RE: Comments from the Maine Forest Products Council regarding the status review of the Canada Lynx

Dear Mr. Zelenak,

The Maine Forest Products Council (the Council) is a trade association formed in 1961. We have about 300 member companies, which represent all segments of the forest industry in Maine. We speak for logging contractors, sawmills, paper mills, biomass energy facilities, pellet manufacturers, furniture manufacturers, and on behalf of more than nine million acres of commercial forestland in Maine.

We welcome this opportunity to comment on the status of Canada lynx in northern Maine, an area with which we are very familiar and where the vast majority of the land is privately owned by our member companies. Based on our knowledge of current and future habitat conditions in northern Maine, scientific research conducted on lynx and snowshoe hares and recent numbers of lynx, we contend that Canada lynx do not need the protective status of the Endangered Species Act and we would urge you to remove their threatened status. As you conduct your status review, you should focus on Maine as a separate biological population not connected to other lynx areas in the lower 48 states. It is really unfair and unjustified that Maine was linked with other populations during the initial review.

During the initial listing process, we were concerned that the state and federal agencies did not have reliable population information for lynx in northern Maine nor was there sufficient information to show population trends. During the listing process and following the listing, Maine Department of Inland Fisheries and Wildlife (MDIFW), along with researchers at the University of Maine and the Cooperative Forestry Research Unit at the University of Maine, conducted a variety of studies focusing on lynx populations, reproductive success, habitat use, and movements as well as studies on snowshoe hare population densities and year-to-year population changes in a variety of habitats. These studies have taken place on commercially operated timberlands owned by our members and partially funded by over $400,000 in landowner contributions to the Cooperative Forestry Research Unit since 2005.
While the Council is not in a position to have hard data on lynx populations in Maine, we do have an army of foresters and loggers who travel and work in lynx habitat on a daily basis. We have solicited this group to send us a narrative of their sightings of lynx and lynx tracks in the various regions where they work. The narratives and supporting photos have been attached to this letter. (Unfortunately, we had a limit time to receive these comments.) Maine lynx are apparently quite photogenic as snowmobilers and others commonly share photos and videos on social media sites. The sheer volume of anecdotal information from these professionals and others suggest that lynx are not rare in northern Maine and we are confident that these observations will be supported by more quantitative data provided to you by Maine Department of Inland Fisheries and Wildlife (MDIFW) biologists as a result of their telemetry studies and track surveys.

Lynx and hare habitat in northern Maine is a result of the active management of the lands to produce forest products. Since the time the lynx was listed as a threatened species and critical habitat was designated, sustainable timber management has continued with little or no loss of habitat to development or other land uses detrimental to lynx.

Researchers contend that the best current lynx habitat was created by clearcut logging during the spruce budworm outbreak during the late 1970s and the 1980s. Clearcuts were used by landowners to salvage vast acreages of dead and dying, even-aged stands of spruce and balsam fir killed by the spruce budworm. Many of these clearcuts were several hundred acres in size. Since the 1980s, two factors have led to the reduction in the use of clearcutting: 1) the negative public reaction to clearcutting led to the creation of the Maine Forest Practices Act in 1989 which limits the size of clearcuts; and 2) following the demise of the spruce budworm, landowners did not need to salvage large areas of dying timber and instead, began using shelterwood and partial harvesting as their preferred harvesting and regeneration methods (Hoving et al. 2004; McCollough 2007).

While they may not be as conducive as clearcutting to the production of ideal hare habitat, shelterwood harvesting, like clearcutting, is an even-aged management system that also regenerates early and mid-succession softwood stands which are also good hare habitat. These clearcut, shelterwood, and partial harvested managed forest stand types, including stands that result from herbicide applications and pre-commercial thinning have all been shown by University researchers to have higher snowshoe hare densities than mature forest types, evidence of the active forest management benefits for lynx.

At the present time, the spruce budworm has increased to epidemic numbers in the Canadian province of Quebec and the epidemic is spreading into adjacent New Brunswick and northern Maine. Current predictions are that northern Maine will experience stand replacing damage from the budworm within the next five years. While it is not expected to be as severe as the 1970-80s outbreak, landowners will likely be faced with large acreages of dead and dying softwood stands. Clearcutting will likely become more prevalent. From the standpoint of hare and lynx, this will result in another pulse of prime habitat which will be on the landscape for the next 30 years. In anticipation of the budworm epidemic, the Council, Maine Forest Service and the University of Maine have drafted a report to inform people about what to expect. A copy of this draft is attached to our letter.

During the public deliberation for the designation of lynx critical habitat in Maine, the Council and biologists from the USFWS Maine office developed a conservation strategy for the lynx in Maine which we presented as an alternative which provided greater benefit to lynx than did designation of critical habitat. While we had support from both the state and regional USFWS personnel, the strategy was never accepted by the Washington, D.C. office. If it would be of value to USFWS staff to discuss lynx
habitat issues with landowners, the Council is willing to act as a point of contact for our members, as we have always done in the past.

In summary, Canada lynx habitat in northern Maine is in good condition and continuing forest management should continue to provide ongoing creation of early and mid-succession stands into the future. With the pending spruce budworm epidemic and stand level mortality in softwood stands combined with a likely increase in salvage clearcutting, optimal lynx habitat will benefit.

Anecdotal sightings of lynx and tracks by people working in northern Maine along with population data from the University of Maine and MDIFW research indicates a healthy lynx population. Given current population indicators and both the quality and quantity of lynx habitat in northern Maine, we believe that the lynx does not require further protection under the Endangered Species Act and that now is an appropriate time to remove the threatened status of the Canada lynx in Maine. If habitat and lynx numbers in other part of the U. S. lynx range do not justify delisting across the range, we suggest that Maine be treated separately and as a biologically distinct population.

Thank you for your consideration.

Sincerely,

[Signature]

Patrick J. Strauch
Executive Director

Literature Cited:


Attachments:

Reports and photos from foresters working in northern Maine.

DRAFT: Maine SBW Assessment Preparation and Response Plan

List of MFPC large landowners
Ted Shina, forester, Huber Resources, 1141 Main Street, Old Town, ME 04468

In response to your request, I am sending you this poor picture of a Canada Lynx (above) I saw this past September. I have seen about a dozen Lynx over the past 7 years or so. I have seen them in T2R7 WELS, K. L., and up north of the Rocky Brook Road (not sure what town). I don't think there's a shortage of them. This current logging season I have seen tracks that I am reasonably certain are Lynx in the Millinocket area, while doing layout. Hope this is useful.

Henning Stabins, wildlife Biologist, Plum Creek Timber, P.O. Box 89, Fairfield, ME, 04937.

Lynx visual and track sightings by Plum Creek wildlife biologists and foresters from 2009 to the present (2015) in a 360,000-acre area within the federally designated lynx critical habitat area indicate past and present habitat conditions resulting from intensive conifer forest management on private forest lands in Maine are providing suitable lynx habitat.

Surveys and incidental observations from 2009 to the present in various locations across multiple townships in northern Maine by wildlife biologists, foresters, and Maine registered guides have shown a continued wide-distribution and continual presence of lynx in northern Maine. The following describes some of Plum Creek's observations in the Moosehead Region Conservation Easement area from 2009 to the present:

- Over 12 sightings of lynx tracks or visual observations have been recorded by Plum Creek foresters, wildlife biologists, and registered Maine guides, spanning about 40 miles in the following townships:
  - Spencer Bay
  - Lily Bay
  - Big W
  - Soldiertown
  - Brassua
  - Sandwich
  - T & R
  - Sapling
  - Chase Stream
  - Bradstreet

- Multiple lynx tracks traveling together have been observed at multiple sites among the townships listed above over multiple years, indicating family groups and successful reproduction in this large intensively managed landscape.

- These recent lynx observations (in addition to those observations from Maine Department of Fisheries and Wildlife since 1995) and evidence of reproduction indicate this large landscape has maintained suitable lynx habitat over time. Given the intensive conifer forest management that had occurred during this period, including a long-term pre-commercial thinning program started in the 1980's, the lynx occupancy of this landscape is in contrast to the Service's views and interpretations regarding the effects of pre-commercial thinning on lynx habitat.
Lance Cunningham, Irving Woodlands, 798 St John Rd, Fort Kent, ME 04743.

This picture was taken by me last winter in January at the intersection of 3 Mile Brook and Hewes Brook roads. Good population of lynx in this area, multiple sightings and noticed lots of tracks in that area.

In previous years, we had spring operations in the 13 and 13.5 Branch on Hewes Brook road and always have seen lynx in this area.
Tim Cyr, trucking supervisor, Irving Woodlands, Fort Kent, ME.

I’ve been riding around and working in the North Maine Woods for 15+ years. Working mainly from the St. Francis road North and West, Estcourt to St. Pamphilie. I’m in the woods 4-6 days per week during the hunting season, and 4 days a week during Jan-Aug.

In my travels I see on average about 12 Lynx a year. This fall I saw a family of 4 together. I’ve seen 2 together after that and 2 times I’ve seen singles. So, 8 lynx around the Michaud Farm road (all different ones) in about 2 months.

I see tracks as well, but have seen more lynx in the last 5 years then I used to see in the early 2000s.

To compare, I see more Lynx then Black Bears or White-Tailed Bucks in a given year.

Bud Soucy, Irving Woodlands, harvesting supervisor, Irving Woodlands, Fort Kent, ME. I have lived in Northern Maine my entire life and in the last 5 years have spent nearly every day (aside from Sundays!) in the North Maine woods. Over the last 5 years I usually see at least 3-5 Lynx per year. This year I have seen 8 so far, and got too see a group of 5 together, 3 of which were kittens. I spend a lot of time walking in the woods pre-cruising stands and see tracks often.
Dave Dow, chief forester, Prentiss & Carlisle Co., 107 Court Street, Bangor, ME 04401

Prentiss & Carlisle foresters have made numerous Lynx sightings within the past 10 + years. Several of our foresters report seeing Lynx tracks in the snow on almost a daily basis, with sightings of actual Lynx a somewhat common occurrence in the critical habitat zone. I personally have seen Lynx tracks and actual Lynx on quite a few occasions, especially when I visit our managed lands in the St. Pamphile and Telos areas. I, along with most of our foresters have also seen Lynx in areas that are outside of the critical habitat area as well. We have all taken pictures of Lynx, and I have included some of those pictures with this email.

Our foresters also report that quite often, the Lynx are not shy, in that they will hang around for a bit and not run off right away, thus providing an opportunity to get a picture.

The majority of the Lynx we’ve seen have been in the winter, but we have all seen them in the summer, spring and fall as well. Many of our Lynx sightings are of the cats in groups of two or more, and on a few occasions five or six.

The point is I don't believe Canada Lynx should be listed as threatened or endangered, as there are quite a few of them in Maine.

Most of our foresters have seen Lynx in the course of their daily work in the woods, but the people that see them the most are:

Bart Plourde – Forester, Northwest Maine
Lonnie Jandreau – Forester, Northeast Ashland
Carl Sjogren – Forester, Ashland area
Pat Ward – Forester, Haynesville area
Kevin Dow – Forester, West Branch
David Dow – Chief Forester
Rick Whiting – Forest Technician

All of these foresters have extensive experience in the field, and all see Lynx regularly.
Lonnie S. Jandreau. Forester, Prentiss & Carlisle

I see 3 to 5 cats every year. (I have details on the pictures this time). The cat from T8R4 St Croix is the same female with two kittens. Whenever I came up over a small hill they were in the road playing and they split up. She stayed 50 feet from the road for 15 minutes while the kittens got out of sight. I had Rich Hoppe with me that day.

The Clayton Lake cat looks like it was starving, I got within 10 feet of that one.

T8R4/ T8R5, south of Oxbow is where I’ve seen the most cat signs in my travels. I’ve had people see them on my lawn during the day, I live on the Portage Road just out of Ashland a few miles. If you go out looking for them, you’ll never see one. The loggers and truck drivers all see them at least several times during the year. Hope this helps.
Bob Fanjoy, Senior Forester for Katahdin Forest Management.

I manage the Telos unit just west of Baxter State Park. Specifically T3, 4, 5, R11; T3, 4, 7, R12; and T5, 6. R13.

I have worked in this area, daily, for almost 12 years. I see an occasional lynx in my travels throughout the area. In November 2014 I saw a mother lynx and three kits in the Telos road on T5R11.

This winter I am seeing lynx tracks throughout my travels. The hare population appears to be healthy.

Shawn Bugbee, Ashland unit manager, Seven Islands, 67 Garfield Road, Ashland, ME 04732

Area where you work: Ashland East Unit – From T9R5 – Portage along Rte. 11 Corridor, and West to 47 mile on the Pinkham Road.

How often I see lynx: 3- 4 times per year

How often do you see tracks? 10-12 times per year (mostly winter) - I know this would be more if I got out of the office more than I do.

Notes: I put approximately 12-15,000 miles per year in the Ashland East unit and from my observations the lynx population is doing very well and increasing, especially in the T9R7, T9R8, T10R9, T10R8 areas where there are very frequent sightings. Attached is a not so good picture (above) of one that was on the road last winter.
Eli Shank, Forester, Seven Islands Land Company

**Area where you work:** All Pingree land within a 30 mi radius of Ashland, ME, but primarily T9R9 and T9R7

**How often I see lynx:** In the three years I have been with the company, I have seen lynx 2-3 times a year. The most recent sighting was last week (01/21/15). I have seen a lynx as far south as T10R6.

**How often I see tracks:** I see tracks quite frequently in the winter. Because I travel to the same places to visit job sites on a regular basis, I’m not sure frequency of sightings is the best metric for me. However, I would say that I see lynx tracks on a majority of winter job sites that I spend any significant amount of time on. I have seen lynx tracks as far south as T9R5.

**Notes:** My fiancé works around Clayton Lake and sees lynx twice as frequently as I do.

Brien Boucher, Licensed Forester# 3760, Orion Timberlands

**Area where I work:** I work in the following towns, T12R12, T12R11, T14R13, T13R11, T18R10, T18R11, T18R12, T18R13, T19R12, T19R11, and the Big 20 TWP. Along with working directly on the ground in these townships I travel daily throughout various townships in the Northern Maine during my general commute to my respective job site.

**How often I see lynx:** I have seen over the past 6 years of my career more lynx than I can remember, in fact, I have seen more Lynx than Bob Cat during my travels and work days in the woods of northern Maine. I travel about 30,000 miles per year in the Maine woods and encounter a lynx at least once every 2 months, last winter there was weeks that I saw them every day.

**How often I see tracks:** As well as a visual from the pickup seat I have seen many tracks in softwood thickets on the ground mostly where they were hunting for rabbits. I know that I am able to identify the lynx because of being a licensed Maine trapper, having studied various wildlife/ habitat in university, and furthermore going on an actual site visit of a tagged lynx and her kittens when the state was doing their study in 2009-2010.

**Notes:** Lastly, I feel that if lynx were endangered in Maine that my sightings would not be as frequent. Someone needs to do an actual full scale population density study in Maine and figure out the cold hard facts.

Jason McLellan, Forester, Seven Islands Land Company, west of Ashland

**Area where I work:** I primarily work in townships T11R7, T11R8, T11R9, T10R9 and T10R10 but also in the surrounding towns on occasion.

**How often I see lynx:** I typically see lynx every 3 or 4 months but it seems that when I see one I might see another within the same week. The most recent one I saw was in the beginning of January 2015.

**How often I see tracks:** I see tracks almost daily if I’m working in good lynx habitat. In the winter I would say it is pretty much daily. Where I find the most lynx sign is exactly where it would be expected to see lynx sign. When I’m working in towns where there is a lot of young softwood stands I see lynx sign almost every day and see lynx much more often. This is typically on T10R10 and T10R9 for me, and to a somewhat lesser extent T11R9.

**Notes:** From what I can tell from last year there seems to be more sign even though I haven’t seen as many lynx as I did last year. I would say that the numbers are increasing from what I can see and what I hear from talking to other people that work in the woods.

Adam Bland, Forester, Seven Islands Land Company, Ashland area

**Area where you work:** I saw a lynx on my way in to work just east of Ashland at 6:45 am last year on my daily commute.

**How often I see lynx:** Riding my bike on the snowmobile trails near Mapleton I have seen a lynx twice out of about 12 rides.
**How often I see tracks:** I don’t pay any attention to tracks and wouldn’t be able to distinguish a coyote track from a lynx.

**Notes:** I have a lynx on three separate occasions in 1.5 years and they do not seem to be skittish.

**Nathaniel Vir, Forester & (Allagash Lakes region) Unit Manager, Seven Islands Land Company**

**Area where I work:** Allagash region, based at Thoroughfare Brook Camp in T9R13 WELS

**How often I see lynx:** 4-6 times per year

**How often I see tracks:** Often. Lost count

**Notes:** Although I don’t see lynx very often, I do see tracks/ signs of lynx relatively often.

**Chad Cote, Forester, Orion Timberlands, Top of Maine & 1st Musquacook regions**

**Area where I work:** Northern Aroostook County, travel daily from Fort Kent. Townships Big 20, T19 R12, T19R11, T18R13, T18R12, T18R11, T18R10, T12R12, T12R11, T14R13 and T13R11.

**How often I see lynx:** Once/month or so, more often when traveling though certain areas.

**Notes:** I have been seeing lynx since I have worked in North Maine woods (2002). Not really a rare thing to see one. Seen big females with up to 3 kittens many times.

**Patrick Aldrich, Orion Timberlands, GIS/IT Specialist**

**Area where I work:** Fort Kent, Top of Maine

**How often I see lynx:** 1 - 2 times a year

**How often I see tracks:** 3 – 4 times a year

**Notes:** I only see them crossing the road while hunting or fishing in Top of Maine, but I have been seeing them more often in recent years.

**Bob Sawyer, Forester, Orion Timberlands**

**Area where I work:** T 12 R 12, T 12 R 11, T 10 R 3, Oxbow area

**How often I see lynx:** 1 - 2 times a year

**Notes:** I do believe we have a very health population in the north.

**Scott Stevens, Forester, Seven Islands Land Company**

**Area where I work:** North West Aroostook County. Townships T16R14, T15R15, T15R13, T13R15, T12R15, T11R15, T11R16, T10R16, T10R15.

**How often I see lynx:** I see lynx several times a year, primarily during the winter months. Majority of my lynx sightings have been in close proximity to the Quebec boundary near St. Pamphile. I watched 6 lynx together in T16R14 in March 2013.

**How often I see tracks:** I see tracks on a daily basis during the winter. Currently where I am working this winter I have seen lynx track everyday either in the woods or along the roads.

**Notes:** I feel that the lynx population in this area is doing well. Due to the numerous sightings and the amount of tracks I see the lynx are abundant in this area.

**Pete Johnson, Forester & Unit Manager, Seven Islands Land Co., Rangeley Region**

**Area where I work:** T 3 R 3 in Oxford County and Franklin County – T4 R3, T4 R4, T4 R5, Lincoln Plt., Magalloway,T4 R1, Upton, Twp C and C Surplus.
Notes: Bob and Jim Nicols saw one in Icicle Brook, C Town last winter and I believe Bob possibly saw one or some tracks in Upper Cupsuptic (T4R4) Wiggle Brook area last winter also.

Adam Nicak, Orion Timberlands, PO Box 1267, Bangor, ME 04401

Area where you work: T9R8, T9R10, T10R10, T11R9, T10R9, T10R8

How often I see lynx: In the winter months, I typically see one or two a month, though I see one all season when there is no snow.

How often I see tracks: A track or two a month, though I’m usually not looking for tracks, again only in the winter.

Notes: The numbers seem to be increasing. I have noticed them a lot more in the past three years.

Emma Schultz, Operations Forester, LandVest

Area where I work: I work at Clayton Lake and surrounding townships (T11 R15 east to T11 R10, T12 R13 south to T10 R13), and travel bi-weekly from Portage Lake to Clayton Lake.

How often I see lynx: I see lynx regularly, usually several times per winter and early spring, and occasionally in the summer. The most recent sighting was two weeks ago, when I saw a mother with two kits at Mile 41 on the Realty Road (T11 R11). I have also seen lynx in T9 R11, T10 R12, T10 R13, T12 R14 and two locations in T11 R14.

How often I see tracks: Regularly, nearly every week. I see lynx tracks on most winter job sites that I spend any significant amount of time on.

Notes: Numbers seem to be stable. I spend a good portion of every day driving roads in the Clayton Lake region and frequently see signs of lynx. A photo (below) of one of the kittens I saw recently is attached.