

**United States
Department of
Agriculture**

**Forest
Service**

**R-6
R-5**

**OR/WA
CA**

**Bureau of Land
Management**

**United States
Department of
Interior**

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EMS TRANSMISSION 05/05/2004

BLM-Information Bulletin No. OR-2004-121

FS-Memorandum

To: Oregon/Washington Bureau of Land Management District Managers and Field Managers; California Bureau of Land Management Field Managers (Arcata, Redding and Ukiah); Region 6 Forest Supervisors; Region 5 Forest Supervisors (Six Rivers, Mendocino, Shasta-Trinity, Klamath, Lassen, Modoc, Los Padres, Tahoe, and Plumas)

Subject: Implementation of the 2004 Record of Decision to Remove Survey and Manage Mitigation Measure Standards and Guidelines

The Record of Decision (ROD) to Remove Survey and Manage (S&M) Mitigation Measure Standards and Guidelines was signed on March 22, 2004. This decision was effective on April 21, 2004.

This memo is to provide information and guidance regarding implementation of the ROD and the transition of former S&M Species to the Special Status/Sensitive Species (SSS) Lists. One or more additional memos will also be transmitted in the near future to address more specific details concerning this transition. To assist field units with management of S&M Species that move into SSS Programs, Attachment 1 provides an overview of work that is in progress.

The ROD describes the application of the decision to contracts, permits, and special use authorizations as follows:

“The management direction provided by this Decision applies to new contracts, permits, and special use authorizations issued after the date of this Record of Decision as required by BLM and Forest Service planning statutes and regulations. Existing contracts, permits, and special use authorizations may be adjusted in those cases where statutory or regulatory authority would allow the change. In those cases where contracts, permits, or special uses are not revised or amended prior to their expiration, the change will be made at the time of their renewal.”

The ROD describes the application of the decision to ongoing and current management activities as follows:

“Surveys may have already been completed for individual projects. No additional survey work is required for projects that have fully complied with the current Survey and Manage Mitigation Measure Standards and Guidelines and existing Special Status Species Policies. Known sites of species formerly included in Survey and Manage that are included in the Special Status Species Programs will be managed under Special Status Species Policies. Known sites of Survey and Manage species not included in Special Status Species Programs will be released for other management uses after the effective date of this Record of Decision.

“Surveys have been started but are not complete. Projects that are in development but have not yet fully complied with survey requirements of the Survey and Manage Mitigation Measure Standards and Guidelines may, at the discretion of the line officer responsible for the project decision, continue under those standards and guidelines or comply with the Special Status Species Policies for those Survey and Manage species that were added to the Special Status Species Programs. Former Survey and Manage species that are included in the Agencies’ Special Status Species Programs will have their known sites managed under Special Status

Species Policies. For Survey and Manage species not included in Special Status Species Programs, surveys will not need to be completed and known sites will be released for other management uses after the effective date of this Record of Decision.

“Surveys have not been started. Projects that are initiated after the effective date of this Record of Decision will comply with Special Status Species Policies.”

The following information is intended to assist the field in evaluating the status of projects and answer key questions regarding implementation of this decision.

1. Projects with surveys in progress:

Surveys for former S&M Species not included on Special Status or Sensitive Species Lists. You may immediately discontinue pre-disturbance surveys and other activities associated with the S&M Mitigation Measure Standards and Guidelines.

Surveys for former S&M Species added to Special Status or Sensitive Species Lists. For species that have had surveys completed, no further action is needed. These surveys should satisfy the requirements for either S&M or SSS Policies. For those species where surveys are in progress, at the discretion of the line officer responsible for the project, you may continue to use S&M Survey Protocols or you can comply with SSS Policies. -

The use of S&M Survey Protocols is no longer required and any future application of survey protocols will be decided by the line officer. Pages 5 and 6 of the ROD describe tools available for determining the presence of a species or its habitat (completing pre-project clearances) and the analytical assumptions used in the Final Supplemental Environmental Impact Statement (SEIS) regarding use of these tools. These assumptions were meant to represent a reasonable projection of what would occur under SSS Policies so as to describe effects to species in the SEIS. If project surveys for a species were practical under the Survey and Manage standards and guidelines, then this would be one option, if needed, to assess project impacts. If project surveys for a species were not practical under the Survey and Manage standards and guidelines (most Category B and D species), or a species' status is undetermined (Category E and F species), then surveys will not be practical or expected to occur under the Special Status/Sensitive Species policies either. Instead, other options for pre-project clearances would be used, such as evaluation of a species' habitat associations and the presence of suitable or potential habitat; review of existing occurrence records, surveys and inventories; use of research information, literature, or habitat models; or use of documentation or rationale provided by internal or external professional expertise. The methods used for accomplishing pre-project clearances are recommended by the biologist or botanist, and decided by the line officer in consultation with local staff.

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2. Interagency Species Management System (ISMS)/data management:

For all units except for the Forest Service in Region 5, continue to enter the sites and areas surveyed into ISMS for former S&M Species that have been added to the agencies' SSS Lists. Please refer to BLM Information Bulletin No. OR-2004-106 (<http://web.or.blm.gov/records/ib/2004/ib-or-2004-106.htm>), “Data Management Decisions for S&M and Special Status Species Programs.”

Region 5 will accelerate their transition from ISMS to the Natural Resource Information System (NRIS) by entering data either directly into the NRIS FAUNA module or into an interim rare plant database. This database is being refined and is expected to be operational in the next few months.

3. Known site management:

Project has been completed. If a project has been completed, the requirement to manage known sites was fulfilled during the project. Any future projects in the area will follow SSS Policies. Known sites for former S&M Species that

were not added to SSS Lists are released and will no longer need to be tracked; however, do not remove them from the ISMS database.

Project planning is in progress (no decision). Known sites for former S&M Species that were not added to SSS Lists are released for other uses. Management of former S&M Species that were added to SSS Lists will occur according to SSS Policies.

Future projects. Species will be managed according to SSS Policies.

The use of S&M Management Recommendations is no longer required. Management Recommendations are no longer management direction. Page 6 of the ROD describes the analytical assumptions used in the Final SEIS regarding known site management. These assumptions were meant to represent a reasonable projection of what would occur under SSS Policies so as to describe effects to species in the SEIS. Species management is determined by the line officer in consultation with local staff.

4. National Environmental Policy Act of 1969 (NEPA) considerations:

We recognize there are numerous NEPA analyses in various stages of completion that are potentially affected by the ROD. The method for determining whether or not a change is needed in your existing NEPA analyses should be decided by the responsible official using Council on Environmental Quality (CEQ) Regulations (40 CFR 1502.9) which pertains to Draft, Final, and Supplemental Statements.

For projects with signed NEPA decisions or decision documents before the effective date of this decision, if it appears the project objectives would be better achieved by implementing the new ROD, the responsible official can choose to withdraw the current decision and issue a new decision, in which case appropriate actions consistent with NEPA should be completed. As a general rule (and at the discretion of the responsible official) projects with decisions that have been on the shelf for longer than five years that have not been implemented should be re-examined to determine if criteria in CEQ 1502.9 compel preparation of a supplement (CEQ 40 questions).

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5. SSS List updates:

Transmittal letters signed by the Regional Foresters that officially update the Region 6 and Region 5 SSS Lists are forthcoming. California BLM has already updated their list and Oregon BLM has issued a draft.

6. Contacts:

The following personnel are available to answer questions regarding implementation of the ROD and transition plans:

Subject	Name	Phone
SSSP Transition and ROD Implementation	Kathy Anderson, (kanderson03@fs.fed.us)	(503) 808-2256
OR BLM Special Status Species Policies	Barb Hill Joan Seevers	(503) 808-6052 (503) 808-6048
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CA BLM Special Status Species Policies	Edward Lorentzen	(916) 978-4646
R5 Sensitive Species Policies	Anne Bradley Mike Gertsch Diane Macfarlane	(707) 562-8938 (707) 562-8797 (707) 562-8931
Survey and Manage	Rob Huff	(503) 808-6479

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1 Attachment

1 - [Overview of Interagency Transition Strategy Work in Progress](#) (1p)

BLM Distribution

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Overview of Interagency Transition Strategy Work in Progress

April, 2004

The Regional Executives made a decision in December, 2003 to create a common, jointly staffed BLM/FS Special Status/Sensitive Species Program (SSSP) between BLM OR/WA and Region 6 with strong collaborative ties with CA BLM and Region 5. As a result of this commitment, an interagency team from the Forest Service Regional and BLM State Offices has been working on a strategy and tasks to facilitate the transition of Survey and Manage (S&M) species to SSSP and lists. This strategy involves completion of certain high priority S&M tasks relevant to the SSSP during FY 2004, and initiation of new efforts that will assist field units with management of S&M species that move into SSSP.

Some of the S&M tasks that will be completed in FY 2004 include: Strategic Surveys; biological interpretation of the random grid data for fungi, lichens, bryophytes, mollusks, and red tree vole; establishment of specimen identification contracts/processes; and evaluation of S&M models for potential use for Special Status/Sensitive species.

New tasks developed to assist field units with the transition of S&M species to SSSP include:

1. For former S&M species suspected or documented on Forests/Districts outside the Northwest Forest Plan area, provide training for field staff (data management, ID, and specimen processing and vouchering) and updated habitat, range, and known site information.
2. Identify efficient and defensible approaches for evaluating project effects for fungi, lichens, bryophytes, mollusks that field unit botanists/biologists can use to analyze potential trends toward federal listing.
3. Develop and apply a prioritization process for all Special Status/Sensitive species that can be used to focus inventories and conservation assessments.
4. Create a strategy for individual species, groups of species within taxa, or other logical species groupings, for at least the high priority SSSP.
5. Develop range-wide inventories and conservation assessments for high priority Special Status/Sensitive species.
6. Review FS and BLM policies and identify potential opportunities for increased consistency in listing and other policy processes.