



United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240

ADDRESS ONLY THE DIRECTOR,
FISH AND WILDLIFE SERVICE

In Reply Refer To:
FWS/OES 3-80-122

JUN 23 1980

JUN 23 1980

Memorandum

To: Regional Director, Region 3

Associate
From: Director

Subject: Intra-Service Section 7 Consultation, Land Acquisition, Kirtland's Warbler Habitat

This responds to your June 3, 1980, request for Section 7 consultation on the acquisition of approximately 4,500 acres in Kalkaska, Crawford, Clare, Osconda and Ogemaw Counties, Michigan, relative to the listed Kirtland's warbler (Dendroica kirtlandii).

On June 5, 1980, we completed an examination of the above action and reviewed the biological information provided by you along with information available in our files. During the course of this consultation, Tom Sheldrake, Endangered Species, Region 3, was contacted.

A review of the project information and information obtained from the experts and other knowledgeable sources on the biology of the listed species indicates that the proposed action may benefit the species by consolidating land holdings which will facilitate needed habitat management while precluding detrimental land uses.

Therefore, it is my biological opinion that your action, as proposed, will promote the conservation of the above listed species.

This biological opinion considered the acquisition of the subject lands only. When the management plan for these areas is completed, Section 7 consultation must be initiated if a "may effect" determination is made.

Should this action, as now planned, be modified or altered, or should new species be listed that may be affected, you must reinitiate consultation.

/s/ Ronald E. Lambertson

TELEPHONE CONVERSATION RECORD

Department of the Interior
U.S. Fish and Wildlife Service

ROUTING

DATE

5/28/80

FILE REFERENCE

FY '82

1	4
2	5
3	6

RECORD

RECEIVED FROM (NAME)

Ross Grimwood

RECEIVED BY (NAME)

B. Sparrowe

ORGANIZATION

Realty-Region 3

TELEPHONE NO.

725-3504

SUBJECT

Kirtland's warbler acquisition-why has Region not spent \$ available this FY

CONVERSATION

This project has not received Director's approval, thus no land can be purchased.

They now have options for 3 months on two parcels for \$34,000.

They have \$80,000 available to obligate.

23 of several properties have been appraised. They could move right away. The first four people they negotiated with said they would sell, thus he figures they

have a 50% willing seller situation. Landowners are primarily in the cities; they do not live on the properties.

All acquisition planned within the State Forest, not National Forest, boundary.

WHITE: ROUTING COPY
YELLOW: SUBJECT FILE COPY
PINK: CHRON FILE COPY

Memorandum

To : Director, Fish and Wildlife Service
From : Associate Director - Federal Assistance
Subject: Proposed Land Acquisition - Kirtland's Warbler

20, 24 1980

The region proposes to acquire 4,500 acres of habitat in Michigan necessary to insure the survival of the endangered Kirtland's warbler.

The population of Kirtland's warbler now is estimated at about 400 birds. This is a drop from 1,000 birds in 1961. The recovery team has set a goal of 1,000 pairs of nesting birds to maintain a self-sustaining population. To accomplish this, 135,000 acres of land must be managed. The recovery plan identifies lands in north central Michigan suitable for management. The Forest Service and the State of Michigan have designated 124,305 acres for management in the area. The region's proposed 4,500 acres would fill out the plan.

The warbler has highly specific nesting requirements. Nearly all nests are found in jack pine stands 5 to 20 feet in height (8-21 years old). The management plan calls for rotational cutting and burning on 135,000 acres of jack pine habitat to insure that there are between 36,000 and 40,000 acres of nesting habitat available at any one time.

Management capability on State forests is hampered by the presence of snail inholdings. These are being developed for recreational homes which obviously conflict with burning and timbering.

If the Kirtland's warbler recovery plan is to be carried out, fee title acquisition of the inholdings is essential. Efforts to do this by the State have failed. Easement or less than fee title acquisition does not seem reasonable in view of the need for burning.

Lands would be acquired on a willing seller/willing buyer basis. Up to 100 landowners would be involved in the 4,500 acres. Total land costs would be about \$2,350,000. Operation and maintenance costs would be assumed by the State of Michigan since it has agreed to manage the area. The area would be administered by the Shiawassee BWP.

NEPA compliance is evidenced by a FONSI signed on February 22, 1980. The plan is consistent with E.O. 11990 and 11988. Section 7 consultation has been completed and the biological opinion is attached.

I recommend that approval be given to acquire 4,500 acres for Kirtland's warbler management on the condition that priority be given to the acquisition

OES

of larger tracts (100-120 acres) or when this acreage is not possible, to tracts that are not more distant than one-half mile from existing State or Federally managed lands.

Personnel

Attachments

Concur:

(Sgd) Richard J. Myshak

Associate Director-Wildlife Resources

JUL 7 1980

Date

Associate (SGD) Rolf L. Wallenstrom

Associate Director-Environment

AUG 25

Date

(sgd.) Kenneth F. Sippel

Acting Assistant Director-Planning and Budget

AUG 25 1980

Date

Approved:

/sgd./Robert S. Cook

Acting Director, Fish and Wildlife Service

AUG 26 1980

Date

cc: Regional Director, Twin Cities, MN
Directorate Reading File
DD Chron OES PA

FWS/RE:AWDickson:smn:5/29/80:x4026
Redrafted AWDickson:smn/ysh:6/16/80

U.S. FISH AND WILDLIFE SERVICE
OFFICE OF ENDANGERED SPECIES
WASHINGTON, D.C. 20240

8/20/80

I think the following will answer Rolf's questions:

- 1) The problems incurred by the State and Forest Service were with funds, not unwilling sellers;
- 2) The 135,000 acres is a management goal that is probably unattainable because some habitat has already been lost. However, the acreage designated by the three agencies (approximately 130,000 acres) for warbler management will insure that a necessary annual amount of nesting habitat is available; and
- 3) We have made a commitment to attempt to buy 4500 acres through the signing of a cooperative management agreement with the State and Forest Service. This amount is also needed to insure available annual nesting habitat.

Options have been taken on several tracts. The Region is ready to move!

Bettina
Bettina Sparrowe