

For: CO, KS, NM, OK, and TX State and County Offices

Additional CRP Guidance for Lesser Prairie Chicken

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

On April 14, 2014, FWS provided FSA with a biological opinion containing their analysis of the expected effects likely to result from CRP implementation on the lesser prairie chicken and its habitats, including the effects of returning lands enrolled in CRP to crop production after CRP contract expiration. FWS concluded that CRP planning processes, procedures, program activities, conservation practices, technical practice standards, and related conservation measures described in the biological opinion were not likely to jeopardize the continued existence of the lesser prairie chicken. FWS anticipates that effective implementation of CRP, according to the opinion, will result in a long term positive population response by the species. The complete text of the FWS biological opinion is located at <http://www.fws.gov/southwest/es/LPC.html>.

Notice CRP-758 provided guidance about implementing CRP measures across an 85-county Action Area (Exhibit 1) to benefit lesser prairie chickens in Colorado, Kansas, New Mexico, Oklahoma, and Texas.

B Purpose

This notice clarifies:

- restrictions on certain permissive uses of land enrolled in CRP, and how the restrictions are to be applied in each county within the lesser prairie chicken action area described in the biological opinion
- guidance provided in Notice CRP-758, subparagraph 2 B, Example 2 and confirms the start of the once in 3 year harvesting, haying, and grazing restriction period.

Disposal Date January 1, 2015	Distribution Above State Offices; State Offices relay to County Offices, NRCS Offices, and State FWS Agencies
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2 Policy

A Crucial Habitat Assessment Tool (CHAT)

CHAT is a geospatial model developed to designate and prioritize areas for lesser prairie chicken conservation activities. CHAT contains a suite of data layers such as current and historical range of the lesser prairie chicken, land cover, oil and gas well density, and vertical structures. In many ways it is the geospatial representation of the Lesser Prairie Chicken Range Wide Plan (RWP) prepared by the Western Association of Fish and Wildlife Agencies. CHAT also classifies lesser prairie chicken habitat into the following 5 actionable categories.

- Category 1 is comprised of focal areas for lesser prairie chicken conservation. The focal areas contain intact lesser prairie chicken habitat as defined by GIS layers incorporating landscape integrity, land cover, soil, and human disturbance, other factors, and expert opinion. The goal of the RWP for this category is to have 70 percent of the area within the category managed under lesser prairie chicken conservation plans. See Exhibit 2 identified by red shading.
- Category 2 is comprised of the connectivity zones linking focal areas, facilitating movement of individual birds between blocks of good quality habitat and improving genetic diversity among lesser prairie chicken populations. The RWP goal in this category is to have 40 percent of the area within managed under lesser prairie chicken conservation plans. See Exhibit 2 identified by yellow shading.

Note: It is estimated that habitat within CHAT Categories 1 and 2 contain 75 percent of the population of lesser prairie chickens.

- Category 3 is derived from ecological niche modeling using base layers such as leks, nests, land cover, and land enrolled in CRP to describe available and potential lesser prairie chicken habitat. It is estimated that lands within Category 3 support the remaining 25 percent of the population of lesser prairie chickens. See Exhibit 2 identified by light green shading.
- Category 4 is comprised of the unoccupied habitat within the current range of the lesser prairie. See Exhibit 2 identified by dark green shading.
- Category 5 is comprised of areas outside the current range of the lesser prairie chicken. See Exhibit 2, portion of 85-county Action Area not shaded.

2 Policy (Continued)

A Crucial Habitat Assessment Tool (CHAT) (Continued)

CHAT is intended to provide useful and non-regulatory information during early conservation planning stages, such as the preparation of conservation plans for lands offered for enrollment or re-enrollment in CRP. CHAT should also be used for potential amendment of existing CRP conservation plans to ensure compliance with the provisions of the biological opinion.

The finest data resolution for CHAT is 1 square mile hexagons, and using these data layers at a more localized scale may lead to inaccurate interpretations. The classification may or may not apply to the entire section.

Note: CHAT may be viewed at <http://kars.ku.edu/maps/sgpchat>.

PECD has developed instructions for State Office GIS specialists to follow to download CHAT shape files and incorporate the information contained into The Environmental Resource Results Assessment (TERRA). Once complete, County Office personnel will be able to view TERRA under Land Eligibility Information and see what portion of the CRP field is within respective CHAT categories.

Under the biological opinion, any combination of haying or grazing, whether it is managed harvesting, managed/routine grazing, emergency haying, or emergency grazing, is limited to once in a 3 year period if the land enrolled in CRP is within CHAT Categories 1-3.

Given concerns that the use of CHAT may lead to misinterpretation locally when CRP participants are implementing conservation plans, DAFP has determined that if 25 percent or more of a county within the action area identified in the biological opinion has been described as CHAT Category 1 or CHAT Category 2, the 1 in 3 year harvesting, haying, and grazing restriction will be applied to all land currently enrolled in CRP within that county (Exhibit 3). For those counties containing less than 25 percent CHAT Category 1 and CHAT Category 2 land, the 1 in 3 year harvesting, haying, or grazing restriction applies to CRP acreage within areas designated as CHAT Category 1, 2, or 3. For those counties containing only land designated as CHAT Category 3 or CHAT Category 4, the 1 in 3 year haying or grazing restriction applies only to CRP land within the CHAT Category 3 designation.

Note: STC may request a waiver, from CEPD, of the 25 percent CHAT Category 1 or CHAT Category 2 designation affecting all CRP within a county on a county-by-county basis.

2 Policy (Continued)

B Clarifying Harvesting, Haying, and Grazing Restriction

Following release of Notice CRP-758, FSA received FWS concurrence that the 1 in 3 year managed harvesting, managed/routine grazing, emergency haying or emergency grazing restriction applicable to land enrolled in CRP within CHAT Category 1, CHAT Category 2, and CHAT Category 3 designations, begins with the first harvesting, haying, or grazing activity on land enrolled in CRP occurring on or **after** April 14, 2014. The restrictive policy is not retroactive. Managed harvesting, managed/routine grazing, emergency haying or emergency grazing completed **before** April 14, 2014, is **not** to be considered when determining the beginning of the 1 in 3 years harvesting, haying, or grazing restriction.

Example: A CRP field in Oklahoma within a CHAT Category 2 designation that was emergency grazed in 2013, could be emergency hayed or emergency grazed (if authorized) **after** April 14, 2014. If the field is emergency hayed or emergency grazed in 2014, the 1 in 3 years harvesting, haying or grazing restriction would commence and the field would be eligible again for managed harvesting, managed/routine grazing, emergency haying, or emergency grazing in 2017.

C Residual Stubble Height

The biological opinion references a suggested average of 10 inches of residual stubble being left following harvesting, haying, or grazing of CRP fields. This is a suggested and not an absolute requirement. Given the diversity of plant communities present across the range of the lesser prairie chicken, the amount of forage removed or left should be in keeping with specific lesser prairie chicken life cycle requirements, site and climate conditions, and plant resiliency to and recovery following harvesting, haying, or grazing. Livestock forage needs should be balanced with habitat requirements of the lesser prairie chicken.

A conservation measure in the biological opinion, common to both haying and grazing and many other CRP management practices, require FSA to coordinate with NRCS, FWS, the State fish and wildlife agency, and State Technical Committee to identify appropriate restrictions on the placement, extent, configuration, and timing of cover management practices and the area where these practice restrictions would apply, to avoid and minimize adverse effects to the lesser prairie chicken. This conservation measure can be used to help determine the appropriate stubble height that will meet lesser prairie chicken life cycle requirements based on site and climate conditions.

Notice CRP-772

3 Action

A State Office Action

State Offices shall:

- forward copies of this notice to:
 - all local FWS Offices
 - the State NRCS Office
 - State Fish and Wildlife Agency Office
- work with STC and State Technical Committees to develop amendments to 2-CRP as necessary
- ensure that affected County Offices follow the provisions of this notice.

B County Office Action

County Offices shall follow the provisions of this notice.

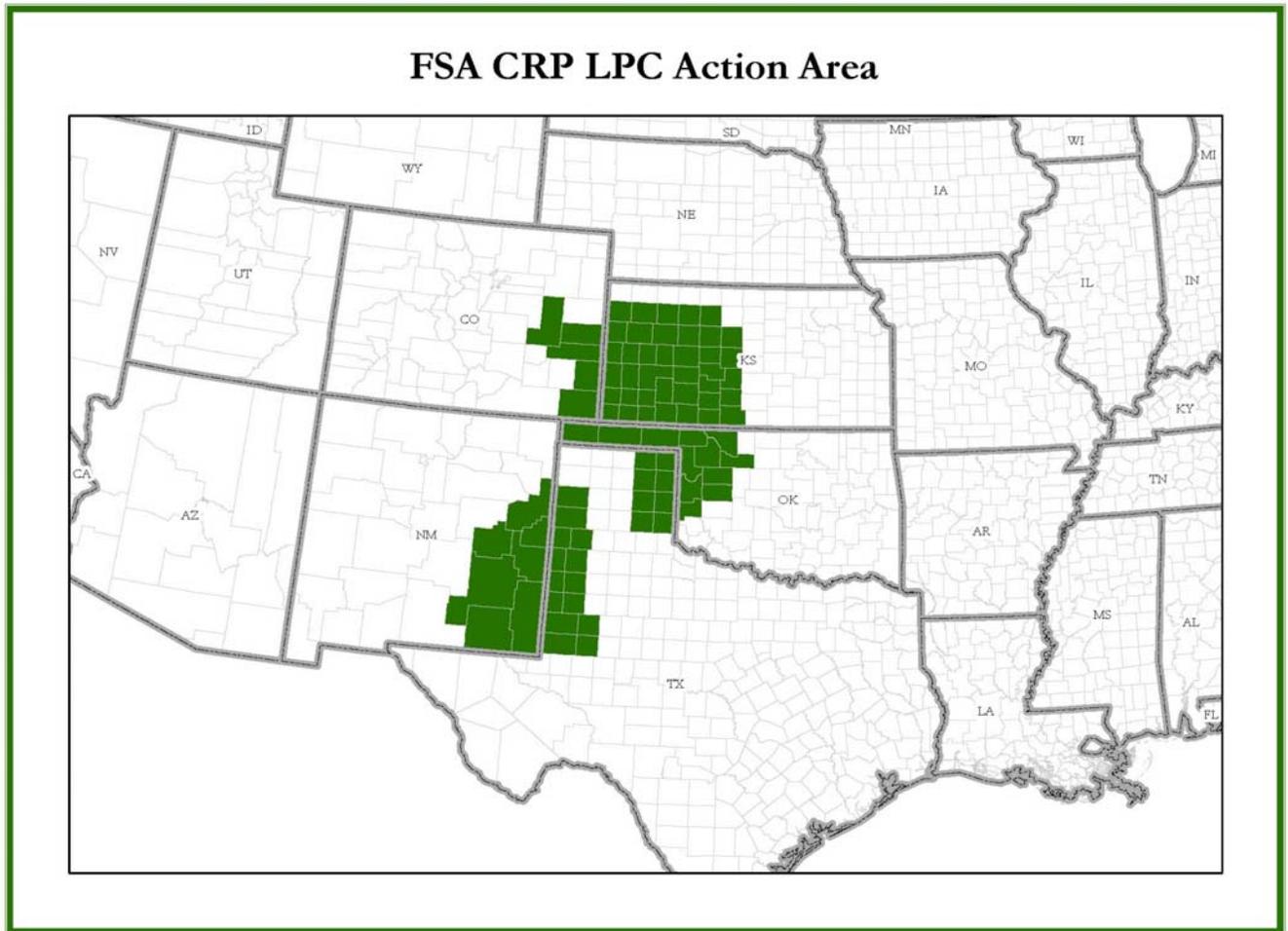
C Contact Information

Direct questions about this notice to David A. Hoge by either of the following:

- e-mail to david.hoge@wdc.usda.gov
- telephone at 202-720-7674.

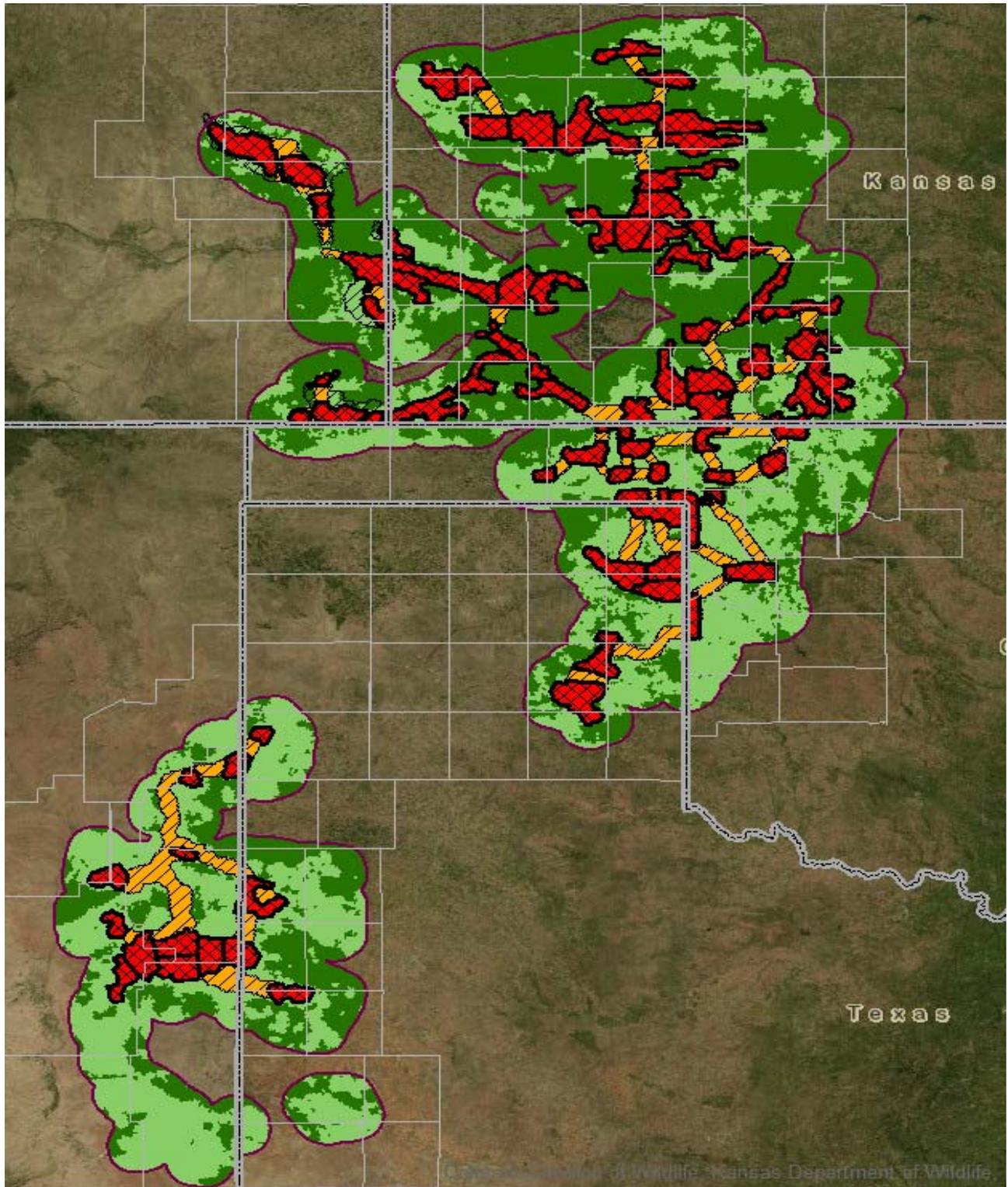
Counties Within FSA CRP Lesser Prairie Chicken Action Area

The following counties are within the FSA CRP Lesser Prairie Chicken action area.



Lesser Prairie Chicken Focal Areas and Connectivity Zones

The following are Lesser Prairie Chicken focal areas and connectivity zones.



Action Area Counties With CHAT Category 1 and CHAT Category 2 Designations

The following are action area counties with CHAT Category 1 and CHAT Category 2 designations.

State	County
Colorado	Baca
	Cheyenne
	Kiowa
	Lincoln
	Prowers
Kansas	Barber
	Clark
	Comanche
	Edwards
	Ellis
	Finney
	Ford
	Gove
	Graham
	Grant
	Hamilton
	Haskell
	Hodgeman
	Kearney
	Kiowa
	Lane
	Logan
	Meade
	Morton
	Ness
	Pawnee
	Pratt
	Scott
Seward	
Sheridan	
Sherman	
Stevens	
Trego	
Wallace	

Action Area Counties With CHAT Category 1 and CHAT Category 2 Designations (Continued)

State	County
New Mexico	Chaves
	Curry
	DeBaca
	Lea
	Quay
	Roosevelt
Oklahoma	Beaver
	Ellis
	Harper
	Roger Mills
	Texas
	Woods
	Woodard
Texas	Bailey
	Cochran
	Deaf Smith
	Donley
	Gray
	Hemphill
	Lipscombe
	Ochiltree
	Roberts
	Terry
	Wheeler
	Yoakum