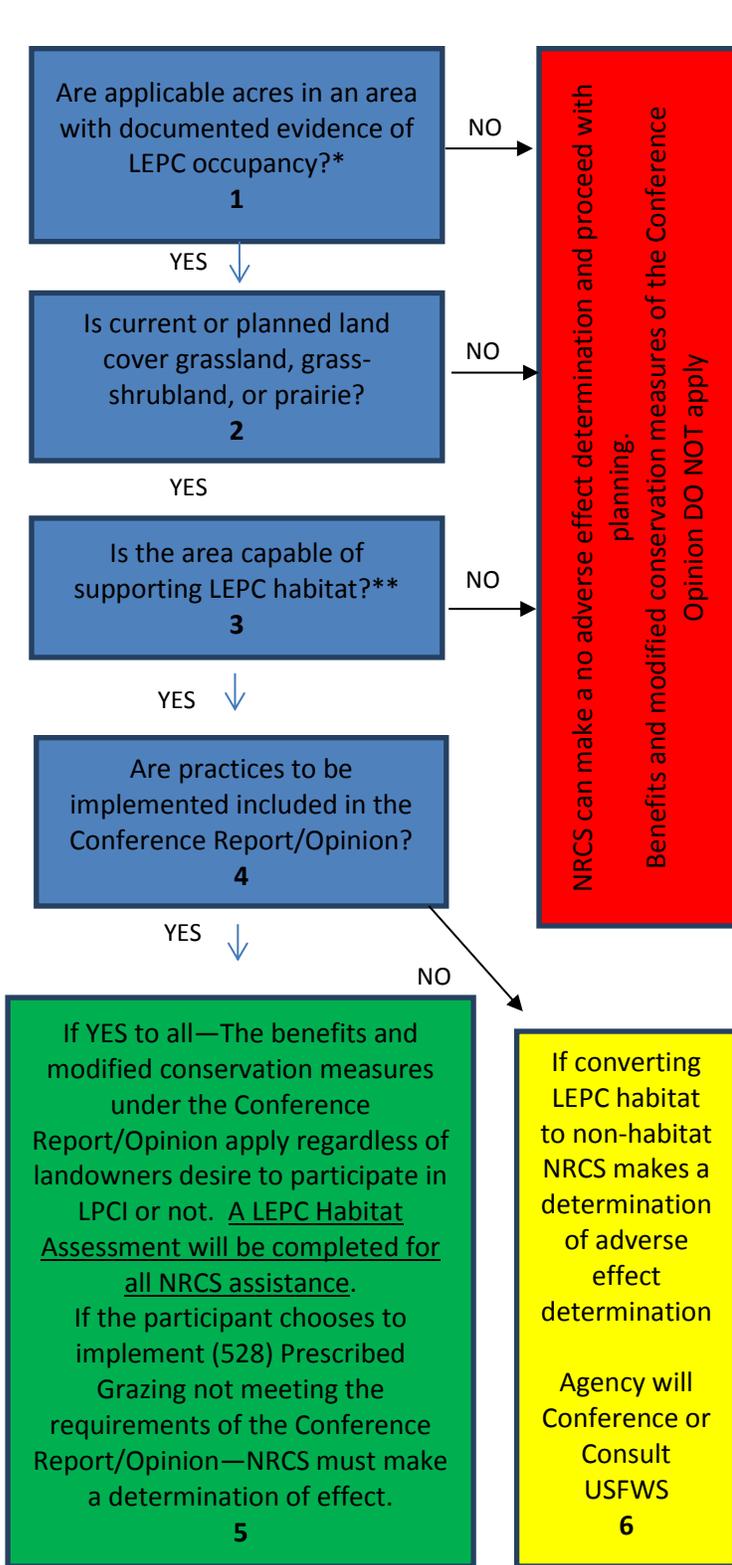


**Kansas NRCS Flowchart to Assist Planners in Determining Effect for Lesser Prairie-Chicken**



Evaluation Criteria to determine when the regulatory predictability and conservation measures of the LPCI Conference Report/Opinion apply to NRCS assistance.	
<input type="checkbox"/> YES	Box 1.
<input type="checkbox"/> NO	
<input type="checkbox"/> YES	Box 2.
<input type="checkbox"/> NO	
<input type="checkbox"/> YES	Box 3.
<input type="checkbox"/> NO	
<input type="checkbox"/> YES	Box 4.
<input type="checkbox"/> NO	
<input type="checkbox"/> YES	Box 5.
<input type="checkbox"/> NO	
<input type="checkbox"/> YES	Box 6.
<input type="checkbox"/> NO	
<input type="checkbox"/> YES	Box 7.
<input type="checkbox"/> NO	

Completed by: \_\_\_\_\_

Date: \_\_\_\_\_

District Conservationist: \_\_\_\_\_

Date: \_\_\_\_\_

\* Check all maps; LPCI Action Area, Current Range and/or Crucial Habitat Assessment Tool (CHAT)

\*\* Refer to the Lesser Prairie-Chicken Habitat Assessment (LEPCHA) Attachment 2 to KS Biology Technical Note No. 36

### **Directions for use of flow chart:**

Use of this flow chart is recommended for all NRCS assistance [i.e. technical assistance (TA) and financial assistance (FA)] within any area where there is documented Lesser Prairie-Chicken (LEPC) activity or occupation. LEPC activity or occupation area must be indicated by maps or Kansas Department of Wildlife, Parks and Tourism (KDWPT) records.

A completed flow chart can serve as NRCS documentation of LEPC habitat and the need to follow the associated conservation measures of the conference report/opinion in order to provide the assisted producer the regulatory predictability provided through this document. For any assistance provided where the end result of this flow chart ends up in the green box (box 5), a properly completed Lesser Prairie-Chicken Habitat Assessment (LEPCHA, Attachment 2 to Kansas Biology Technical Note No. 36) for the associated habitat type will be used. A situation which ends up in the red box can serve as NRCS documentation that the developed alternative (and associated technical assistance) has no potential to adversely affect the LEPC. A copy of this completed flow chart shall remain in the producer's conservation case file as proper documentation of the decision reached. Should a field office choose other methods for documenting their decisions, that documentation shall be retained in the producer's case file.

Please check the correct yes or no box for each numbered box based on the local field conditions. Document the evidence utilized to reach your decision in the associated numbered box—additional sheets/photos/etc. may be attached supporting your conclusions.

The following guidance is provided to assist field staff with completion of this flow chart. The examples associated with each box are provided as possible sources of documentation and items to consider when completing the flow chart. These are not all inclusive but are provided for use by field staff as possible considerations. These and other considerations may be utilized where appropriate. It is important that a third party can look at your completed flow chart/documentation and ascertain how you reached your final conclusion.

- **Box 1**—Evidence of LEPC occupancy may include (but is not limited to) documentation from KDWPT, sighting by a reputable source including the land owner/operator (corroborated by KDWPT), or physical evidence of LEPC use within the last three years. Refer to CHAT to assist in determining probability of habitat.
- **Box 2**—Consider current or planned land cover. Do alternatives include restoring habitat or changing land use? Include consideration of adjacent land cover within one mile radius.
  - CRP plant cover may be providing LEPC habitat/use even if the stand is a monoculture or dominated by plant species that are not optimal for LEPC habitat.
  - If changing cover type from grassland or prairie to non-grassland or non-prairie, and the conversion is not covered under any programmatic conferencing (e.g., LPCI Conference Report/opinion), individual conferencing must be initiated. If the activity is considered a NRCS action, NRCS shall initiate conferencing with permission of landowner. USFWS conferencing for CRP shall be initiated by FSA.
- **Box 3**—Consider:
  - Use CHAT to aid in determining probability of habitat.
  - Structural fragmentation of habitat unit needs to be considered; is there permanent or long standing fragmentation present? Refer to the LEPCHA and/or the LEPC Range-Wide Plan to identify if functional areas exist.
  - Soils—Is the site capable of supporting LEPC habitat? Is it an ESD (or range site) determined as an important LEPC habitat type (reference the LEPC Range-Wide Plan)?
  - A completed LEPCHA may be necessary to determine if habitat persists on the landscape.

- Other extenuating circumstances which could preclude habitat from consideration. Include items such as construction of wind energy, transmission power lines, and/or oil and gas development. This type of activity may cause fragmentation to the point the project area becomes incompatible with LEPC use or loses any potential to produce LEPC habitat.
  - Situations which are impending based on planner/landowner knowledge.
  - Scenarios which are currently in place or planned to be implemented within 6 months.

There will likely be planner interpretation necessary in this step. Documentation is critical to making and understanding decisions made. Provide a detailed justification of why a decision was made.

- **Box 4**—If this box is reached and the practices are not included in the conference report/opinion, there is a potential to adversely affect LEPC.
- **Box 5**—If this box is reached, all NRCS assistance must include completion of the Wildlife Habitat Evaluation Guide (LEPCHA) and all conservation measures of the conference report/opinion shall be followed. For assistance using the LPCI, the most limiting factor identified in the LEPCHA must be addressed by the conservation plan. For all other assistance the LEPCHA shall serve as a tool to provide planning considerations.
- **Box 6**—Consultation will be initiated by NRCS, with written permission of the landowner, for any NRCS financial assistance program. For technical assistance only, NRCS is not required to consult. NRCS must only develop alternatives which avoid adverse affect to proposed species. If the landowner chooses to not follow this requirement, NRCS will withdraw technical assistance for those portions of the project which cause adverse effect to the LEPC and/or its associated habitat (General Manual Title 190, Section 410.22).

Note: The Farm Service Agency (FSA) is responsible for conferencing/consulting on land under a current CRP contract or the Emergency Conservation Program (ECP). NRCS shall inform FSA of the potential of adverse effect on LPC using Form NRCS-CPA-52. If, upon receipt of written notification from FSA, there is no potential of adverse effect, NRCS may continue to provide technical assistance.