

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
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To: District Managers, Field Managers, and Deputy State Directors

From: State Director

Subject: New Tools for Managers

The Administration is committed to developing tools to enhance our capabilities for natural resource management in the field. We will use these tools as they become available to help us implement our decisions. The Healthy Forest Initiative and upcoming Sustaining Working Landscape initiatives are driving development of these tools for managers.

Healthy Forests: An Initiative for Wildfire Prevention and Stronger Communities. In August of 2002, President Bush issued the Healthy Forests Initiative. This Initiative identifies needs and opportunities to streamline processes and remove barriers to reducing fire risk and improving forest and rangeland health, including stewardship contracting authority. Tools out of the Healthy Forests Initiative include:

- **New Categorical Exclusions** The BLM and Forest Service are revising procedures for implementing the National Environmental Policy Act (NEPA) by proposing two new categorical exclusions (CXs): one for hazardous fuels reduction activities (such as thinning overstocked stands) and one for rehabilitating and stabilizing lands and infrastructure after wildland fires (such as reseeded). The hazardous fuels reduction CX would apply to projects consistent with the 10-Year Comprehensive Strategy Implementation Plan, including prescribed fire, but would not be conducted in wilderness areas or in timber sales that do not have hazardous fuels reduction as the primary purpose. The rehabilitation CX is for after-fire activity only. Neither would include use of herbicides or pesticides, nor construction of new permanent roads, and both would be consistent with land use plans and comply with all applicable laws for environmental protection. Requests for pilot project proposals on BLM and private lands for FY04 are currently being solicited through the fire program. The public comment period for the proposed CXs is over, and the “best guess” for role their out is within the next 30 days. ***Who to Ask: Leslie Frewing-Runyon, OSO.***

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- **Counterpart Regulations** Under the Endangered Species Act (ESA), regulatory agencies can authorize other agencies to complete consultation using counterpart regulations. For projects under the National Fire Plan or the Healthy Forest Initiative, the Administration is working on a proposal to allow the BLM and the Forest Service authority to complete “not likely to adversely affect” (NLAA) consultation. Timing on this proposal is unknown. The BLM, Fish and Wildlife Service, NOAA-Fisheries, and Regions 1, 4, and 6 of the Forest Service have developed guidelines for NLAA activities that are on-line. These guidelines may prove useful if authority for completion of NLAA is given to the BLM. ***Who to ask: Barbara Hill, OSO.***

- **New Environmental Analysis Format** The Council on Environmental Quality (CEQ) has developed guidance to ensure consistent NEPA procedures, including developing a model Environmental Analysis (EA) for fuels reduction and fire-adapted ecosystem restoration projects. The process is being tested through ten pilot efforts, nationwide. Field staff will use the EA outline over the next several months to complete EAs for different types of forest and rangeland health projects. Based on the experience, CEQ will provide examples of completed EAs to be used as models and may develop more substantive protocols. The guidance proposes to streamline the process by creating EAs that are clear, concise, 10-15 page documents. Other material would be incorporated by reference. Some questions on applicability remain, given legal and analytical precedent and policy requirements. The Medford District's Rogue River Fuel Hazard Reduction EA is a pilot project with completion anticipated in June 2003. *Who to Ask: Abbie Jossie, Grants Pass Field Manager and Doug Henry, Grants Pass Planning and Environmental Coordinator; Leslie Frewing-Runyon, OSO.*
- **Stewardship Contracts** Stewardship contracts were authorized in the Omnibus Appropriations Act of 2003, for use through 2013. This new authority allows BLM to enter into long-term end result contracts (up to 10 years in length). Contracts are on a best value basis that include payment in the form of biomass removal for the service provided and apply any excess revenues to other stewardship projects without further appropriation. Stewardship contracts are for projects that a) remove vegetation or other activities to promote *healthy forest or rangeland* conditions or *fire hazards reduction* and b) where there is a reasonable expectation that the materials being removed have some market value that would help offset a portion of the cost of implementing the project or would provide receipts in excess of the project cost. Up-front collaboration with States, Tribes, and local communities is essential in identifying and agreeing on resource management outcomes. Projects meet land management goals such as:
 - Road and trail maintenance or obliteration to restore or maintain water quality;
 - Soil productivity, habitat for wildlife and fisheries, or other resource values;
 - Setting of prescribed fires to improve the composition, structure, condition and health of stands or to improve wildlife habitat;
 - Removing vegetation or other activities to promote healthy forest stands, reduce fire hazards, or achieve other land management objectives;
 - Watershed restoration and maintenance;
 - Restoration and maintenance of wildlife and fish habitat; and
 - Control of noxious and exotic weeds and establishing native plant species.

The Washington Office (WO) is expected to provide additional guidance in the near future. *Who to Ask: Jim Hallberg, OSO.*

Sustaining Working Landscapes The intent of the Sustaining Working Landscapes initiative is to develop policy and tools that provide for resource conservation needs, meet ecological outcomes, and sustain ranching by increasing the flexibility to administer grazing permits and leases to promote broad-based citizen stewardship. The ideas being generated include looking at changes in grazing rules and policy:

- **Conservation partnerships**—permit holder voluntary performance based contracts in incentive driven range recovery and restoration with the option of payment for services.
- **Reserve common allotments**—similar to grass banking, for use when grazing permittees are displaced from normal allotments due to cooperating on planned range recovery treatments or emergency/uncontrollable circumstances (fire, drought).
- **Voluntary allotment restructuring**—merging grazing allotments to foster management flexibility.

- **Conservation easement acquisition**—To preserve open space and better manage watersheds, BLM might acquire easements or offer grazing permittees the opportunity to acquire lands identified for “disposal” in return for placing conservation easements on adjacent private lands.
- **ESA mitigation**—Activities by permittees to permanently create or improve habitat for listed species could be banked and provide credits similar to wetland mitigation banking for listed species.

Implementation policy and guidance projected to be completed by November 2003. *Who to Ask: Hugh Barrett or Craig McKinnon, OSO.*

Other Tools

- **ESA: Multi-agency policy memorandum on consultation relating to rights-of-way across federal for nonfederal actions.** The access policy, developed by the BLM, Forest Service, NOAA-Fisheries, and Fish and Wildlife Service describes rights-of-way actions that require consultation. A WO IM, signed last week, directs immediate implementation, and Q&As under development will be provided in the near future. Managers are directed to determine effects and need for consultation based on whether the *proposed federal action* may affect a listed species or designated critical habitat. The proposed federal action does not include any action on private land. However, if the federal authorization of access is *essential*, and not merely *facilitative*, in causing a subsequent effect to the species from the private land action, the effect should be viewed as an indirect effect and subject to consultation. Also, clear and convincing information must be provided to support impacts that are *reasonably certain to occur*. *Who to Ask: Barbara Hill, OSO*

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- **Grants for Biomass Utilization** On April 7, Agriculture Secretary Ann M. Veneman announced the availability of approximately \$44 million in grants that will support President Bush's energy plan to develop renewable energy and expand the economic prospects and environmental promise of biomass. The program was authorized by the 2002 Farm Bill and will be conducted in collaboration with the Department of Energy. There may be an opportunity for local community organizations to compete for these grants to develop pilot or demonstration projects for woody biomass. *Who to Ask: John Stewart, WO.*
- **ESA Consultation Package for Listed Fish** The BLM, Forest Service, NOAA-Fisheries and Fish and Wildlife Service are developing a new consultation package for listed fish. The new methodology is result of the 9th Circuit Court ruling in the Pacific Coast Federation of Fisherman lawsuit. It will emphasize the up-front information needed in NEPA documents. A draft should be out for selected field review later this month with the goal of applying it to timber sales under the Northwest Forest Plan by fall 2003. *Who to Ask: Bill Hudson, Coos Bay.*

As we look at what is being discussed and developed, some tools are additional or new, others are a streamlined version of current practice, and all will require us to continue working with other agencies and partners toward implementation. I ask that you and your staff use those tools that are ready to implement now. For those tools currently being developed, you should actively participate in the teams that are refining these new approaches. We need to be creative in the ways that we put these tools to work for us in meeting our OR/WA BLM goals and objectives.

Districts with Unions are reminded to notify their unions of this IB and satisfy any bargaining obligations before implementation. Your servicing Human Resources Office or Labor Relations Specialist can provide you assistance in this matter.

Signed by
Cathy Harris
Acting Associate Director

Authenticated by
Mary O'Leary
Management Assistant

Distribution

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