Washington, Idaho, Montana, and California. Extant populations are mostly clustered in
29 two population centers in eastern Washington and northwestern Montana.

30 Habitat for water howellia consists of small freshwater wetlands, glacial pothole ponds, and former river
31 oxbows with vernal hydrology (i.e., filling with water over the fall, winter, and early spring, and drying
32 during the summer). Water howellia also occurs in shallow water or around the edges of deep ponds.

33 Factors in the decline of this species include urban development and loss of floodplain and wetland
34 habitat, wetland succession, timber harvest, and encroachment by non-native plants such as reed
35 canarygrass (*Phalaris arundinaceae*) (USFWS 2008).

36 In Washington, this species occurs in limited distribution in Clark (e.g., near Ridgefield), Pierce,
37 Spokane, Thurston, and Lincoln Counties (WDNR-NHP 2009). Historical records exist for this species in
38 Oregon from Benton, Clackamas, Columbia, Marion, Multnomah, Polk, and Yamhill Counties; it has not
39 been documented in Multnomah County since 1886 (a collection from Sauvie Island). This species is
40 thought to be extirpated in Oregon (USFWS 2008). According to ORNHIC and WDNR-NHP databases,
41 there are no records of this species occurring within 1 mile of the project area (ORNHIC 2009;
42 WDNR-NHP 2009).

1 CRC biologists conducted plant surveys in May to December of 2006 and confirmed that neither water
2 howellia nor suitable habitat is present in the project area.

3 Potential habitat for this species in the terrestrial portion of the action area is extremely limited and has
4 been significantly degraded. There are no documented populations of this species in the action area. No
5 potential habitat for water howellia will be impacted in the course of the proposed project.

6 Critical habitat has not been designated for this species.

7 This species and its habitat do not occur in the project area. Therefore, based on lack of suitable habitat,
8 the project will have **no effect** on water howellia.

9 **Bradshaw's Desert Parsley (*Lomatium bradshawii*) – Endangered**

10 Bradshaw's lomatium is a perennial herb in the parsley family (*Apiaceae*) that occurs on seasonally
11 saturated or flooded prairies and grasslands, and adjacent to creeks and small rivers. This species occurs
12 on alluvial soils in close association with tufted hair-grass (*Deschampsia caespitosa*) prairies.

13 Factors in the decline of Bradshaw's lomatium include land use conversion from native wet prairie to
14 agricultural, industrial, and urban areas. Changes in local hydrology associated with water diversions and
15 flood control structures have changed historical flooding patterns and reduced rates of seedling
16 establishment. Reductions in natural flooding and fire cycles also facilitate invasion of trees and shrubs,
17 and lead to conversion of wet prairies to woodlands (USFWS 2008).

18 Bradshaw's lomatium is currently found in limited distribution in Washington and Oregon in remnant,
19 low elevation, seasonally flooded grasslands near creeks. The only documented occurrences in
20 Washington are two populations in Clark County, including a large population discovered in 1994
21 (NatureServe Explorer 2009). The nearest documented population in Washington is approximately
22 10 miles east of the action area. Most of the few extant populations of the species are found in the
23 southern Willamette Valley in Oregon, in Benton, Lane, Linn, and Marion Counties (USFWS 2008;
24 NatureServe Explorer 2009). According to ORNHIC and WDNR-NHP databases, there are no records of
25 this species occurring within 1 mile of the project area (ORNHIC 2009; WDNR-NHP 2009).

26 Suitable habitat for Bradshaw's lomatium does not occur within the project area. Seasonally saturated or
27 flooded prairies and grasslands do not occur in the action area, and streamside habitat within the project
28 vicinity is heavily impacted by urbanization and the influence of non-native vegetation (e.g., Himalayan
29 blackberry).

30 CRC biologists conducted plant surveys in May to December of 2006 and confirmed that neither
31 Bradshaw's lomatium nor suitable habitat is present in the project area.

32 Critical habitat has not been designated for this species.

33 This species and its habitat do not occur in the project area. Therefore, based on lack of suitable habitat,
34 the project will have **no effect** on Bradshaw's lomatium.

1 **References**

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