United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208

April 23 2012

In Reply Refer To:
6840 (OR931) P

EMS TRANSMISSION 04/24/2012
Instruction Memorandum No. OR-2012-045
Expires: 9/30/2013

To: District Managers: Burns, Lakeview, Prineville, Spokane, and Vale

From: State Director, Oregon/Washington

Subject: 1998 Salmon, Steelhead, and Bull Trout Biological Opinions – Line Manager Certification Report for 2011 DD: 05/18/2012

Program Area: This instruction memorandum (IM) applies to all lands administered by the Bureau of Land Management (BLM) that are subject to the 1998 Salmon, Steelhead, and Bull Trout Biological Opinions (1998 Opinions).

Purpose: The purpose of this IM is to transmit a memorandum signed by the BLM Deputy State Director for Resource Planning, Use, and Protection and other members of the Columbia Basin Deputy Team (Deputy Team).

Policy/Action: The annual Line Manager Certification Report, which is part of Attachment 1, provides a mechanism for documenting Forest Service and BLM administrative units' implementation and compliance with PACFISH and INFISH Standards and Guidelines and the terms and conditions as described in the 1998 National Marine Fisheries Service and Fish and Wildlife Service Biological Opinions. This information will assist the Deputy Team in identifying priority issues needing resolution, certifying compliance with the legal requirements of the 1998 Opinions, more efficiently addressing Freedom of Information Act requests, and ensuring the durability of PACFISH, INFISH, and the 1998 Opinions until replaced through plan revisions. Completed reports are to be emailed to Al Doelker (adoelker@blm.gov) and received by May 18, 2012.

Timeframe: The due date for completion of the Line Manager Certification Report is May 18, 2012.

Budget Impact: None.

Background: The attached memorandum provides the background for this request.

Manual/Handbook Sections Affected: Not applicable.

Coordination: The action has been coordinated with the Forest Service, the Fish and Wildlife Service, and National Oceanic and Atmospheric Administration Fisheries.

Contact: Questions should be referred to Al Doelker at (503) 808-6067.

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

Signed by
Michael M. Mottice
Associate State Director

Authenticated by
Rhondalyn J. Darnell
Records Section

Attachment
1 - Interagency Interior Columbia Basin Deputy Team memo (13pp)

Distribution
WO230 (204 LS)
OR931 (Lee Folliard, Al Doelker)
OR932 (Robert Hopper, Charlie Fifield)

United States Department of Agriculture Forest Service	United States Department of Commerce National Oceanic and Atmospheric Administration Fisheries	United States Department of the Interior Bureau of Land Management	United States Department of the Interior Fish and Wildlife Service	United States Environmental Protection Agency

Reply to: 2670(FS)/6841(BLM) **Date:** April 6, 2012

BLM/FS/FWS/EPA/NOAA Fisheries-Memorandum

To: Forest Supervisors/District Managers Responsible for areas included under INFISH and/or PACFISH

National Forests and BLM Districts:
FS PACFISH & INFISH: Bitterroot, Nez Perce-Clearwater, Salmon-Challis, Deschutes-Ochoco (only the Ochoco portion of the Forest), Malheur, Wenatchee-Okanogan (only the Okanogan portion of the Forest), and Wallowa-Whitman NFs. ***FS PACFISH Only:*** Umatilla NF and Columbia River Gorge NSA. ***FS INFISH Only:*** Flathead, Helena, Idaho Panhandle, Kootenai, Lolo, Humboldt-Toiyabe, Deschutes-Ochoco (only the Deschutes portion of the Forest), Colville, and Fremont-Winema NFs. ***BLM PACFISH & INFISH:*** Idaho Falls, Coeur d'Alene, Prineville, Vale, and Spokane Districts. ***BLM INFISH Only:*** Missoula, Twin Falls, Boise, Burns, and Lakeview (Klamath Falls Resource Area) Districts.

From: Interior Columbia Basin Interagency Deputy Team (NOAA Fisheries, USFWS, FS, BLM, & EPA)

Subject: 2011 Line Manager Certification Report for 1998 Salmon, Steelhead, and Bull Trout Biological Opinions and 2003 (Jarbidge) Bull Trout Biological Opinion

Reply Due May 25, 2012

The Line Manager Certification Report (LMCR) fulfills the annual reporting requirements of the 1998 and 2003 Biological Opinions on PACFISH and INFISH as issued to the Forest Service (FS) and Bureau of Land Management (BLM) . Additionally, the LMCR provides the Interior Columbia Basin Interagency Deputy Team with valuable information regarding implementation of the PACFISH/INFISH strategies and the Terms and Conditions in the Incidental Take Statements associated with these Biological Opinions.

The 2011 LMCR will be basically the same as last year. Enclosed is the LMCR Form and supporting documents including Attachment A: 1998 & 2003 Opinion Requirements, Attachment B: PACFISH/INFISH Standards and Guidelines Questions, and Attachment C: Guidance on Special Situations. Information will be compiled at FS Region and BLM State Office levels to assist the Deputy Team in identifying priority issues needing resolution, certify compliance with the legal requirements of the 1998 and 2003 Opinions, more efficiently address FOIA requests, and assure the durability of PACFISH, INFISH, and the 1998 & 2003 Opinions until replaced through plan revisions.

Our expectation is for the LMCRs to be completed by persons familiar with PACFISH, and INFISH and have an understanding of how the requirements in the Opinions should be applied. The LMCR is to be reviewed and signed by Forest Supervisors and BLM District Managers in coordination with NOAA

Fisheries and USFWS, through Level 2 or similar interagency process. Responses to the questions are to be shared and discussed with NMFS and the USFWS prior to submission and signing of the LMCR by Forest Supervisors and BLM District Managers.

Signed and completed reports are to be emailed to the following persons by May 25, 2012: FS-R6 (Debbie Hollen), FS-R1 (Cameron Thomas), FS-R4 (Cynthia Tait), BLM – OR/WA (Al Doelker), BLM-Idaho (Scott Hoefer). For BLM OR/WA Resource Areas, please consolidate Resource Area reports into one report for the District prior to submitting to the state office.

Please contact Scott Russell, Interior Columbia Basin Interagency Deputy Team Coordinator, by phone at 208-983-4092 or email at sarussell@fs.fed.us, if you have any questions on completing this form.

/s/ Nora Rasure
Nora Rasure
Deputy Regional Forester
USDA Forest Service
Pacific Northwest Region

/s/ Jeff Foss
Jeff Foss
Deputy State Director
for Resource Services - Idaho
USDI, Bureau of Land Management

/s/ Marlene Finley
Marlene Finley
Deputy Regional Forester
USDA Forest Service
Intermountain Region

/s/ Michael Haske
Michael Haske
Deputy State Director for Resource Planning,
Use and Protection - Oregon/Washington
USDI, Bureau of Land Management

/s/ Jane Cottrell
Jane L. Cottrell
Deputy Regional Forester
USDA Forest Service
Northern Region

Enclosure: Line Manager Certification Report Form

cc:

Eric Johnston,
Cynthia Tait,
Debbie Hollen,
Al Doelker,
Kurt Wiedenmann,
Linda Ulmer,
Cathy Selby,
Scott Russell,
Deb Konnoff,
Interior Columbia Basin Interagency Deputy Team Members:

Dr. John Laurence
Land and Watershed Management
Program Manager
Pacific NW Research Station
U.S. Forest Service

Dr. Frank McCormick
Air, Water and Aquatic Environments
Program Manager
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Michelle Pirzadeh
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U.S. Environmental Protection Agency
Region 10

Michael Tehan
Assistant Regional Administrator
Habitat Division, Northwest Region
NOAA Fisheries

Theresa Rabot
Assistant Regional Director Region 1
U.S. Fish & Wildlife Service

LINE MANAGER CERTIFICATION REPORT FORM

Instructions:

Please review the 1998 and 2003 NMFS and USFWS Biological Opinion requirements (Attachment A) for each of the following questions. ***Only provide a supporting narrative on those questions for which you answered "no".***

1. Have you implemented all applicable Standards and Guidelines in INFISH and/or PACFISH (www.fs.fed.us/r6/fish/documents/)? Use **Attachments A, B, & C** to assist with answering this question. **If No, provide a narrative that: 1) identifies the relevant S&Gs that were not applied; 2) why they were not applied; and 3) what other mechanisms were used to ensure that riparian management objectives were met?**

2. To identify important places and priority actions for the conservation and restoration of ESA-listed salmonids (salmon, steelhead, bull trout), the 1998 and 2003 Opinions require that various processes and assessments be utilized. Were ALL of those processes or assessments, listed in Attachment A under Question 2, used on your unit? (Y/N)?
   If No, provide a narrative that: 1) identifies the ones that were not used; 2) briefly explains why; and 3) lists/briefly describes substitute processes or assessments used to identify important places and priority actions.

3. (**PACFISH Only**) The 1998 NMFS Biological Opinion identified various tools and processes (Attachment A, Question 3) to manage risk for ESA-listed salmon and steelhead. Were ALL of these used on your unit? (Y/N) **If No, identify those that were not used and provide a brief explanation as to why**

4. The 1998 Opinions identified various processes (Attachment A, Question 4) to ensure accountability and successful outcomes for ESA-listed salmonids through implementation of FS and BLM management actions.
   - **a.** Was the Certification Report completed in coordination with NOAA and USFWS through Level 2 or other process? (Y/N) **If no, provide explanation;**
   - b. Did you convene at least one interagency-interdisciplinary field review in the past calendar year to address ongoing implementation questions, management issues, or other actions that may affect salmon, steelhead, and bull trout? (Y/N) **If no, provide explanation**;
   - c. Can you demonstrate full compliance with the processes for successful outcomes identified in Attachment A, Question 4? (Y/N) **If no, provide a brief explanation as to why and describe other mechanisms used**;
   - **d.** Can you **demonstrate full** compliance with the previous (fiscal year's) sampling scheme for Implementation Monitoring of grazing allotments and upward reporting (Y/N)? **If No, identify; (i) which sampling sites were not monitored, (ii) which non-monitored sites were PIBO EM sites, and (iii) provide an explanation on why monitoring was not accomplished.**
   - e. Adaptive Management - Can you demonstrate appropriate management response to monitoring results from previous fiscal year? (Y/N) **If no, provide explanation**.

5. Aquatic Habitat Restoration Accomplishments – Salmon, Steelhead, and Bull trout**.** List previous fiscal years accomplishments in the table below.

BLM		FS	
# Miles of Stream/Riparian Treatments		# Miles of Stream Improved	
# Stream/Riparian Projects Completed		# Acres of Lake Improved	
# Stream/Riparian Projects Maintained		# Acres of Watershed Improved	
# Miles of Stream/Riparian Inventories		# Miles of Stream Inventoried (Physical)	
# Miles of Stream/Riparian Monitored		# Miles of Stream Inventoried (Biotic)	

6. **Line Manager Certification "*I have coordinated responses to these questions with USFWS and NOAA Fisheries field managers through Level 2 or other interagency processes".***

Reviewed and Approved by: _____

(Forest Supervisor or BLM District Manager)

National Forest or BLM-District: _____

Report Submitted on (Date): _____

LMCR Prepared by: _____

ATTACHMENT A

Abbreviations- Origin of Legal Requirements
(1) = NMFS 1998 Opinion Term and Condition (PACFISH)
(2) = USFWS 1998 Opinion Term and Condition (INFISH)

QUESTION 1: IMPLEMENTATION OF PACFISH/INFISH STANDARDS AND GUIDELINES
PACFISH and INFISH Decision Notices require that relevant PACFISH and INFISH Standards and Guidelines (S&G) be used in the design and implementation of new and ongoing actions. Use **Attachment B** to assist with answer this question. PACFISH and INFISH Standards & Guidelines can be accessed from the following website www.fs.fed.us/r6/fish/documents/ .

QUESTION 2: METHODS TO IDENTIFY IMPORTANT PLACES?
Hierarchical Analysis

- Conduct biennial programmatic reviews and/or project bundling by watershed or subbasin (every 2 years). ***(1)***
- Completion of Sec 7 watershed baselines. ***(2)***
- Prepare a schedule for completing Watershed Analysis **with at least one per year** per management unit using the 1995 Federal Guide Ecosystem Analysis at the Watershed Scale (EAWS). ***(1)***
- Develop priorities and schedules for Watershed Analysis concurrently with restoration plans. ****Update annually.** ***(2)***
- Complete watershed analysis using the 6 step process (1995 Federal Guide – EAWS) ***(2)*** *Refer to July 29, 2004 Deputy Team letter* Clarification for completing one Watershed Analysis and one Subbasin Assessment annually (www.fs.fed.us/r6/fish/documents)
- Apply the results of watershed analysis to conclude that actions will either "meet" or "do not prevent attainment" of ACS objectives. Conclusion must be documented and supporting rationale provided. ***(2)***
- Treat watersheds within the Upper Columbia and Snake River ESUs as key watersheds and as designated critical habitat. ***(1)***
- Complete watershed analysis in INFISH priority watersheds. ***(2)***
- **Complete one subbasin assessment per year**. ***(1)*** *Refer to July 29, 2004 Deputy Team letter* Clarification for completing one Watershed Analysis and one Subbasin Assessment annually (www.fs.fed.us/r6/fish/documents)
- Incorporate goals and objectives identified in subbasin assessments into action plans at the watershed scale. (*note: this mechanism is linked to NMFS Opinion, mechanism 5d.2 as a subbasin assessment is required prior to watershed analysis*). ***(1)***
- Conduct biennial programmatic reviews and/or project bundling by watershed or subbasin (every 2 years). ***(1)***
- Utilize information from multi-scale analyses with integration of IIT or recovery plan products at the local level in the development of subbasin reviews, watershed analyses, Land Use Plan revisions/amendments and any restoration strategies (note: IIT products include *Road Density Maps (updated), RDAT/Low Road Density Analysis; priority steelhead/salmon/bull trout watersheds as identified in local recovery plans*) to assist in determining the value of watersheds and subbasins in the conservation and recovery of ESA-listed salmonids and in the identification of restoration priorities.

Aquatic Habitat Restoration

- Shift project planning from the site level to the watershed and subbasin scales to promote planning efficiencies. Apply these findings in design and implementation of priority actions.
- For watershed and aquatic habitat restoration actions: Ensure that proposed actions are designed to provide for long-term habitat benefits while avoiding/reducing short-term impacts, and utilize information and recommendations from environmental baselines and results of Matrix Checklist {*note: intent is to ensure that actions, especially restoration actions, would be conducted with a watershed view of benefits to bull trout and other species).* ***(2)***
- Accelerate aquatic habitat restoration in the Snake and Upper Columbia ESUs. ***(1)***

Roads

- Continue updating road inventories at the field level every other year in a format that can be consolidated at the state and regional level ***(2)***

QUESTION 3: RISK MANAGEMENT

- Implement monitoring commensurate with level of on-the-ground activities and provide feedback to NMFS (annual Implementation Monitoring reports). ***(1)***
- Fully comply with fiscal year IIT Implementation Monitoring sampling scheme for grazing and use this information to adjust grazing strategies (P/I Standard GM-1) where riparian objectives are not being met. ***(1)***
- Measures identified in NMFS's 1995 Biological Opinions and all subsequent related direction in FS and BLM plans are required to be extended to all plans in those portions of the Upper Columbia and Snake River basin ESUs for which ESA Section 7 consultation was not initiated for salmon. This includes, but is not limited to, designation of high priority watersheds and consultation on all ongoing federal actions that may affect steelhead. ***(1)***
- Use special management considerations in the Selway, SF Salmon, MF Salmon including those described for roads, Riparian Habitat Conservation Areas (RHCAs), and Fire//Timber/Grazing/Recreation Management. ***(1)***
- Review effects to steelhead from commercial permits, non-commercial boating, and floating. Review all recreational facilities as ongoing federal actions and modify if causing adverse effects. ***(1)***

QUESTION 4: ENSURING ACCOUNTABILITY/OUTCOMES

Accountability and oversight mechanism for implementation of requirements at the field unit level:

- Provide for interagency and multi-level representation in ongoing field level and provide feedback to your respective Deputy on implementation issues and how this information was incorporated into revised management strategies. ***(1)***
- Provide for an **annual, interagency review** of your administrative unit's fiscal year work program to ensure attainment of fish conservation measures. Use this process to reach consensus on the priority of these actions and identify shortfalls in funding/staffing and potential adjustment necessary to management actions. ***(1)***
- Requires that a strategy be mutually developed and implemented when funding or other priorities prevent full implementation of aquatic conservation measures. ***(1)***
- Use NMFS Matrix and Level I teams, and review ongoing activities when new species are listed or critical habitat is designated. ***(1)***
- Use Level 1 streamlining; bull trout watershed consultation approach (1/27/98) letter of direction, new information, and bull trout Checklist/Matrix of Pathways & Indicators (or similar agreed-to approach) to ensure that an interagency, interdisciplinary process is used in the design and evaluation of all proposed actions that may affect bull trout. ***(2)***

ATTACHMENT B:
PACFISH/INFISH Standards and Guidelines Questions

The following questions are provided to assist with answering Line Manger Certification Report (LMCR)
Question #1: "Have you implemented all applicable Standards and Guidelines in INFISH and/or PACFISH?"
Link to PACFISH & INFISH documents can be found at: www.fs.fed.us/r6/fish/documents/

All questions apply to both INFISH and PACFISH unless otherwise noted *(1)* = PACFISH, *(2)* = INFISH. Consider questions in relation to the time period since your last LMCR was completed. Typically the LMCR should be completed annually.

RMOs and RHCAs

- Were land management strategies, practices, and actions designed and implemented so as not to prevent attainment of Riparian Management Objectives (RMO's), and minimize disturbance of riparian ground cover and vegetation?
- Were RHCAs delineated according to PACFISH and/or INFISH direction on all projects?

Timber Management

- TM1. Was timber harvest, including fuelwood cutting, prohibited in Riparian Habitat Conservation areas (RHCAs)? If not, was the activity covered by the exceptions in TM1a or TM1b? If required, was a watershed analysis completed?

Roads Management

- RF1. Did unit cooperate with Federal, Tribal, State, and county agencies, and cost-share partners to achieve consistency in road design, operation, and maintenance necessary to attain RMOs?
- RF2a. Was a watershed analysis completed prior to construction of a new road or landing in RHCAs? *(1)*
- RF2a. Was a watershed analysis completed prior to construction of a new road or landing in a priority watershed? *(2)*
- RF2b. Were road and landing locations minimized in RHCAs?
- RF2c. Is there a Road Management Plan or a Transportation Monitoring Plan? Does it include the items listed in RF2c1-7?
- RF2d. Is the road designed to avoid sediment delivery to streams from the road surface?
- RF2e. Is the road designed to avoid disruption of natural hydrologic flow paths?
- RF2f. Was side casting of soils and snow avoided?
- RF3. Was the influence of each road on the RMOs determined?
- RF3a. Has reconstruction occurred on road drainage features that do not meet design criteria of operation and maintenance standards, or that have been shown to be less effective than designed for controlling sediment delivery, or that retard attainment of RMOs?
- RF3a. Has reconstruction occurred on road and drainage features that do not protect designated critical habitat for listed anadromous fish from increased sedimentation? *(1)*
- RF3a. Has reconstruction occurred on road and drainage features that do not protect priority watersheds from increased sedimentation? *(2)*
- RF3b. Was prioritizing reconstruction based on the current and potential damage to listed fish, designated critical habitat, and/or inland native fish and their priority watersheds, the ecological value of the riparian resources affected, and the feasibility of options such as helicopter logging and road relocation out of RHCAs?

- RF3c. If a road has been identified as not being needed for future management activities has it been scheduled for appropriate actions to remove it from use as a road and stabilized based on current and potential damage to listed fish, designated critical habitat, and/or inland native fish?
- RF4. Were culverts, bridges, and other stream crossings constructed or improved to accommodate a 100-year flood, including associated bedload and debris, where those improvements would/do impose a risk to riparian conditions?
- RF4. Was the priority for upgrading existing crossings based on risks to listed anadromous fish and their designated critical habitat and/or priority watersheds and the ecological value of the riparian resources affected?
- RF4. Were crossings constructed or maintained to prevent diversion of streamflow out of the channel and down the road in the event of crossing failure?
- RF5. Is fish passage provided and maintained at all road crossings of existing and potential fish-bearing streams?

Grazing Management

- GM1. Have grazing practices that retard or prevent attainment of RMOs or are likely to adversely affect listed fish, designated critical habitat, and/or inland native fish been modified or suspended?
- GM1. Have management practices been prescribed to meet the requirement of the project specific ESA consultation?
- GM1. Have the annual operating instructions/license/permit incorporated requirements from PACFISH and INFISH?
- GM1. Have annual operation instructions/license/permit been written to incorporate the relevant triggers, objectives, requirements and guidelines of the forest plan/Resource Management Plan?
- GM2. Were new livestock facilities located outside of RHCAs? Are existing livestock facilities not preventing the attainment of RMOs?
- GM3. Was livestock trailing, bedding, watering, salting, loading, and other handling efforts limited to those areas and times that would not retard or prevent attainment of RMOs or are likely to adversely affect listed fish, designated critical habitat, and/or inland native fish?
- GM4. Was wild horse and burro management adjusted to avoid impacts that prevent attainment of RMOs or are likely to adversely affect listed fish, designated critical habitat, and/or inland native fish?

Recreation Management

- RM1. Has the recreation facility, new or existing, been designed, constructed, and operated in a manner that does not retard or prevent attainment or the RMOs and avoids adverse effects on listed fish, designated critical habitat, and/or inland native fish?
- RM1. Was watershed analysis completed prior to construction for new recreation facilities located in RHCAs?
- RM2. Have all recreation (dispersed or developed) practices of occupancy that retard or prevent attainment of RMOs or adversely affect listed fish, designated critical habitat, and/or inland native fish been adjusted or eliminated?
- RM3. If management of the recreation activity is addressed by Wild and scenic River, Wilderness, or other recreation management plans, has attainment of RMOs and potential effects on listed fish, designated critical habitat, and/or inland native fish been addressed in the management plan?

Minerals Management

- MM1. Have mineral operations minimized adverse effects to listed fish, designated critical habitat, and/or inland native fish?
- MM1. Where activities identified in the Plan of Operation would retard attainment of RMOs or adversely impact listed fish, designated critical habitat, and/or inland native fish have all practicable measures

consistent with mineral operation regulations been required to maintain and protect fish and their habitats that may be affected?

- MM1. Where reclamation bonds are required do they provide for the cost of stabilizing, rehabilitating, and reclaiming the area of operations?
- MM2. Were structures, support facilities, and roads related to mineral operations located outside of RHCAs?
- MM2. For structures, support facilities, and roads related to mineral operations that could not be practicably located outside of the RHCA are there provisions in the plan of operation to minimize adverse effects to listed fish, designated critical habitat, and/or inland native fish?
- MM2. Have roads that are no longer required for mineral or land management activities been closed, obliterated, and revegetated?
- MM3. For solid and sanitary mining waste facilities that could not be practicably located outside of the RHCA, have all items listed in MM3a-e been included in the plan of operation and implemented during mining activities to prevent release of hazardous or toxic materials into the environment and minimize adverse effects to listed fish, designated critical habitat, and/or inland native fish?
- MM4. For leasable operations is surface occupancy outside of the RHCA for oil, gas, and geothermal exploration and development activities?
- MM4. For leasable operations that are located within the RHCA has it been determined that the operations, facilities, and activities will not retard or prevent attainment or the RMOs and that they avoid adverse effects on listed fish, designated critical habitat, and/or inland native fish?
- MM5. Are sand and gravel operations located and operated in a manner that does not retard or prevent attainment or the RMOs and avoids adverse effects on listed fish, designated critical habitat, and/or inland native fish?
- MM6. Have inspection, monitoring, and reporting requirements for all authorized mineral activities been developed?
- MM6. Have the results of inspection and monitoring been evaluated and have the results been applied to modify mineral plans, leases, or permits as needed to eliminate impacts that prevent attainment of RMOs and avoid adverse effects on listed fish, designated critical habitat, and/or inland native fish?

<u>Fire/Fuels Management</u>

- FM1. Were fuel treatment and fire suppression strategies, practices, and actions designed and implemented so as not to prevent attainment of RMO's, and to minimize disturbance of riparian ground cover and vegetation?
- FM2. Were incident bases, camps, helibases, staging areas, helispots, and other centers for incident activities located outside of RHCA's?
- FM2. If it was necessary to locate bases, camps, helibases, staging areas, helispots, and other centers for incident activities within an RHCA, was an exemption granted by a resource advisor who prescribed the location, use conditions, and rehabilitation requirements with avoidance of adverse effects to listed fish, designated critical habitat, and/or inland native fish?
- FM2. During pre-suppression planning, was an interdisciplinary team, including a fish biologist, utilized to predetermine incident base and helibase locations with avoidance of potential adverse effects to listed fish species a primary goal?
- FM3. Was the application and delivery of chemical retardant, foam, or additives done in a manner to avoid surface waters?
- FM4. Were prescribed burn projects and prescriptions designed to contribute to the attainment of the RMOs?
- FM5. Was an emergency rehabilitation team established to develop a rehabilitation treatment plan to attain RMO's and avoid adverse effects on listed fish, designated critical habitat, and/or inland native

fish whenever RHCA's were determined to be significantly damaged by a wildfire or subsequent management actions?

Lands

- LH1. Were instream flows and habitat conditions required for hydroelectric and other surface water development proposals that maintain or restore riparian resources, favorable channel conditions, and fish passage, reproduction, and growth?
- LH1. Did coordination with the appropriate State agencies occur to address instream flows and habitat conditions for hydroelectric and other surface water development proposals?
- LH1. During relicensing of hydroelectric projects, were written and timely license conditions provided to the Federal Energy Regulatory Commission (FERC) to address fish passage, flows, and habitat conditions that maintain/restore riparian resources and channel integrity? Were relicensing projects coordinated with the appropriate State agencies?
- LH2. Were new hydroelectric ancillary facilities under FS or BLM authority located outside of RHCAs?
- LH2. If under FS or BLM authority, have existing hydroelectric facilities that must be located in the RHCA been located, operated, and maintained to avoid effects that would retard or prevent attainment of RMOs and avoid adverse effects on listed fish, designated critical habitat, and/or inland native fish?
- LH2. Where existing hydroelectric ancillary facilities in RHCAs cannot meet RMOs, have recommendations been provided to FERC to relocate facilities?
- LH3. Have leases, permits, rights-of-way, and easements been issued in such a way as to avoid effects that would retard or prevent attainment of the RMOs and avoid adverse effects on listed fish, designated critical habitat, and/or inland native fish?
- LH3. Where authority to do so was retained, have existing leases, permits, rights-of-way, and easements been adjusted to eliminate effects that would retard or prevent attainment of the RMOs and avoid adverse effects on listed fish, designated critical habitat, and/or inland native fish?
- LH3. Where the authority to adjust leases, permits, rights-of-way, and easements was not retained, have negotiations occurred to make changes to eliminate effects that would retard or prevent attainment of the RMOs and avoid adverse effects on listed fish, designated critical habitat, and/or inland native fish?
- LH3. Was priority for modifying existing leases, permits, rights-of-way, and easements based on the current and potential adverse effects on listed fish, designated critical habitat, and/or inland native fish and the value of the riparian resources affected?
- LH4. Was land acquisition, exchange, or conservation easement used to meet RMOs and facilitate restoration of fish stocks and other species at risk of extinction?

General Riparian Area Management

- RA1. Were federal, tribal, State, and local governments identified and did cooperation occur to secure instream flows needed to maintain riparian resources, channel conditions, and aquatic habitat?
- RA2. Were trees felled in RHCAs? Were they a safety risk? Did they meet the exceptions under TM1? Were the felled trees kept on site to meet woody debris objectives?
- RA3. Were herbicides, pesticides, toxicants, and other chemicals applied in a manner that does not retard or prevent attainment of RMOs and avoids adverse effects to listed fish, designated critical habitat, and/or inland native fish?
- RA4. Was all storage of fuels and other toxicants located outside of RHCAs?
- RA4. Did refueling occur outside of RHCAs? If refueling sites were within a RHCA were they approved by the Forest Service or Bureau of Land Management and did they have an approved spill containment plan?

- RA5. Were water drafting sites located to avoid adverse effects on listed fish, designated critical habitat, and/or inland native fish and instream flow, and in a manner that would not retard or prevent attainment of the RMOs?

Watershed and Habitat Restoration

- WR1. Were watershed restoration projects designed and implemented in a manner that promotes long-term ecological integrity of ecosystems, conserves the genetic integrity of native species, and contributes to attainment of RMOs?
- WR2. Did cooperation occur with Federal, State, local and Tribal agencies, and private land owners to develop watershed-based Coordinated Resource Management Plans (CRMPs) or other cooperative agreements to meet RMOs?
- WR3. Was planned restoration only to mitigate existing problems, not to mitigate the effects of proposed activities? *(1)*

Fisheries and Wildlife Restoration

- FW1. Were fish and wildlife habitat restoration and enhancement actions designed and implemented in a manner that contributes to attainment of the RMOs?
- FW2. Were fish and wildlife interpretive and other user-enhancement facilities designed, constructed, and operated in a manner that does not retard or prevent attainment to RMOs or adversely affect listed fish, designated critical habitat, and/or inland native fish?
- FW2. For existing fish and wildlife interpretive and other user-enhancement facilities located inside RHCAs, are RMOs being met and adverse effects on listed fish, designated critical habitat, and/or inland native fish avoided? If not, are these facilities being relocated or closed?
- FW3. Were wild ungulate impacts that prevent attainment of RMOs and/or adversely affect listed fish, designated critical habitat, and/or inland native fish identified and eliminated? Did cooperation with Federal, Tribal, and State wildlife management agencies occur?
- FW4. Has cooperation with Federal, Tribal, and State fish management agencies occurred to identify and eliminate adverse effects associated with habitat manipulation, fish stocking, fish harvest and poaching on listed fish, designated critical habitat, and/or inland native fish?

ATTACHMENT C:
Guidance on Special Situations

1. When riparian management objectives (RMOs) cannot be achieved even under natural conditions, the RMOs should be modified following the guidance provided in PACFISH/INFISH that allows for modification of RMOs where the data and analysis support such modifications. The PIBO Monitoring Program may provide data to help with making RMO adjustments.

2. When there is confusion in the interpretation of specific T&Cs and/or other general statements in PACFISH/INFISH, units are encouraged to utilize the streamlined consultation process. This process is to seek clarification in interpretation through Level 1 or Level 2. Where agreement cannot be reached through either the Level 1 or Level 2, the elevation process should be followed. The Interagency Coordinating Subgroup (ICS) and/or Regional Technical Team (RTT) can be utilized to update, resolve and/or clarify any disputes over interpretation.

3. When the action agencies may be implementing actions and/or participating in processes that would result in long-term protection or restoration of watershed processes and functions, which meet the intent of PACFISH/INFISH, these processes can serve as surrogates for meeting specific T&Cs. In these situations the local units of the action agencies and the local units of the services should document when and where these types of surrogate situations are being utilized and that they were mutually agreed to through informal communication.

4. Keep in mind the role of the PIBO Implementation Monitoring and Effectiveness Monitoring as being over-arching terms and conditions that can help field units assess their efforts and support making necessary changes. *Refer to February 25, 2009 Deputy Team letter*: Decision to continue PACFISH, INFISH Effectiveness and Implementation Monitoring after Plan Revisions.