

## **Determining Whether Minnesota Dwarf Trout Lily (*Erythronium propullans*) May be Present in an Action Area in Minnesota -- Consulting on the Effects of Federal Actions under Section 7(a)(2) of the Endangered Species Act**

### **Background**

Federal agencies must consult with USFWS on any action that they fund, authorize, or carry out that may affect endangered or threatened species. Typically, the first step for federal agencies in making this determination is to find out whether listed species may be present in the area that the proposed action will directly or indirectly affect. Biologists typically assume that the species may be present only in the vicinity (e.g., within one mile) of recorded occurrences. A more refined approach is necessary if there is a reasonable likelihood that the species may be present away from recorded populations.

### **Purpose of Guidance**

The purpose of this guidance is to help federal agencies and others to identify those areas where Minnesota dwarf trout lily (*Erythronium propullans*) may be present, in addition to areas where the species is known to occur. The approach described below is intended only for use relative to interagency consultation conducted under section 7(a)(2) of the Endangered Species Act, as amended.

### **Determining If Minnesota Dwarf Trout Lily May be Present in an Action Area**

Use this approach to help determine whether a proposed federal action may affect Minnesota dwarf trout lily (i.e., whether consultation with U.S. Fish and Wildlife Service under section 7(a)(2) of the Endangered Species Act is required):

- 1) Define the action area. Action area means all areas to be affected directly or indirectly by a federal action and not merely the immediate area involved in the action (50 CFR 402.02).<sup>1</sup>
- 2) Consult the Minnesota DNR natural heritage database and/or U.S. Fish and Wildlife Service (612.725-3548 ext. 206) to answer the following questions. If the answer is **yes** to either question, go to number 4; if the answer is **no** to both, go to number 3:
  - a) Does the action area contain one or more recorded populations of Minnesota dwarf trout lily?

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<sup>1</sup> Because some Minnesota dwarf trout lily populations occur in floodplains, it is important for agencies to consider the potential downstream effects of projects that impact stream hydrology. Bridge crossings and utility rights-of-way are other examples of actions that may be likely to affect this species.

- b) Does the action area lie within one mile of any recorded population of Minnesota dwarf trout lily and contain floodplains or forested slopes?
- 3) Does any part of the action area contain floodplains or forested slopes that lie within the '**E. propullans watersheds**' shown in Fig. 1 (see below). If **yes**, go to number 4; if **no**, go to number 5. Contact U.S. Fish and Wildlife Service at 612.725-3548 ext. 206 if you are uncertain whether the action area meets this criterion.
- 4) Determine whether the proposed action may affect Minnesota dwarf trout lily. You should seek assistance from U.S. Fish and Wildlife Service (612.725-3548 ext. 206) if you are uncertain about the appropriate determination. Consultation with U.S. Fish and Wildlife Service under Section 7(a)(2) of the Act is required if the proposed action may affect Minnesota dwarf trout lily or any other species listed as endangered or threatened under the Act.
- 5) Minnesota dwarf trout lily is not likely to be present in the action area.

#### ***Locations of Recorded populations***

Recorded populations of Minnesota dwarf trout lily occur along the Cannon River, Little Cannon River, Zumbro River, North Fork Zumbro River, and Prairie Creek watersheds in Goodhue, Rice, and Steele Counties, Minnesota (Fig. 1). Surveys are incomplete especially along the Straight River and its associated subwatersheds in Steele County.

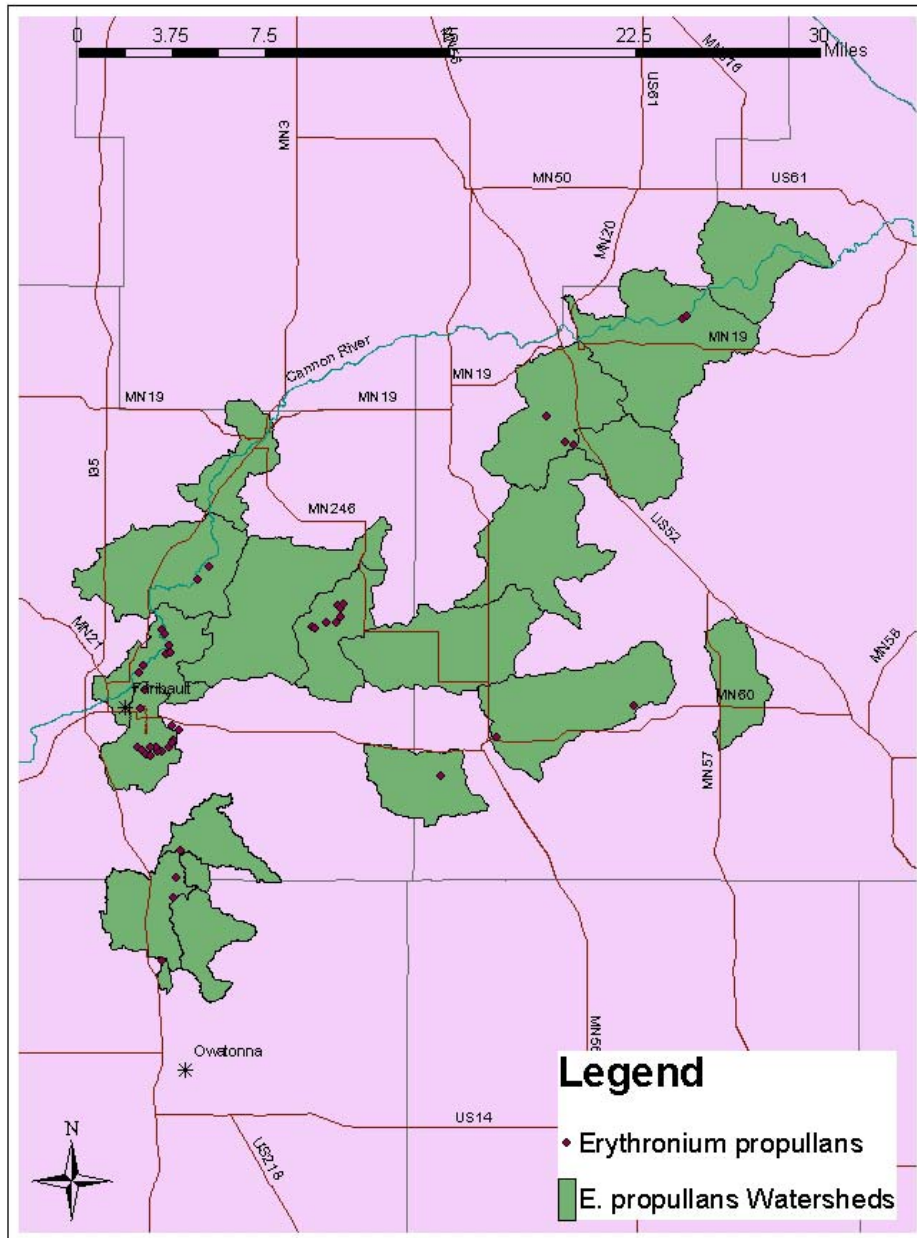


Figure 1. Locations of recorded populations of Minnesota dwarf trout lily (*Erythronium propullans*) and watersheds in which it has been recorded or in which unrecorded populations may be present. This is guidance for implementing interagency consultation under section 7(a)(2) of the Endangered Species Act.