

SETTLEMENT AGREEMENT
Conservation Northwest v. Sherman
Case No. 08-CV-1067-JCC (W.D. Wash.)

The Parties to this action, by and through their undersigned counsel of record, hereby agree to the following Settlement Agreement in order to resolve this action and avoid the need for further litigation before the Court. This Settlement Agreement constitutes a full, complete, and final settlement of all issues in *Conservation Northwest v. Sherman*, Case No. 08-CV-1067-JCC, filed in the U.S. District Court for the Western District of Washington, except for prospective court action to enforce the terms of this Agreement or to modify it, as set forth in Section VI below.

In the interests of the public, the Parties, and judicial economy, the Parties hereby agree to the following:

- I. Status of 2007 Records of Decision ("2007 RODs"), 2001 Record of Decision, and previous stipulated and court-ordered exemptions:
 - A. The Parties agree that the 2007 RODs are set aside and of no effect.
 - B. The Parties further agree that, unless and until the Agencies conduct further analysis and decision making pursuant to the National Environmental Policy Act ("NEPA") and issue a Record of Decision to supersede the Survey and Manage Mitigation Measure Standards and Guidelines, the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and Other Mitigation Measures Standards and Guidelines ("2001 ROD"), issued by the U.S. Department of Agriculture and the U.S. Department of Interior, as modified by this Settlement Agreement, is in effect. This Settlement Agreement applies in the area covered by the 1994 Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl, which is commonly referred to as the Northwest Forest Plan, where the Bureau of Land Management and U.S. Forest Service apply the Survey and Manage Standards and Guidelines.
 - C. The 2001 ROD shall be construed in a manner consistent with the portion of the stipulation and order providing exemptions in *Northwest Ecosystem Alliance v. Rey*, No. 04-844-MJP (W.D. Wash. Oct. 10, 2006), which shall also remain in force.
- II. Updates to the 2001 Survey and Manage Species List.
 - A. Species List and Species Specific Mitigation

See Attachment 1 to this Settlement Agreement for the list of Survey and Manage species, including species specific mitigation for Siskiyou Mountains salamander, the Scott Bar salamander, and the Great Gray owl. See Section II.B. of this Settlement Agreement (Transition Period for

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Application of Species Lists) for additional detail regarding application of species lists.

B. Transition Period for Application of Species Lists.

1. For projects with signed Records of Decision, Decision Notices, or Decision Memos from December 17, 2009, through September 30, 2012, the Agencies will use either of the following Survey and Manage species lists:
 - a. The list of Survey and Manage species in the 2001 ROD (Table 1-1, Standards and Guidelines, page 41-51), or
 - b. The list of Survey and Manage species and associated species mitigation attached as Attachment 1 to this Settlement Agreement.
2. For projects with signed Records of Decision, Decision Notices, or Decision Memos after September 30, 2012, the Agencies will use the list of Survey and Manage species and associated species mitigation attached as Attachment 1 to this Settlement Agreement.
3. The Agencies may modify the list of Survey and Manage species and associated species mitigation attached as Attachment 1 to this Settlement Agreement through future Annual Species Reviews.

III. Existing Exemptions from the Survey and Manage Standards and Guidelines.

The provisions stipulated to by the parties and ordered by the court in *Northwest Ecosystem Alliance v. Rey*, No. 04-844-MJP (W.D. Wash. Oct. 10, 2006), shall remain in force. None of the following terms or conditions in this Settlement Agreement modifies in any way the October 2006 provisions stipulated to by the parties and ordered by the court in *Northwest Ecosystem Alliance v. Rey*, No. 04-844-MJP (W.D. Wash. Oct. 10, 2006).

IV. New Exemptions from Pre-disturbance Surveys

- A. This Settlement Agreement establishes certain categories of exemptions. Projects that qualify under the terms below are exempt from pre-disturbance surveys. A project may apply more than one of the exemptions set forth in this Settlement Agreement. In addition, Section IV.B. of this Settlement Agreement sets forth known site management direction for projects applying these exemptions.

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1. Exemptions for Recreation Projects:
 - a. New recreational foot, mountain bike, or horse riding trail construction or relocation, or trail bridge construction, maintenance or replacement, where limited to trail work of less than five acres of clearing per trail project, and not including trails for motorized off-highway vehicles.
 - b. Projects covering less than five acres that improve an existing recreation site. Some examples of recreation site improvement include adding campsites to existing campgrounds, adding recreational structures or facilities in existing recreation sites, and expanding recreation sites. Projects related to recreation sites for motorized off-highway vehicles are not exempt.
2. Exemptions for Fish and Wildlife Habitat Restoration Projects:
 - a. Meadow restoration and maintenance treatments. Meadows are defined as areas that have at least 25% cover of grasses, forbs, and early seral shrubs on each acre to be treated. Treatments are limited to prescribed fire, mechanical and/or hand treatments that remove trees younger than 80 years old, shrubs, and other vegetation within the meadow and up to 50 feet beyond the meadow's edge.
 - b. White oak, black oak, or aspen restoration projects. This exemption applies to activities in stands containing an average of five or more white oak, black oak, or aspen trees per acre over five inches diameter at breast height ("dbh") and is limited to prescribed fire, mechanical and/or hand treatments that remove trees younger than 80 years old, shrubs, and other vegetation.
 - c. Snag and down log creation when treatments retain 60% canopy cover. On any given acre, not more than 20% of any stand dominant or co-dominant cohort may be used to create snags and down wood.
3. Exemptions for Weeds and Sudden Oak Death:
 - a. Noxious and invasive weeds treatment projects including mechanical, chemical or biological methods. Under this exemption, chemical treatments are limited to hand application and must be at least 50 feet from surface water in riparian reserves and must meet label guidelines in all areas.

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- b. Treatments conducted to limit the spread of Sudden Oak Death when conducted in conformance with approved state and federal plans to control the disease.

4. Exemption for Certain Areas in Wildland Urban Interface (“WUI”):

- a. Hazardous fuel treatments, and compatible ecological restoration efforts, are exempt on federal lands within one-quarter mile of the boundary of federal and private lands, where the following criteria are met:
 - (i) A building is located on private land within one-quarter mile of the federal/private land boundary, and
 - (ii) The building is located within an “at risk” community as defined in the Healthy Forests Restoration Act.
- b. To determine the exempt treatment area, measure from closest point of the building to federal/private boundary and use that as a starting point. Draw a ¼ mile radius centered on that point. To achieve logical boundaries, exempted treatment areas may be expanded up to 25% of the qualifying WUI acreage per section (640 acres).
- c. All live fire-tolerant tree species greater or equal to 20 inches dbh will be retained, and resource protection measures to protect water and soil, and avoid weeds, will be applied. Fire-tolerant trees species include ponderosa pine, western larch, Douglas-fir, sugar pine, incense-cedar, Jeffrey pine, and oak species. In inventoried roadless areas, this exemption does not apply to portions of projects involving use of heavy equipment more than 150 feet from roads or commercial logging. Inventoried roadless areas are those areas identified in the set of inventoried roadless area maps contained in the Forest Service Roadless Area Conservation, Final Environmental Impact Statement, Volume 2, dated November 2000, and following approval of a revised plan, any additional undeveloped lands identified and mapped during land management plan revision that meet the inventory criteria for potential wilderness found in Forest Service Handbook 1909.12, Chapter 70.
- d. In addition to the first one-quarter mile, within dry forest plant association groups (“PAGs”) (Oregon white oak, ponderosa pine, dry Douglas-fir, dry grand fir, and dry white fir) in Western Oregon Cascades Province, treatments within a second one-quarter mile of federal/private land boundary described above are exempt

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if the purpose of the treatments is to restore forest structure, function, and process by thinning from below to accelerate the development of large trees, increase species diversity, recruit snags and promote the development of within-stand vertical and horizontal heterogeneity. All live fire-tolerant tree species, including ponderosa pine, Douglas-fir, sugar pine, incense-cedar, Jeffrey pine, and oak species greater than or equal to 20 inches dbh will be retained.

5. Exemption for Bridges:

Replacing, maintaining, and removing bridges on roads and trails, and installing bridges in place of existing culverts, are exempt.

6. Exemption for Non-Commercial Fuel Treatments:

Portions of restoration or hazardous fuels projects where fuel is modified via noncommercial hand treatments, non-commercial mechanical treatments, and/or prescribed fire, are exempt. Any portion of a fuel treatment project involving commercial logging (except biomass and chipping) or the use of heavy equipment more than 150 feet from existing roads is not covered by this exemption.

7. Exemptions for Restoration Projects that May Involve Commercial Logging.

a. Projects exempted under Section IV.A.7 of this Settlement Agreement must comply with the following requirements:

- (i) Commercial timber harvesting within inventoried roadless areas, as identified in the set of inventoried roadless area maps contained in the Forest Service Roadless Area Conservation, Final Environmental Impact Statement, Volume 2, dated November 2000, and following approval of a revised plan, any additional undeveloped lands identified and mapped during land management plan revision that meet the inventory criteria for potential wilderness found in Forest Service Handbook 1909.12, Chapter 70, is not exempt.
- (ii) Construction of permanent roads is not exempt. When a project otherwise qualifies for an exemption and requires construction of a new permanent road for project execution, the right-of-way for the new permanent road is not exempt.

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- (iii) When the cleared area of temporary roads, landings, and staging areas exceeds 1 percent of the treatment acres associated with vegetation removal (e.g., excluding acres of handpile and burn or prescribed fire), the project is not exempt.

Temporary roads shall be decommissioned within one year after completion of project activities requiring the temporary road. Decommissioning means those measures necessary to restore pre-road hydrologic functions and to minimize the risk of road-related sediment delivery to streams.

- (iv) Within Riparian Reserves, commercial logging within 150 feet of streams and waterbodies is not exempt, and use of heavy equipment (outside of the road prism) within 50 feet of streams and waterbodies is not exempt.
- (v) Projects that have been authorized using a Categorical Exclusion are not exempt.
- (vi) Projects that invoke one or more of the exemptions in this exemption category must be analyzed in an Environmental Assessment or an Environmental Impact Statement under NEPA.

b. Exemption for Legacy Tree Culturing:

In dry forest Plant Association Groups, thinning from below around legacy trees greater than 30 inches dbh and greater than 150 years old. The exempt treatment area will encompass an area with a radius no more than two times the widest part of the drip line measured from the tree bole. When the project reduces tree density around legacy trees less than 42 inches dbh, retain all fire tolerant trees (ponderosa pine, western larch, Douglas-fir, sugar pine, incense-cedar, and Jeffrey pine) and broadleaf species over 25 inches dbh. In all cases, retain all live trees over 30 inches dbh (except grand fir/white fir which may be killed and retained as snags or dead wood), and snags over 25 inches dbh. When culturing more than 10 legacy trees per acre, retain a stand average canopy cover of at least 60%.

c. Dry Forest Exemption:

- (i) The objective of this exemption is to restore and maintain late-

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successional structure, function, and processes appropriate to the Plant Association Group ("PAG"). It applies to projects whose purpose is to restore and maintain medium and large diameter shade-intolerant and fire resistant species, including Douglas-fir, ponderosa pine, western larch, sugar pine, Jeffrey pine, and incense-cedar.

- (ii) The description of the Dry Forest exemption employs the following terms, which are defined for purposes of this exemption, as follows:
 - (a) "Stand Density Index" or "SDI": Stand exams are used to determine SDI and will achieve approximately a 66% confidence interval ("CI") with sample error ("SE") of +/- 20%. Maximum SDI is calculated based on the SDI curve for the dominant post-treatment (residual) species in the stand. For mixed species stands where no species occupies more than 70% of the stand basal area post-treatment, maximum SDI is calculated based upon an average of the maximum SDIs of the two dominant species.
 - (b) "Characteristic structural complexity" means: the species composition, spatial pattern, and size class distribution, including small and mid-sized classes, that were found in pre-settlement forests in that PAG and local area.
 - (c) "The dry forest PAGs in the East Cascades Provinces of Oregon and Washington" includes ponderosa pine, dry Douglas-fir, dry grand fir, and dry white fir plant association groups.
 - (d) "The Oregon Klamath PAGs" include Oak woodlands (*Quercus* spp.), Ponderosa pine and ponderosa pine/oak (*Quercus* spp.), Dry Douglas-fir, Douglas-fir/shrub-form tanoak (Rogue River basin only), Dry grand fir, and Dry white fir.
 - (e) "The California Cascades and California Klamath PAGs" include Oak woodlands (*Quercus* spp.), Pine-oak, Pine-juniper, Ponderosa pine, Jeffrey pine, Dry Douglas-fir (Douglas-fir mixed with ponderosa or Jeffrey pine), and Dry white and dry grand fir (includes ponderosa or Jeffrey pine as a stand component).

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- (iii) This exemption applies only to restoration projects in dry forest PAGs in the East Cascades Provinces of Oregon and Washington and in the California Cascades Province and Klamath Provinces of Oregon and California.
- (iv) In the Washington East Cascades Province, this exemption applies only to stands that do not contain nesting, roosting, foraging habitat for the spotted owl (as defined by U.S. Fish and Wildlife Service).
- (v) In the Oregon East Cascades Province, the California Cascades Province, and the Oregon and California Klamath Provinces, the exemption applies only to stands that:
 - (a) Do not contain high quality nesting, roosting, foraging habitat for the spotted owl (as defined by U.S. Fish and Wildlife Service as “older and more structurally complex multilayered conifer forests ... characterized as having large diameter trees, high amounts of canopy cover, and decadence components”); and
 - (b) Have a pre-treatment SDI greater than 45% of maximum SDI; and
 - (c) Show evidence of: past high-grade logging that removed large trees, and/or evidence of fire exclusion, such as tree encroachment.
- (vi) Within qualifying stands, projects are exempt under this category if they comply with all of the following standards:
 - (a) The project uses thinning from below that retains and promotes the development of characteristic within-stand structural complexity and interaction with natural disturbance processes appropriate to the PAG. Examples include characteristic levels of: clumps of large trees, old trees regardless of size, gaps, understory and broadleaf vegetation, and dense patches of small or mid-sized trees.
 - (b) The project retains all live fire tolerant species such as Douglas-fir, ponderosa pine, western larch, sugar pine, Jeffrey pine, and incense-cedar greater than 20 inches dbh, and all other species greater than 25 inches dbh and greater than 120 years old when measured at breast height

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(exceptions may be made for logging systems, safety, and other operational feasibility issues).

- (c) Snag and coarse woody debris objectives are to be identified and should consider all sizes of snags as part of the project proposal. Prescriptions must be designed to make substantial progress toward the project snag and coarse woody debris objective, including developing large trees for future snag recruitment and retaining agents of mortality or damage. To the extent practicable for the diameter and age of the stand being treated, each treatment includes retention and creation of snags to meet the snag and coarse woody debris objectives. Existing snags should typically be retained, especially large snags (exceptions may be made for logging systems, safety, other operational feasibility issues or fuel objectives). Felled snags will be left on site for woody debris consistent with project objectives.
- (d) The project reduces overall stand densities to an average of more than 30% of maximum SDI measured across treatment units.
- (e) If one of the purposes of treating stands containing nesting, roosting, foraging habitat for the northern spotted owl is to reduce risk of disturbance, then the agency will document:
 - (1) that this strategy to reduce the risk of disturbance best meets the full suite of project objectives, and
 - (2) that the exempt activities will result in greater assurance of long-term maintenance of late-successional habitat.
- (f) The project uses the U.S. Fish and Wildlife Service northern spotted owl "treat and maintain" criteria (e.g., no change in habitat function and no loss of habitat quantity compared to pre-treatment).
 - (1) In nesting, roosting, and foraging habitat for the northern spotted owl, retain structural conditions and at least 60% canopy cover; and

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- (2) In dispersal-only habitat for the northern spotted owl, and non-owl habitat, retain structural conditions and at least 40% canopy cover; and
- (3) In foraging-only habitat for the northern spotted owl, only in the California Klamath and California Cascades Provinces, retain structural conditions and at least 40% canopy cover.

B. Known Site Management Associated with Project Exemptions.

1. This known site management provision applies only to projects covered by exemptions provided in Section IV.A. of this Settlement Agreement. *Although projects are exempted from pre-disturbance surveys, known sites of Survey and Manage species may exist within the project area. The 2001 ROD defines "known sites" at page 76. The Agencies will apply this known sites management provision to sites known prior to the NEPA decision or decision document. The Agencies shall disclose known site direction applied to the project.*
2. This Settlement Agreement does not preclude the Agencies from employing the non-high priority site determination process for uncommon species described in the 2001 ROD Standard and Guidelines, at page 10, or the process for rare species identifying occasional sites not needed for persistence in the 2001 ROD Standard and Guidelines, at page 8.
3. The Agencies shall manage known sites in any area within a project covered by Section IV.A. exemptions under the following direction:

Table 1. Known site management direction for IV.A. exemptions.

Exemption Category	Rare Species (Categories A, B, E)	Uncommon Species Categories (C, D, F)
Recreation Project Exemptions	Follow species' management recommendations except where following them precludes agency from meeting project objectives	Follow species' management recommendations except where following them substantially impedes agency's ability to meet project objectives

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Exemption Category	Rare Species (Categories A, B, E)	Uncommon Species Categories (C, D, F)
Fish and Wildlife Habitat Project Exemptions	Follow species' management recommendations except where following them precludes agency from meeting project objectives	Follow species' management recommendations except where following them substantially impedes agency's ability to meet project objectives
Weeds Project Exemption	Follow species' management recommendations except where following them precludes agency from meeting project objectives	Follow species' management recommendations except where following them substantially impedes agency's ability to meet project objectives
Sudden Oak Death Project Exemption	No management recommendation requirements	No management recommendation requirements
Wildland Urban Interface Project Exemption	Follow species' management recommendations except where following them precludes agency from meeting project objectives	No management recommendation requirements, except for the red tree vole: protect nest trees plus touching crowns
Legacy Tree and Dry Forests Project Exemptions	Follow species' management recommendations	Follow species' management recommendations, except for the red tree vole in the mesic and xeric zones: apply one-half of the buffer known red tree vole sites would receive under the species' management recommendations (5 acres for one nest)
Bridges Exemption	No management recommendation requirements	No management recommendation requirements

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Exemption Category	Rare Species (Categories A, B, E)	Uncommon Species Categories (C, D, F)
Non-Commercial Fuel Treatments Exemption	Follow species' management recommendations except where following them precludes agency from meeting project objectives	Follow species' management recommendations except where following them substantially impedes agency's ability to meet project objectives

V. Fees:

- A. Federal Defendants will pay Plaintiffs, except for American Lands Alliance which is no longer in existence, \$207,406.25 in full and complete satisfaction of any and all claims, demands, rights, and causes of action pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and/or any other statute and/or common law theory, for all attorneys' fees and costs incurred by Plaintiffs, individually and/or severally, in this litigation.
- B. Federal Defendants' payment, as identified in Paragraph V.A. above, shall be accomplished by electronic fund transfer to the Western Environmental Law Center by the Agencies. The Western Environmental Law Center is receiving funds in trust for Plaintiffs and Plaintiffs agree to that procedure. Plaintiffs' attorneys shall provide the appropriate account number and other information needed to facilitate payment to the undersigned counsel. The account number and other information Plaintiffs' attorneys will provide to Defendants is for an IOLTA trust account into which funds will be deposited in trust for Plaintiffs. Defendants shall submit the paperwork for the payment within thirty (30) days after the order resolving all remaining issues in this case is entered by the Court or Plaintiffs provide the necessary information as required to facilitate the payment, whichever is later. Plaintiffs' attorneys shall notify the Defendants' attorneys when payment is received.
- C. Plaintiffs and their attorneys agree to hold harmless Federal Defendants in any litigation, further suit, or claim arising from the payment of the agreed upon \$207,406.25 in settlement amount pursuant to Paragraph V.A.

VI. Additional Terms:

- A. This Settlement Agreement is the result of compromise and settlement and does not represent an admission by any Party to any fact, claim, or defense in any issue in this lawsuit. This Settlement Agreement has no precedential value.

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- B. No provision of this Settlement Agreement shall be interpreted as or constitute a commitment or requirement that Defendants obligate or pay funds in violation of the Anti-Deficiency Act, 31 U.S.C. § 1341, or any other applicable appropriations law.
- C. Nothing in the terms of this Settlement Agreement shall be construed to limit or deny the power of a federal official to promulgate or amend regulations.
- D. The undersigned representatives of the Parties certify that they are fully authorized by the respective Parties whom they represent to enter into the terms and conditions of this Settlement Agreement and to legally bind such Parties to it.
- E. This Settlement Agreement represents the entirety of the Parties' commitments with regard to settlement.
- F. Nothing in this Settlement Agreement shall be construed to obligate the Government to make disclosures of information that would be otherwise prohibited or protected by law.
- G. No provision of this Settlement Agreement can be modified without the written agreement of the Parties and approval of the Court.
- H. An action exclusively to enforce a provision of this Settlement Agreement may be brought in this Court. All claims that do not exclusively involve interpretation of a specific provision in this Agreement shall be brought subject to applicable law regarding appropriate jurisdiction and venue. Federal Defendants reserve all defenses as to any challenges that Plaintiffs may bring. An action exclusively to enforce a provision of this Settlement Agreement may be brought only upon completion of the entire NEPA process following the agency's issuance of a Decision Notice and Finding of No Significant Impact in the event an EA is prepared, the agency's Record of Decision in the event an EIS is prepared, or the agency's decision memo if a categorical exclusion is used. The Court's review of any action exclusively to enforce a provision of this Settlement Agreement will be conducted only to the extent allowed by, and pursuant to and consistent with all applicable law.
- I. In the event that Plaintiffs or Federal Defendants seek to modify the terms of this Settlement Agreement, or in the event of a dispute arising out of or relating to this Settlement Agreement, or in the event that either party believes that the other party has failed to comply with any term or condition of this Settlement Agreement, the disputing party will notify the other party in writing of the nature of the dispute, and, within 14 days after such notification (or additional time if the parties agree), the parties will discuss and attempt to resolve the dispute. If the parties do not resolve the dispute thereafter, either party may file a motion to

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enforce the provisions of the Settlement Agreement and Order granting equitable relief and dismissing Plaintiffs' claims.

- J. The Parties will not seek the remedy of contempt for any alleged violation of the Settlement Agreement or the Order granting equitable relief and dismissing Plaintiffs' claims.
- K. Sections VI.G and VI.J of this Settlement Agreement do not apply to any modification by the Agencies through future Annual Species Reviews of the list of Survey and Manage species and associated species mitigation attached as Attachment 1 to this Settlement Agreement.

List of Survey and Manage Species and Category Assignment		
TAXA GROUP Species	<i>Note:</i> Where taxon has more than one name indicated, first name is current accepted name, second one (in parentheses) is name used in NFP (Table C-3).	Category
FUNGI		
<i>Acanthophysium farlowii</i> (<i>Aleurodiscus farlowii</i>)		B
<i>Albatrellus avellaneus</i>		B
<i>Albatrellus caeruleoporus</i>		B
<i>Albatrellus ellisii</i>		B
<i>Albatrellus flettii</i> , In Washington and California		B
<i>Alpova alexsmithii</i>		B
<i>Alpova olivaceotinctus</i>		B
<i>Arcangeliella camphorata</i> (<i>Arcangeliella</i> sp. nov. #Trappe 12382; <i>Arcangeliella</i> sp. nov. #Trappe 12359)		B
<i>Arcangeliella crassa</i>		B
<i>Arcangeliella lactarioides</i>		B
<i>Asterophora lycoperdoides</i>		B
<i>Asterophora parasitica</i>		B
<i>Baeospora myriadophylla</i>		B
<i>Balsamia nigrens</i> (<i>Balsamia nigra</i>)		B
<i>Boletus haematinus</i>		B
<i>Boletus pulcherrimus</i>		B
<i>Bondarzewia mesenterica</i> (<i>Bondarzewia montana</i>), In Washington and California		B
<i>Bridgeoporus nobilissimus</i> (<i>Oxyporus nobilissimus</i>)		A
<i>Cantharellus subalbidus</i> , In Washington and California		D
<i>Catathelasma ventricosa</i>		B
<i>Chalciporus piperatus</i> (<i>Boletus piperatus</i>)		D
<i>Chamonixia caespitosa</i> (<i>Chamonixia pacifica</i> sp. nov. #Trappe #12768)		B
<i>Choiromyces alveolatus</i>		B
<i>Choiromyces venosus</i>		B
<i>Chroogomphus loculatus</i>		B
<i>Chrysomphalina grossula</i>		B
<i>Clavariadelphus ligula</i>		B
<i>Clavariadelphus occidentalis</i> (<i>Clavariadelphus pistillaris</i>)		B
<i>Clavariadelphus sachalinensis</i>		B
<i>Clavariadelphus subfastigiatus</i>		B
<i>Clavariadelphus truncatus</i> (syn. <i>Clavariadelphus borealis</i>) In Jackson County, Oregon		D
<i>Clavariadelphus truncatus</i> (syn. <i>Clavariadelphus borealis</i>) Outside Jackson County, Oregon		B
<i>Clavulina castanopes</i> var. <i>lignicola</i> (<i>Clavulina ornatipes</i>)		B
<i>Clitocybe senilis</i>		B
<i>Clitocybe subditopoda</i>		B
<i>Collybia bakerensis</i>		F
<i>Collybia racemosa</i>		B
<i>Cordyceps ophioglossoides</i>		B
<i>Cortinarius barlowensis</i> (syn. <i>Cortinarius azureus</i>)		B
<i>Cortinarius boulderensis</i>		B
<i>Cortinarius cyanites</i>		B
<i>Cortinarius depauperatus</i> (<i>Cortinarius spilomeus</i>)		B
<i>Cortinarius magnivelatus</i>		B
<i>Cortinarius olympianus</i>		B

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<i>Cortinarius speciosissimus</i> (<i>Cortinarius rainierensis</i>)		B
<i>Cortinarius tabularis</i>		B
<i>Cortinarius umidicola</i> (<i>Cortinarius canabarda</i>)		B
<i>Cortinarius valgus</i>		B
<i>Cortinarius variipes</i>		B
<i>Cortinarius verrucisporus</i>		B
<i>Cortinarius wiebeae</i>		B
<i>Craterellus tubaeformis</i> , In Washington and California		D
<i>Cudonia monticola</i>		B
<i>Cyphellostereum laeve</i>		B
<i>Dermocybe humboldtensis</i>		B
<i>Destuntzia fusca</i>		B
<i>Destuntzia rubra</i>		B
<i>Dichostereum boreale</i> (<i>Dichostereum granulosum</i>)		B
<i>Elaphomyces anthracinus</i>		B
<i>Elaphomyces subviscidus</i>		B
<i>Endogone acrogena</i>		B
<i>Endogone oregonensis</i>		B
<i>Entoloma nitidum</i> (<i>Rhodocybe nitida</i>)		B
<i>Fayodia bisphaerigera</i> (<i>Fayodia gracilipes</i>)		B
<i>Fevansia aurantiaca</i> (<i>Alpova</i> sp. nov. # Trappe 1966) (<i>Alpova aurantiaca</i>)		B
<i>Galerina atkinsonia</i>		D
<i>Galerina cerina</i>		B
<i>Galerina heterocystis</i>		E
<i>Galerina sphagnicola</i>		E
<i>Gastroboletus imbellus</i>		B
<i>Gastroboletus ruber</i>		B
<i>Gastroboletus subalpinus</i>		B
<i>Gastroboletus turbinatus</i>		B
<i>Gastroboletus vividus</i> (<i>Gastroboletus</i> sp. nov. #Trappe 2897; <i>Gastroboletus</i> sp. nov. #Trappe 7515)		B
<i>Gastrosuillus amarantii</i> (<i>Gastrosuillus</i> sp. nov. #Trappe 9608)		E
<i>Gastrosuillus umbrinus</i> (<i>Gastroboletus</i> sp. nov. #Trappe 7516)		B
<i>Gautieria magnicellaris</i>		B
<i>Gautieria othii</i>		B
<i>Gelatinodiscus flavidus</i>		B
<i>Glomus radiatum</i>		B
<i>Gomphus bonarii</i>		B
<i>Gomphus clavatus</i>		F
<i>Gomphus kauffmanii</i>		E
<i>Gymnomyces abietis</i> (<i>Gymnomyces</i> sp. nov. #Trappe 1690, 1706, 1710; <i>Gymnomyces</i> sp. nov. #Trappe 4703, 5576; <i>Gymnomyces</i> sp. nov. #Trappe 5052; <i>Gymnomyces</i> sp. nov. #Trappe 7545; <i>Martellia</i> sp. nov. #Trappe 1700; <i>Martellia</i> sp. nov. #Trappe 311; <i>Martellia</i> sp. nov. #Trappe 5903)		B
<i>Gymnomyces nondistincta</i> (<i>Martellia</i> sp. nov. #Trappe 649)		B
<i>Gymnopilus punctifolius</i> , In California		B
<i>Gyromitra californica</i>		B
<i>Hebeloma olympianum</i> (<i>Hebeloma olympiana</i>)		B
<i>Helvella crassitunicata</i>		B
<i>Helvella elastica</i>		B
<i>Hydnotrya inordinata</i> (<i>Hydnotrya</i> sp. nov. #Trappe 787, 792)		B
<i>Hydnotrya subnix</i> (<i>Hydnotrya subnix</i> sp. nov. #Trappe 1861)		B

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<i>Hydropus marginellus (Mycena marginella)</i>		B
<i>Hygrophorus caeruleus</i>		B
<i>Hygrophorus karstenii</i>		B
<i>Hygrophorus vernalis</i>		B
<i>Hypomyces luteovirens</i>		B
<i>Leucogaster citrinus</i>		B
<i>Leucogaster microsporus</i>		B
<i>Macowanites chlorinosmus</i>		B
<i>Macowanites lymanensis</i>		B
<i>Macowanites mollis</i>		B
<i>Marasmius applanatipes</i>		B
<i>Martellia fragrans</i>		B
<i>Martellia idahoensis</i>		B
<i>Mycena hudsoniana</i>		B
<i>Mycena overholtsii</i>		D
<i>Mycena quinaultensis</i>		B
<i>Mycena tenax</i>		B
<i>Mythicomyces corneipes</i>		B
<i>Neolentinus adhaerens</i>		B
<i>Neolentinus kauffmanii</i>		B
<i>Nivatogastrium nubigenum</i> , In entire range except Oregon Eastern Cascades and California Cascades Physiographic Provinces		B
<i>Octavianina cyanescens (Octavianina sp. nov. #Trappe 7502)</i>		B
<i>Octavianina macrospora</i>		B
<i>Octavianina papyracea</i>		B
<i>Otidea leporina</i>		D
<i>Otidea smithii</i>		B
<i>Phaeocollybia attenuata</i>		D
<i>Phaeocollybia californica</i>		B
<i>Phaeocollybia dissiliens</i>		B
<i>Phaeocollybia fallax</i>		D
<i>Phaeocollybia gregaria</i>		B
<i>Phaeocollybia kauffmanii</i>		D
<i>Phaeocollybia olivacea</i> , In Oregon		D
<i>Phaeocollybia olivacea</i> In Washington and California		B
<i>Phaeocollybia oregonensis (syn. Phaeocollybia carmanahensis)</i>		B
<i>Phaeocollybia piceae</i>		B
<i>Phaeocollybia pseudofestiva</i>		B
<i>Phaeocollybia scatesiae</i>		B
<i>Phaeocollybia sipei</i>		B
<i>Phaeocollybia spadicea</i>		B
<i>Phellodon atratus (Phellodon atratum)</i>		B
<i>Pholiota albivelata</i>		B
<i>Podostroma alutaceum</i>		B
<i>Polyozellus multiplex</i>		B
<i>Pseudaleuria quinaultiana</i>		B
<i>Ramaria abietina</i>		B

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<i>Ramaria amyloidea</i>		B
<i>Ramaria araiospora</i>		B
<i>Ramaria aurantiisiccescens</i>		B
<i>Ramaria botryis</i> var. <i>aurantiiramosa</i>		B
<i>Ramaria celerivirescens</i>		B
<i>Ramaria claviramulata</i>		B
<i>Ramaria concolor</i> f. <i>marii</i>		B
<i>Ramaria concolor</i> f. <i>tsugina</i>		B
<i>Ramaria conjunctipes</i> var. <i>sparsiramosa</i> (<i>Ramaria fasciculata</i> var. <i>sparsiramosa</i>)		B
<i>Ramaria coulterae</i>		B
<i>Ramaria cyaneigranosa</i>		B
<i>Ramaria gelatiniaurantia</i>		B
<i>Ramaria gracilis</i>		B
<i>Ramaria hilaris</i> var. <i>olympiana</i>		B
<i>Ramaria largentii</i>		B
<i>Ramaria lorithamnus</i>		B
<i>Ramaria maculatipes</i>		B
<i>Ramaria rainierensis</i>		B
<i>Ramaria rubella</i> var. <i>blanda</i>		B
<i>Ramaria rubribrunescens</i>		B
<i>Ramaria rubrievanescens</i>		B
<i>Ramaria rubripermanens</i> In Oregon		D
<i>Ramaria rubripermanens</i> In Washington and California		B
<i>Ramaria spinulosa</i> var. <i>diminutiva</i> (<i>Ramaria spinulosa</i>)		B
<i>Ramaria stuntzii</i>		B
<i>Ramaria suecica</i>		B
<i>Ramaria thiersii</i>		B
<i>Ramaria verlotensis</i>		B
<i>Rhizopogon abietis</i>		B
<i>Rhizopogon atroviolaceus</i>		B
<i>Rhizopogon brunneiniger</i>		B
<i>Rhizopogon chamaleontinus</i> (<i>Rhizopogon</i> sp. nov. #Trappe 9432)		B
<i>Rhizopogon ellipsosporus</i> (<i>Alpova</i> sp. nov. # Trappe 9730)		B
<i>Rhizopogon evadens</i> var. <i>subalpinus</i>		B
<i>Rhizopogon exiguus</i>		B
<i>Rhizopogon flavofibrillosus</i>		B
<i>Rhizopogon inquinatus</i>		B
<i>Rhizopogon truncatus</i>		D
<i>Rhodocybe speciosa</i>		B
<i>Rickenella swartzii</i> (<i>Rickenella setipes</i>)		B
<i>Russula mustelina</i>		B
<i>Sarcodon fuscoindicus</i>		B
<i>Sedecula pulvinata</i>		B
<i>Sowerbyella rhenana</i> (<i>Aleuria rhenana</i>)		B
<i>Sparassis crispa</i>		D
<i>Spathularia flavida</i>		B
<i>Stagnicola perplexa</i>		B

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<i>Thaxterogaster pavelekii</i>	<i>(Thaxterogaster sp. nov. #Trappe 4867, 6242, 7427, 7962, 8520)</i>	B
<i>Tremiscus helvelloides</i>		D
<i>Tricholoma venenatum</i>		B
<i>Tricholomopsis fulvescens</i>		B
<i>Tuber asa</i>	<i>(Tuber sp. nov. #Trappe 2302)</i>	B
<i>Tuber pacificum</i>	<i>(Tuber sp. nov. #Trappe 12493)</i>	B
<i>Turbinellis floccosus</i>	In California	F
<i>Tylopilus porphyrosporus</i>	<i>(Tylopilus pseudoscaber)</i>	D
LICHENS		
<i>Bryoria pseudocapillaris</i>		A
<i>Bryoria spiralifera</i>		A
<i>Bryoria subcana</i>		B
<i>Buellia oidalea</i>		E
<i>Calicium abietinum</i>		B
<i>Calicium adpersum</i>		E
<i>Cetrelia cetrarioides</i>		E
<i>Chaenotheca chrysocephala</i>		B
<i>Chaenotheca ferruginea</i>		B
<i>Chaenotheca furfuracea</i>		F
<i>Chaenotheca subroscida</i>		E
<i>Chaenothecopsis pusilla</i>		E
<i>Cladonia norvegica</i>		C
<i>Collema nigrescens</i>	In Washington and Oregon, except in Oregon Klamath Physiographic Province	F
<i>Dendriscoaulon intricatulum</i>	In California	E
<i>Dendriscoaulon intricatulum</i>	In Oregon outside of Coos, Curry, Douglas, Josephine, & Jackson Counties; Washington	A
<i>Dermatocarpon luridum</i>		E
<i>Fuscopannaria saubinetii</i>	<i>(Pannaria saubinetii)</i>	E
<i>Heterodermia sitchensis</i>		E
<i>Hypogymnia duplicata</i>		C
<i>Hypogymnia vittata</i>		E
<i>Hypotrachyna revoluta</i>		E
<i>Leptogium burnetiae</i> var. <i>hirsutum</i>		E
<i>Leptogium cyanescens</i>		A
<i>Leptogium teretiusculum</i>		E
<i>Lobaria linita</i> , var. <i>tenuoir</i>	In Washington Western Cascades (south of Snoqualmie Pass), Western Lowlands, and Eastern Cascades Physiographic Provinces; Oregon	A
<i>Lobaria oregana</i>	In California	A
<i>Microcalicium arenarium</i>		B
<i>Nephroma bellum</i>	In Oregon Western Cascades and Coast Range Physiographic Provinces; Washington Western Cascades Physiographic Province, Gifford Pinchot NF only	F
<i>Nephroma bellum</i>	In Oregon Klamath, Willamette Valley, and Eastern Cascades Physiographic Provinces; Washington Western Cascades (outside GPNF), Eastern Cascades, Olympic Peninsula Physiographic Provinces	E
<i>Nephroma isidiosum</i>		E
<i>Nephroma occultum</i>		A
<i>Niebla cephalota</i>		A
<i>Pannaria rubiginosa</i>		E

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<i>Peltigera pacifica</i>		E
<i>Platismatia lacunosa</i> , all except Oregon Coast Range Physiographic Provinces		E
<i>Pseudocyphellaria perpetua</i> (<i>Pseudocyphellaria sp. 1</i>)		A
<i>Pseudocyphellaria rainierensis</i>		A
<i>Stenocybe clavata</i>		E
<i>Teloschistes flavicans</i>		A
<i>Tholurna dissimilis</i> , south of the Columbia River		B
<i>Usnea hesperina</i>		E
<i>Usnea longissima</i> , In Curry, Josephine, and Jackson Counties, Oregon; California		A
<i>Usnea longissima</i> , In Oregon, except in Curry, Josephine, and Jackson Counties; Washington		F
BRYOPHYTES		
<i>Brotherella roellii</i>		E
<i>Buxbaumia viridis</i> , In California		E
<i>Diplophyllum plicatum</i>		B
<i>Herbertus aduncus</i>		E
<i>Iwatsukiella leucotricha</i>		B
<i>Kurzia makinoana</i>		B
<i>Marsupella emarginata v. aquatica</i>		B
<i>Orthodontium gracile</i>		B
<i>Ptilidium californicum</i> , In California		A
<i>Racomitrium aquaticum</i>		E
<i>Rhizomnium nudum</i> , In Oregon		B
<i>Schistostega pennata</i>		A
<i>Tetraphis geniculata</i>		A
<i>Tritomaria exsectiformis</i>		B
<i>Tritomaria quinquedentata</i>		B
VERTEBRATES		
Larch Mountain salamander <i>Plethodon larselli</i>		A
Shasta salamander <i>Hydromantes shastae</i>		A
Siskiyou Mountains salamander <i>Plethodon stormi</i> , In North Range		OFF ₁
Siskiyou Mountains salamander <i>Plethodon stormi</i> , In South Range		A
Scott Bar salamander <i>Plethodon asupak</i>		A ₂
Van Dyke's salamander <i>Plethodon vandykei</i> , Cascade population only		A
Great Gray Owl <i>Strix nebulosa</i> In Oregon Western Cascades, Eastern Cascades, and Klamath Physiographic Provinces		C ₃
Oregon Red Tree Vole <i>Arborimus longicaudus</i> , Mesic Zone		C
Oregon Red Tree Vole <i>Arborimus longicaudus</i> , North Mesic and Xeric Zones		C
MOLLUSKS		
<i>Ancotrema voyanum</i>		D
<i>Cryptomastix devia</i>		A
<i>Cryptomastix hendersoni</i>		A
<i>Deroceras hesperium</i>		B ₄
<i>Fluminicola n. sp. 3</i>		A
<i>Fluminicola n. sp. 11</i>		A
<i>Fluminicola n. sp. 14</i>		A
<i>Fluminicola n. sp. 15</i>		A
<i>Fluminicola n. sp. 16</i>		A

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<i>Fluminicola</i> n. sp. 17		A
<i>Fluminicola</i> n. sp. 18		A
<i>Fluminicola</i> n. sp. 19		A
<i>Fluminicola</i> n. sp. 20		A
<i>Fluminicola seminalis</i>		A
<i>Hemphillia burringtoni</i>		E
<i>Hemphillia glandulosa</i> , In Washington Western Cascades Physiographic Province		E
<i>Hemphillia malonei</i> , In Washington		C
<i>Hemphillia pantherina</i>		B ₄
<i>Juga</i> (o.) n. sp. 2		A
<i>Juga</i> (o.) n. sp. 3		A
<i>Lyogyrus</i> n. sp. 1		A
<i>Lyogyrus</i> n. sp. 2		A
<i>Lyogyrus</i> n. sp. 3		A
<i>Megomphix hemphilli</i> , all except Oregon Coast Physiographic Province		F
<i>Monadenia chaceana</i>		B ₄
<i>Monadenia fidelis minor</i>		A
<i>Monadenia infumata ochromphallus</i>		D ₅
<i>Monadenia troglodytes troglodytes</i>		A
<i>Monadenia troglodytes wintu</i>		A
<i>Oreohelix</i> n. sp.		A
<i>Pristiloma arcticum crateris</i>		A
<i>Prophysaon coeruleum</i> , In California and Washington		A
<i>Trilobopsis roperi</i>		A
<i>Trilobopsis tehamana</i>		A
<i>Vertigo</i> n. sp.		A
<i>Vespericola pressleyi</i>		A
<i>Vespericola shasta</i>		A
<i>Vorticifex</i> n. sp. 1		E
VASCULAR PLANTS		
<i>Arceuthobium tsugense mertensiana</i> , In Washington		F
<i>Bensoniella oregana</i> , In California		A
<i>Botrychium minganense</i> , In Oregon and California		A
<i>Botrychium montanum</i>		A
<i>Coptis asplenifolia</i>		A
<i>Coptis trifolia</i>		A
<i>Corydalis aquae-gelidae</i>		A
<i>Cypripedium fasciculatum</i> , In Washington outside Eastern Cascades Physiographic Provinces; Oregon; California		C
<i>Cypripedium montanum</i> , Entire range except Washington Eastern Cascades Physiographic Province		C
<i>Eucephalus vialis</i> (syn. <i>Aster vialis</i>)		A
<i>Galium kamtschaticum</i> , In Washington Western Cascades (south of Snoqualmie Pass), Olympic Peninsula, and Eastern Cascades Physiographic Provinces; Oregon Western Cascades Physiographic Province		A
<i>Platanthera orbiculata</i> var. <i>orbiculata</i> (syn. <i>Habenaria orbiculata</i>)		C
ARTHROPODS		
Canopy herbivores (south range)		F
Coarse wood chewers (south range)		F

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Litter and soil dwelling species (south range)		F
Understory and forest gap herbivores (south range)		F
SPECIES SPECIFIC NOTES		
<p>Species range changes (expansions and contractions) that were approved through the 2001-2003 Annual Species Reviews are considered valid and are incorporated into the survey and management requirements for the species included in this list.</p> <p>1 The Siskiyou Mountains salamander, in the north range, is removed from Survey and Manage. Management for this species in the north range will follow the 2007 FS/BLM Conservation Strategy and 2007 FS/BLM/FWS Conservation Agreement (and subsequent updates) which established Agency management for the conservation of this species. The Conservation Strategy and Conservation Agreement provide for a similar level of conservation for the species, and a similar level of Agency commitment when compared with Survey and Manage obligations for this species.</p> <p>2 The Scott Bar salamander is added to the Survey and Manage list and will utilize the Siskiyou Mountains salamander south range management recommendations and survey protocols until further refinements on species survey and management are addressed under the Survey and Manage Standards and Guidelines.</p> <p>3 Although the great gray owl is within management Category C (which indicates that only high-priority sites require management) all known sites will require management and be considered high-priority. The Category C designation indicates however, that not all sites need to be discovered through surveys, and allows for a reduced survey effort as identified below.</p> <p><i>Pre-disturbance surveys</i> Pre-disturbance surveys will follow Version 3.0 of the Great Gray Owl Survey Protocol (or future revisions/amendments), except only 1 year of surveys are required. Pre-disturbance surveys of suitable nesting habitat are required only for proposed activities:</p> <ul style="list-style-type: none"> • that fall potential nest trees within 600 feet of natural openings that are 10 acres or greater and provide suitable conditions for great grey owl nesting (good foraging base); Or • where disturbance above ambient levels (or other activities that may impact potential nesting owls) will occur within 300 feet (or up to 1-mile for blasting) of suitable nesting habitat associated with natural openings 10 acres or greater between March 1st and July 31st. <p><i>Management Recommendations</i> Until new Management Recommendations are developed, the following serves as management requirements for this species. Around known (see Protocol definition) and future sites provide:</p> <ul style="list-style-type: none"> • a 30 acre management area encompassing the best available nest trees. Within the 30 acre area, management treatments are limited to protection or improvement of nesting habitat. • a 0.25 mile radius protection zone. Within the protection zone, <ul style="list-style-type: none"> ○ Provide a 300 foot buffer around natural openings greater than 10 acres that have nesting habitat associated with them. Within this 300 foot buffer, treatments are limited to protection or improvement of nesting habitat. ○ Prohibit disturbance from management activities within 300 feet of nesting habitat (1 mile radius for blasting) from March 1st-July 31st, or until fledging, whichever is later, unless surveys of the nesting habitat indicate no presence or no nesting. <p>4 Based upon direction contained in the ROD, equivalent-effort pre-disturbance surveys are required for these mollusk species.</p> <p>5 Although Pre-Disturbance Surveys are deemed practical for this species, continuing pre-disturbance surveys is not necessary in order to meet management objectives.</p>		