

VOLUNTARY AGREEMENT FOR KINCAID'S LUPINE
(*Lupinus sulphureus* spp. *kincaidii*) IN DOUGLAS COUNTY

Lone Rock Timber Management Company, Roseburg Forest Products,
Seneca Jones Timber Company, and the U.S. Fish and Wildlife Service

I. SPECIES ADDRESSED

Lupinus sulphureus spp. *kincaidii* (Kincaid's lupine)

II. INVOLVED PARTIES

U.S. Fish and Wildlife Service
Craig Tuss, Field Supervisor
Roseburg Field Office
2900 NW Stewart Parkway
Roseburg, OR 97470
(541) 957-3474

Lone Rock Timber Management Company
Rick Sohn, President
P.O. Box 1127
Roseburg OR 97470
(541) 673-0141

Roseburg Forest Products
Ray Jones, Vice President
P.O. Box 1088
Roseburg, OR 97470
(541) 679-3311

Seneca Jones Timber Company
Seneca Sawmill Company, General Partner
Richard T. Re, Sr. Vice President/General Manager
P.O. Box 10265
Eugene, OR 97440
(541) 689-1231

III. AUTHORITY AND PURPOSE

- A. The authority for the U.S. Fish and Wildlife Service's (Service) Roseburg Field Office (Office) to enter into this Voluntary Agreement derives from the Endangered Species Act of 1973 (Act), as amended; the Fish and Wildlife Act of 1956, as amended; and the Fish and Wildlife Coordination Act, as amended.

On April 19, 2006, this Office signed a Kincaid's lupine Conservation Agreement with the Roseburg District, Bureau of Land Management (Roseburg BLM) and the Umpqua National Forest. The April 19, 2006 Conservation Agreement described management measures the Roseburg BLM and the Umpqua National Forest will conduct to conserve Kincaid's lupine on federally administered lands in Douglas County. This Voluntary Agreement with Lone Rock Timber Management Company, Roseburg Forest Products, and Seneca Jones Timber Company (Private Parties) is intended to compliment the April 19, 2006 Conservation Agreement.

This Voluntary Agreement is to document the management actions the Private Parties are already conducting and to document the future management actions the Private Parties may conduct on their lands. These actions are contributing to the recovery and conservation of Kincaid's lupine in Douglas County.

- B. The Private Parties desire to enter into this Voluntary Agreement in order to gain recognition for their current and future efforts to implement Kincaid's lupine recovery and conservation measures while carrying out sustainable timber harvest within their lands.
- C. The objective of this Voluntary Agreement is to promote functioning metapopulations (defined as two or more Kincaid's lupine local populations existing at the same time but in different places) of Kincaid's lupine with increased population sizes and genetic diversity, which in turn will promote long-term population viability and species conservation, and reduce the risk of local extirpation.

IV. STATUS AND DISTRIBUTION

Kincaid's lupine was listed as threatened, on January 25, 2000 (USFWS 2000). Critical habitat was proposed for the species on November 2, 2005 (USFWS 2005).

Kincaid's lupine is a long-lived perennial species with a maximum reported age of 25 years. Individual plants are capable of spreading by rhizomes, producing clumps of plants exceeding 20 meters (33 feet) in diameter.

Kincaid's lupine is known to occur at 76 sites, totaling approximately 1,150 acres (465 hectares) in size, scattered across six counties (Lewis County, Washington, and Yamhill, Polk, Benton, Lane, and Douglas Counties, Oregon) (USFWS 2005). Kincaid's lupine populations in Douglas County, Oregon, represent the furthest southern extent of the current range. These populations are highly disjunct and isolated from the Willamette Valley populations with approximately 54 miles (87 km) separating Oregon's south Willamette Valley populations from the Douglas County populations. In Douglas County, Kincaid's lupine is known to occur at 13 sites ranging in size from 0.21 to 3.55 acres. The four Kincaid's lupine sites mentioned in this Voluntary Agreement range from approximately 1.14 to 3.2 acres in size (Appendix A and D).

The primary habitat for Kincaid's lupine in Douglas County is open woodland and meadow edges, often near roadsides, associated with *Arbutus menziesii* (Pacific madrone), *Calocedrus*

decurrrens (incense cedar), *Pseudotsuga menziesii* (Douglas-fir) trees and other trees and shrubs with a relatively open canopy cover (Barnes 2004). Most of the Douglas County populations appear to tolerate more shaded habitat conditions than the Willamette Valley populations with canopy cover of 50 to 80 percent (Barnes 2004). Because these populations represent the southern-most extent of this species' range, they may be adapted to tolerate more extreme habitat and/or other environmental conditions.

Kincaid's lupine Population Descriptions in Douglas County

For management purposes, we have identified three metapopulations of Kincaid's lupine in Douglas County:

1. The Riser Creek and China Ditch population,
2. The Stouts Creek and Callahan Ridge population; and
3. The Doe Creek and Loose Laces population.

The Douglas County populations of Kincaid's lupine which occur on lands held by the Private Parties are often found at a transition area (ecotone) between early succession woodland and road cuts.

Riser Creek and China Gulch Population

This population encompasses approximately 2.9 ac (1.2 ha) of exclusively private land in central Douglas County. This unit is located between North Myrtle Creek and Riser Creek and is approximately 0.93 mi (1.5 km) south of a Kincaid's lupine population managed by Roseburg BLM. The closest population to this one occurs at the China Ditch population, occurring on Roseburg BLM lands. This population occurs under a canopy of 10 to 30 year-old Douglas-fir, ponderosa pine, Pacific madrone, and incense cedar trees.

This Kincaid's lupine population occurs on a fringe of habit between the roadside and the replanted forests. The primary threats to this Kincaid's lupine population are forest succession that could encroach and shade out the population and construction of firebreaks for fire suppression.

This Kincaid's lupine population has the features essential to the conservation of the species because: (1) the population is located within pollinator distance of another large population, increasing the potential for outcrossing pollination and therefore the viability of both populations; and (2) this area supports one of the largest remaining Kincaid's lupine populations in Douglas County.

Stouts Creek and Callahan Ridge Population

The Stouts Creek Kincaid's lupine population encompasses approximately 7.2 ac (2.9 ha) of privately owned lands in southern Douglas County. The northern portion of the Kincaid's lupine population includes 2.3 ac (0.9 ha) of private land; the southern portion of the population encompasses 4.9 ac (2.0 ha) of private land. This population also occurs on Roseburg BLM land

on a total of approximately one acre. The nearest Kincaid's lupine population occurs on Forest Service land five mile east of the Stouts Creek population.

Kincaid's lupine occurs within 100 feet of roads except for one portion that extends to about 1,000 feet from the road along a slight slope. This area was logged prior to 1980, and burned during fires in 1972 and 1988. The primary threat to this Kincaid's lupine population is forest succession. Firebreak construction is a secondary threat. Kincaid's lupine in this population exists on a fringe of habitat between the roadside and the replanted forests and has survived recurring fires. The Kincaid's lupine population occurs in several small patches linked by the roads and skid trails. There is likely suitable habitat in the area for the population to expand in similar habitat.

The habitat supporting this relatively large population of Kincaid's lupine contains the features essential to the conservation of this species across its range, as it supports one of three large populations occurring at this southernmost extent of it range.

Doe Creek and Loose Laces Population

The Doe Creek Kincaid's lupine population is located six miles west of Riddle and east of Doe Creek along roadsides. The population has not been surveyed recently and its distribution and population size are unknown. Current surveys are needed to determine the size and distribution of this Kincaid's lupine population in this area. The population occurs entirely on private lands on roadside serpentine soils associated with *Brodiaea hendersonii* (Henderson's brodiaea), *Sedum radiatum* ssp. *ciliosum* (Coast Range stonecrop), and *Silene hookeri* (Hooker's pink). The closest Kincaid's lupine population occurs on Roseburg BLM land five miles to the southeast. This Kincaid's lupine population exists on a fringe of habitat between the roadside and the replanted forests and has likely survived recurring fires.

The habitat supporting this population of Kincaid's lupine likely contains the features essential to the conservation of this species across its range, as it supports a metapopulation in the southernmost extent of it range.

V. PROBLEMS FACING THE SPECIES

Throughout the range, Kincaid's lupine habitat is threatened by development activities, natural succession due to fire exclusion, grazing, and roadside maintenance. Much of the remaining prairie habitat patches that support Kincaid's lupine in the Willamette Valley are threatened by invasive exotic grasses and shrubs and to varying degrees by forest succession (Schultz *et al.* 2003; Wilson *et al.* 2003; Hammond and Wilson 1993). As a result, many of the remaining populations of Kincaid's lupine are isolated, further threatening the long-term persistence of this species.

In Douglas County:

- Succession due to fire exclusion and reduced Federal land management activities threatens to replace natural open canopy Pacific madrone/incense cedar woodland

with dense shrub or tightly clustered conifer stands, causing loss of suitable Kincaid's lupine habitat.

- Encroachment of non-native species such as Himalayan blackberry and Scotch broom, as well as other non-native species threaten to degrade suitable Kincaid's lupine habitat.
- Small Kincaid's lupine habitat patches that often occur along county and private roadsides are vulnerable to loss of habitat by road maintenance activities.

VI. VOLUNTARY AGREEMENT:

The Private Parties agree to collaborate with the Service to protect and conserve Kincaid's lupine populations on the private lands:

1. Plant Identification and Monitoring:

- Train staff to identify Kincaid's lupine on private lands and identify where known populations exist.
- Conduct, or aid in the conduction of, monitoring within the known Kincaid's lupine populations on the private lands.
- Notify the Service of new Kincaid's lupine occurrences that are found.

2. Road Maintenance:

- Maintain roads in current condition where possible.
- New road construction will make every effort practicable to limit disturbance to established Kincaid's lupine populations.

3. Vegetation Control:

- Control noxious weeds and competing vegetation through mechanical and chemical control.

4. Propagation:

- Coordinate Kincaid's lupine propagation activities with the Service for seed procurement and selection of appropriate introduction sites for establishing new populations and extending known populations.

5. Reporting:

- Each Private Party will provide an annual summary of activities regarding Kincaid's lupine conservation at the written request of the Service.

The Service agrees to:

1. Provide technical expertise to the Private Parties regarding Kincaid's lupine identification. Also provide technical expertise for techniques and methods to conserve Kincaid's lupine populations and habitats within Douglas County and to protect their significant biological and ecological values consistent with current law, regulations, policies, and existing management plans.
2. Assist in development of a Kincaid's lupine seed bank for the Private Parties and provide recommendations for potential introduction sites.
3. Review monitoring data and conservation activities in cooperation with the Private Parties and recommend changes in the status of Kincaid's lupine as appropriate.
4. Cooperate in cost-sharing conservation activities identified in this Voluntary Agreement as funding permits, such as habitat maintenance.
5. Host annual meetings, as needed, with Private Parties to discuss Kincaid's lupine status and management needs.
6. Forward all new information of Kincaid's lupine to the Private Parties.
7. Obtain written permission from the Private Parties before entering upon their lands.

VIII. FUNDING AND IMPLEMENTATION OF CONSERVATION MEASURES

This Voluntary Agreement is subject to available funding and staffing. This does not impose financial obligations beyond appropriations. The Service is committed to seeking funding to implement this Voluntary Agreement each year.

VIII. DURATION OF VOLUNTARY AGREEMENT

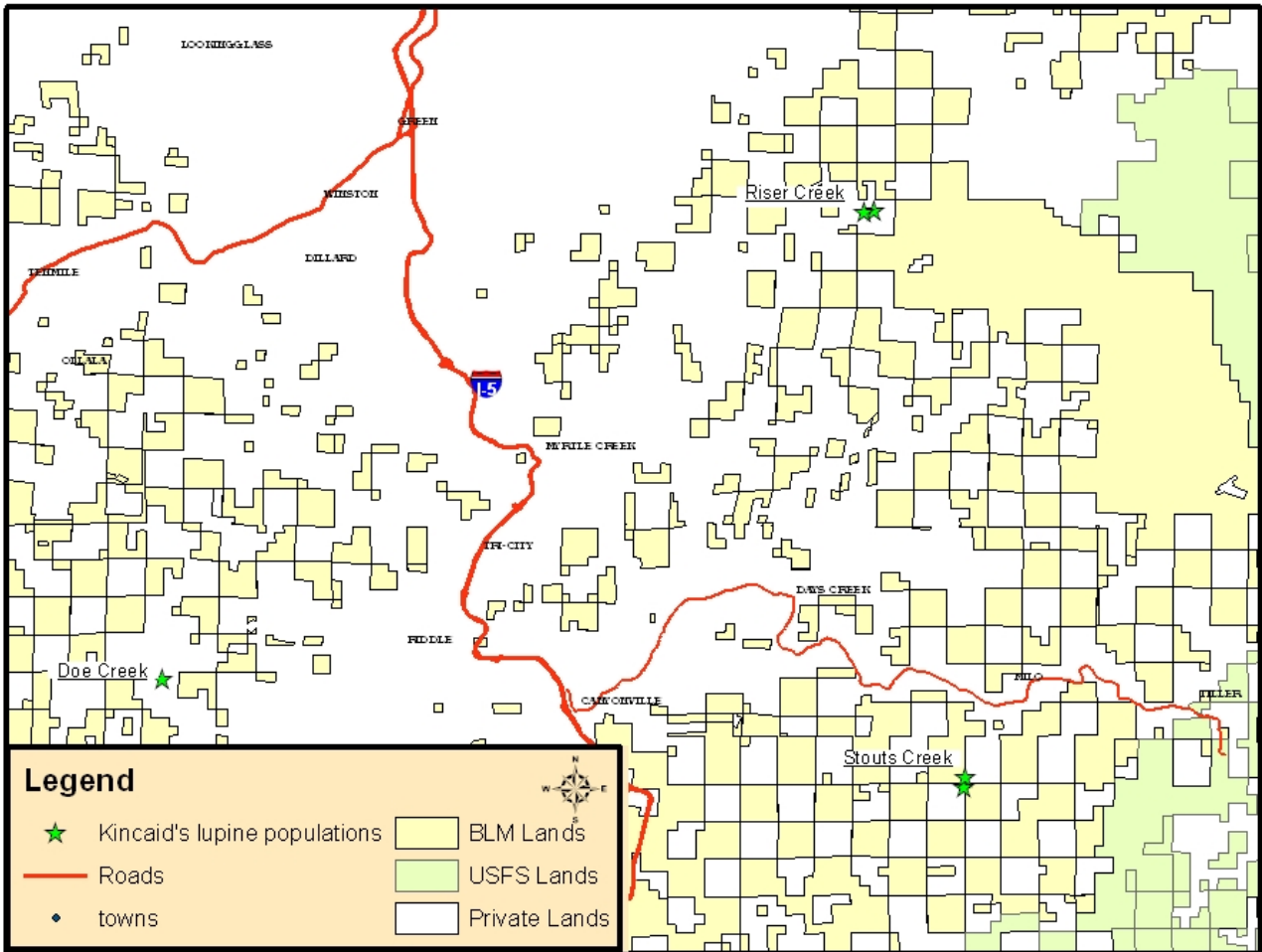
This Voluntary Agreement shall become effective with the signature of the last approving agency or Private Party official and shall remain in effect until terminated. It can be terminated in writing at any time that Lone Rock Timber Management Company, Roseburg Forest Products, Seneca Jones Timber Company, or this Office determines that the agreement is no longer necessary, with a 30-day written notice to all parties.

IX. References

- Barnes, M. 2004. Habitat Variation and Experimental Management of Kincaid's lupine. Bulletin of the Native Plant Society of Oregon: Vol. 37, No. 9. October 2004.
- USFWS (U.S. Fish and Wildlife Service). 2000. Endangered and Threatened Wildlife and Plants; Endangered status for *Erigeron decumbens* var. *decumbens* (Willamette daisy) and Fender's blue butterfly (*Icaricia icarioides fenderi*) and proposed threatened status for *Lupinus sulphureus* ssp. *Kincaidii* (Kincaid's lupine). Federal Register 65:3875-3890.
- USFWS (U.S. Fish and Wildlife Service). 2005. Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Fender's Blue Butterfly (*Icaricia icarioides fenderi*), *Lupinus sulphureus* ssp. *Kincaidii* (Kincaid's Lupine), and *Erigeron decumbens* var. *decumbens* (Willamette Daisy). Proposed Rule. Federal Register 70:66492-66539. November 2, 2005.
- USFWS (U.S. Fish and Wildlife Service). 2006. Recovery Outline for *Lupinus sulphureus* ssp. *Kincaidii* (Kincaid's lupine). Portland, Oregon. 23 pp.

APPENDIX A.

***Lupinus sulphureus* ssp. *Kincaidii* Occurrences on Private Lands in Douglas County**



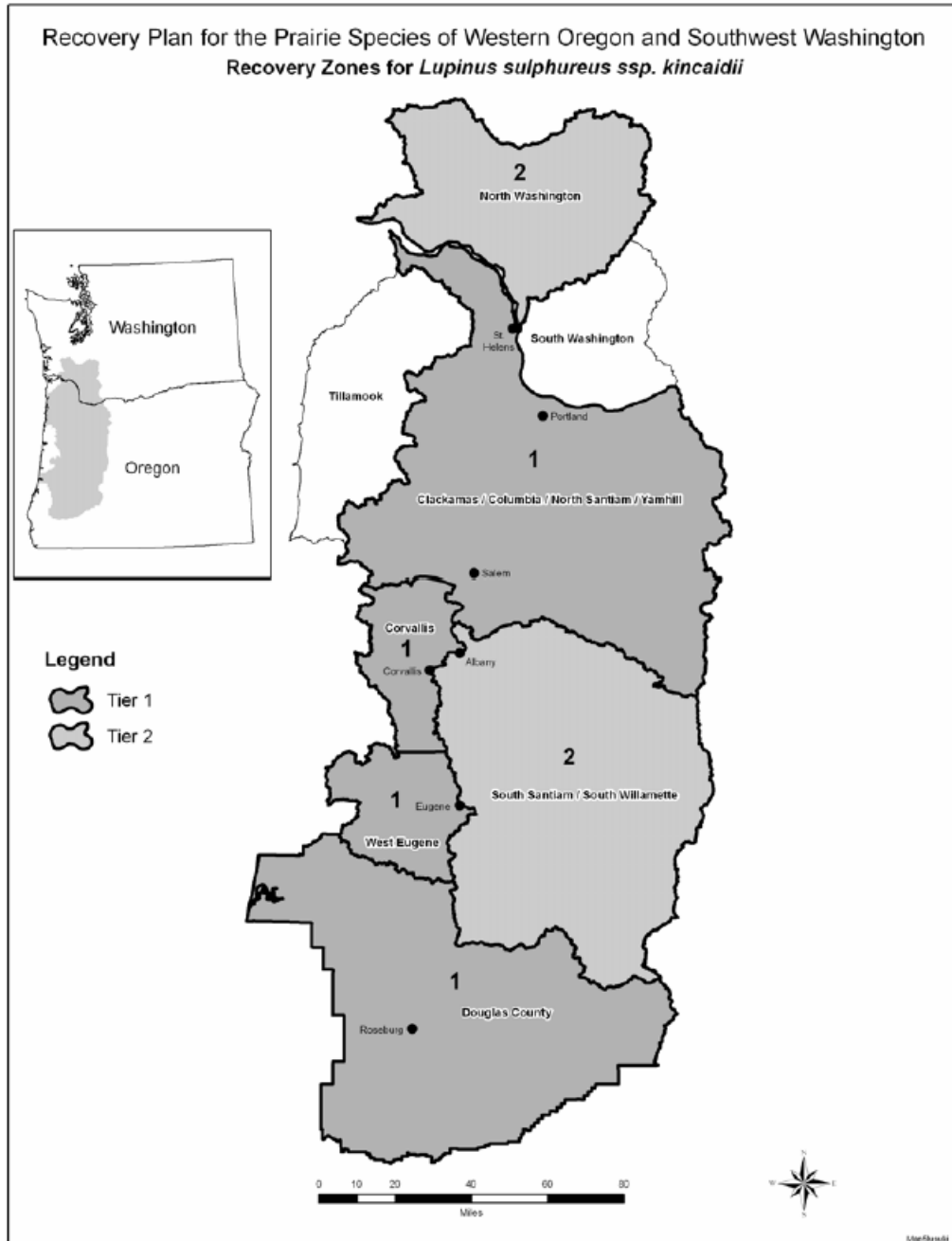
APPENDIX B**Kincaid's Lupine Occurrences in Douglas County on Private Lands**

| County | Site Name | Ownership | Square meters | Acres | Hectares |
|---------------|------------------|-------------------------------------|----------------------|--------------|-----------------|
| Douglas | Riser Creek | Seneca Jones Timber Company | 4600 | 1.14 | 0.46 |
| Douglas | Riser Creek | Lone Rock Timber Management Company | 7130 | 1.76 | 0.71 |
| Douglas | Stouts Creek | Roseburg Forest Products | 29137 | 7.2 | 2.9 |
| Douglas | Doe Creek | Roseburg Forest Products | Unknown | Unknown | Unknown |

Note: Area size (square meters, acres, hectares) for each site represents the perimeter which is the extent of the population.

APPENDIX C

Recovery Zones for *Lupinus sulphureus* ssp. *Kincaidii* from Recovery Outline (2006)



Appendix D.

Management Actions for Kincaid's lupine Occurrences on Private Lands.

| Site name | Location | On-Going Management Actions | Future Management Opportunities | Comments |
|-----------|----------|-----------------------------|---------------------------------|----------|
|-----------|----------|-----------------------------|---------------------------------|----------|

LONE ROCK TIMBER MANAGEMENT COMPANY

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|-------------|-----------------------|-------------------------------|--|---|
| Riser Creek | T31S, R3W, Section x. | weed control, roadside mowing | Pursue population propagation efforts at site. Monitoring. | This population appears healthy and vigorous. |
|-------------|-----------------------|-------------------------------|--|---|

ROSEBURG FOREST PRODUCTS

| | | | | |
|--------------|-------------------------------|-------------------------------|--|--|
| Stouts Creek | T31S, R3W, Sections 4, and 8. | weed control, roadside mowing | Pursue population propagation efforts at site. Monitoring. | Most of this population occurs on private land. BLM owns a portion of this population in Section 5 and a portion in Section 9. |
| Doe Creek | T30S, R7W, Section 26 | weed control, roadside mowing | Pursue population propagation efforts at site. Monitoring. | This population is unknown. Current surveys are needed to determine size and distribution. |

SENECA JONES TIMBER COMPANY

| | | | | |
|-------------|-----------------------|-------------------------------|--|---|
| Riser Creek | T28S, R4W, Section 24 | weed control, roadside mowing | Pursue population propagation efforts at site. Monitoring. | This population appears healthy and vigorous. |
|-------------|-----------------------|-------------------------------|--|---|