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Stevens County must factor lynx habitat in plan

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Stevens County must protect habitat for Canada lynx as part of the county's growth planning, a recent court decision says. Fewer than 100 of the shy forest cats are believed to remain in Washington. Their territory includes high ridges in the northeast corner of the state, where the lynx's large feet and long legs help them navigate deep snows and stalk snowshoe hares, their preferred food.

Malcolm Friedman, chairman of the Stevens County board of commissioners, said that nearly all suitable lynx habitat in the county is found on federal and state land, including the 41,500-acre Little Pend Oreille Wildlife Refuge south of Colville. As a result, he said, the county didn't include lynx habitat on private lands as part of its critical areas designation, which is required by the state Growth Management Act. "Our logic was that all this land was already covered by state and federal authorities," Friedman said.

That decision was challenged by Futurewise, formerly known as 1,000 Friends of Washington. The nonprofit is active in growth management issues. When Futurewise prevailed in the lower courts, Stevens County appealed to the state Supreme Court. On March 31, the Supreme Court announced that it wouldn't hear the case. That allows a 2008 ruling from a lower appellate court to stand and requires the county to protect lynx habitat on private lands, said Robert Beattey, Futurewise's legal director. Friedman said the county will comply with the ruling.

Lynx are the rarest of three cat species native to Washington. They were hunted and trapped until the early 1990s, when the population declines became apparent. In 2000, lynx were listed as threatened under the Endangered Species Act.

Washington counties and cities must protect wildlife habitat and other ecologically sensitive areas through critical areas designations. A designation doesn't rule out building a house or cutting timber, if the habitat values can be preserved, said Karin Divens, who works on Growth Management Act issues for the state Department of Fish and Wildlife. The department acts as a technical adviser on critical areas but doesn't have regulatory authority in that area, she said.

"This will not routinely stop projects in Stevens County," said Kitty Klitzke, Futurewise's Eastern Washington coordinator. "Lynx thrive better in steeper, higher areas. ... I don't think you'll find a lynx den where you want to build a house."

Lynx depend almost exclusively on snowshoe hares for their diet. Hare populations are cyclical, and during lean years, lynx disperse, traveling long distances to find new habitat. Snowshoe hare cycles contribute to lynx migrating from British Columbia and Alberta into the mountains of northeast Washington, and vice versa. Work is under way to designate lynx travel corridors between Washington and British Columbia.

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