United States Department of Agriculture	Forest Service	R-6 R-5	OR/WA CA	Bureau of Land Management	United States Department of the Interior

Reply Refer To: 2670 (FS)/ 6840 (BLM) (OR-931) P **Date:** February 8, 2006

FS-Memorandum

EMS TRANSMISSION 02/09/2006
BLM-Instruction Memorandum No. OR-2006-027
Expires: 09/30/2007

To: Bureau of Land Management District Managers (Coos Bay, Eugene, Lakeview, Medford, Roseburg, and Salem), Field Managers (Klamath Falls and Tillamook, OR; Arcata, Redding, and Ukiah, CA), and Forest Service National Forest Supervisors and Columbia River Gorge National Scenic Area Manager within the Northwest Forest Plan Area

Subject: Tools and Information to Assist Field Units in Managing Survey and Manage Species

Background

On January 9, 2006, Judge Pechman signed an Order on Plaintiffs' Motion for Injunctive Relief (*Northwest Ecosystem Alliance et al. v. Mark E. Rey et al.,* No. 04-844P) that:

1. "The Record of Decision dated March 22, 2004, entitled "To Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl" (the "2004 ROD") is hereby set aside, and Defendants shall not rely on it or implement it."
2. "The Record of Decision dated January 2001, entitled "Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines" (the "2001 ROD") is hereby reinstated, including any amendments or modifications to the 2001 ROD that were in effect as of March 21, 2004." [e.g., including results of the 2001, 2002, and 2003 Annual Species Reviews (ASR)].
3. "Defendants shall not authorize, allow, or permit to continue any logging or other ground-disturbing activities on projects to which the 2001 ROD applied unless such activities are in compliance with the provisions of the 2001 [sic] ROD (as the 2001 ROD was amended or modified as of March 21, 2004)."
4. "No project or activity enjoined under this Order may occur unless and until this Court modifies or vacates this Order." [or the agencies bring the activities into compliance with the 2001 ROD].

Habitat-Disturbing Activities

To be in compliance with the 2001 ROD, projects must have appropriate pre-disturbance surveys conducted if the activity is potentially considered to be "habitat-disturbing." "Habitat-disturbing activities are defined as those disturbances likely to have a significant negative impact on the species' habitat, its life cycle, microclimate, or life support requirements" (Standards and Guidelines (S&G), p. 22). There are 63 (Category A and C species) that require pre-project surveys for "habitat-disturbing" activities. "The line officer should seek specialists' recommendations to help determine the need for a survey based on site-specific information. In making such determination, the line officer should consider the probability of the species being present on the project site, as well as the probability that the project would cause a significant negative effect on the species habitat or the persistence of the species at the site." (S&G, p. 22).

Links to Tools and Information

Tools and information to aid in project compliance with the 2001 ROD may be accessed through the Survey and Manage website (http://www.or.blm.gov/surveyandmanage/) or other sites as indicated below:

Results of the 2003 Annual Species Review. The document transmitting the results of the 2003 ASR and implementation guidance may be obtained at http://www.blm.gov/or/plans/surveyandmanage/asr.htm. See Attachment 1 for the revised Survey and Manage species list.

Management Recommendations (MRs) for known sites (http://www.blm.gov/or/plans/surveyandmanage/mr.htm.) Many of the Survey and Manage species were added to agency Special Status and Sensitive Species (SSSS) Programs in 2004. These species should follow both Survey and Manage S&Gs and SSSS policies. Management of known sites for species that are within both agency programs should utilize the best available information. This may include Appendix J-2 from the Northwest Forest Plan (NWFP), Survey and Management MRs, SSSS Conservation Assessments, and Species Fact Sheets.

Species that are included only within the Survey and Manage Program should follow the Survey and Manage MRs or, if no MR exists, use professional judgment, Appendix J-2 from the NWFP, and appropriate literature.

Survey Protocols for conducting pre-disturbance surveys for Survey and Manage species may be found at http://www.blm.gov/or/plans/surveyandmanage/sp.htm. These protocols provide acceptable methodologies for conducting pre-disturbance surveys as well as pertinent information on species' habitat, range, taxonomy, biology, and ecology.

The **General Guidance** section (http://www.blm.gov/or/plans/surveyandmanage/gg.htm) includes Instruction Memorandums and Information Bulletins that help identify flexibilities in the 2001 ROD, answer questions concerning the Survey and Manage S&Gs, and provide an exception to pre-disturbance survey requirements for wildland fire for resource benefits. The following are links to specific documents:

- Identification of Non-High Priority Sites (for Category C and D species)
  (link: http://www.blm.gov/or/plans/surveyandmanage/IM-IB/IB-OR-2001-273.htm)

- Survey and Manage Species - Flexibility in the 2001 ROD
  (link: http://www.blm.gov/or/plans/surveyandmanage/General/Other/IB-OR-2002-253%20-%20Survey%20and%20Manage%20Species%20-%20Flexibility%20in%20the%202001%20ROD.htm)

- Answers to Questions on 2001 Survey and Manage Standards and Guidelines (first set)
  (link: http://www.blm.gov/or/plans/surveyandmanage/IM-IB/IB-OR-2001-214.htm)

- Answers to Questions on 2001 Survey and Manage Standards and Guidelines (second set)
  (link: http://www.blm.gov/or/plans/surveyandmanage/IM-IB/ib-or-2002-033.htm)

- Transmittal of Exception to Survey and Manage Pre-disturbance Survey Requirements for Wildland Fire for Resource Benefits
  (link: http://www.blm.gov/or/plans/surveyandmanage/im-or-2003-099.htm)

Additional information may be obtained from the Forest Service and Oregon/Washington Bureau of Land Management (BLM) Interagency Special Status/Sensitive Species Program (ISSSSP) website (link: http://www.fs.fed.us/r6/sfpnw/issssp/) and the Region 6 Botany website (http://fsweb.r6.fs.fed.us/nr/botany/). The Conservation Planning section on each site contains Conservation Assessments, species distribution maps, fact sheets, and distribution of species locations by land-use allocation and physiographic province for species that are included in both the Survey and Manage Program and the ISSSSP.

Vouchering Specimens

Vouchering is required for lichens, bryophytes, fungi, and mollusks. Information concerning how to process voucher specimens follows:

BLM (California and Oregon/Washington) and Forest Service (Regions 5 and Region 6).
Centralized Process to Identify/Verify Survey and Manage Specimens Collected While Conducting Surveys, January 29, 2002. This document gives general direction for vouchering Survey and Manage species. (link: http://www.blm.gov/or/plans/surveyandmanage/IM-IB/ib-or-2002-083.pdf).

BLM (California and Oregon/Washington) and Forest Service (Region 6).
ISSSSP: Vouchering Policy for Bryophytes, Lichens, Fungi, and Mollusks (Region 6 and BLM California and Oregon/Washington only), May 13, 2005. This document updated information contained in the January 29, 2002, document. There is one correction: bryophyte specimens should be sent to Darci Rivers-Pankratz rather than Judy Harpel.
(link: http://www.blm.gov/or/efoia/fy2005/ib/ib-or-2005-120.htm)

Forest Service Region 5
Steps are currently being taken to identify species identification expertise in coordination with Region 6 and BLM (California and Oregon/Washington). A memorandum will be issued in the near future to the northern California Forests that provides additional instructions for vouchering specimens.

Equivalent Effort Surveys

For Category B species, the S&Gs (p. 9) state that "To reduce the inadvertent loss of undiscovered sites, the Agencies will not sign NEPA [National Environmental Policy Act] decisions or decision documents for habitat-disturbing activities in old-growth forest [see indented paragraph below for definition]…in fiscal year 2006 (fiscal year 2011 for fungi) and beyond, unless either: strategic surveys have been completed for the province that encompasses the project area, or equivalent-effort surveys have been conducted in the old-growth habitat to be disturbed." There are 17 non-fungi Category B species. Strategic Surveys have been completed for only a portion of these species. The agencies will provide additional direction to field units by the end of February on which species have Strategic Surveys completed, and how to conduct Equivalent Effort Surveys for those that do not.

> Old-growth forest (S&G, pp. 79-80): "An ecosystem distinguished by old trees and related structural attributes. Old growth encompasses the later stages of stand development that typically differ from earlier stages in a variety of characteristics…The Northwest Forest Plan SEIS [Supplemental Environmental Impact Statement] and FEMAT [Forest Ecosystem Management Assessment Team] describe old-growth forest as a forest stand usually at least 180 to 200 years old with moderate-to-high-canopy closure; a multilayered, multi-species canopy dominated by large overstory trees; high incidence of large trees, some with broken tops and other indications of old and decaying wood (decadence); numerous large snags; and heavy accumulation of wood, including large logs on the ground."

Strategic Survey data is still being analyzed, and Strategic Surveys have not been documented as complete for any taxon. Equivalent Effort Surveys need to be conducted in compliance with ROD requirements until Strategic Surveys are documented as complete.

Interagency Strategy Team

The agencies have formed an interagency Strategy Team to advise and assist Forests and Districts to most efficiently fulfill the requirements within the ROD. The team will assist managers in identifying and resolving implementation issues, determining where there are information gaps and resource needs, interpreting Survey and Manage protocols and needs, and determining future program needs. Team members are:

- Rob Huff (BLM/Region 6), Team Lead
- Carol Hughes (BLM/Region 6)
- Russ Holmes (Region 6)
- Quentin Youngblood (Region 5)
- Kathy Anderson (BLM, Regions 5 and 6)

If you have questions on the information presented in this document, please contact the following individuals:

- Technical questions (pertaining to species, MRs, etc.):
    - BLM and Region 6: Rob Huff, (503) 808-6479
    - Region 5: Quentin Youngblood, (707) 441-3630
- Policy-related questions:
    - BLM: Mike Haske, (503) 808-6066
    - Region 6: Alan Christensen, (503) 808-2922
    - Region 5: Steve Bishop, (707) 562-8689

Although the Survey and Manage Program has been revived, we are continuing to implement all components of the Special Status and Sensitive Species Programs. For example, field units that have received funding to implement projects or staff work groups in FY 2006 should move forward with that work. If workload issues arise, please discuss priorities with your line manager and raise issues, as appropriate, to the State Office/Regional Office for resolution.

/s/ Kathy Eaton (for)
ELAINE M. BRONG
State Director, OR/WA
USDI Bureau of Land Management

/s/ JimGolden (for)
LINDA GOODMAN
Regional Forester, Region 6
USDA Forest Service

Authenticated by
Mary O'Leary
Management Assistant

/s/ J. Anthony Danna (for)
MIKE J. POOL
State Director, CA
USDI Bureau of Land Management

/s/ Marlene Finley (for)
BERNARD WEINGARDT
Regional Forester, Region 5
USDA Forest Service

1 Attachment

1 - Revised Species List Resulting from the 2003 Annual Species Review (6 pp)

BLM Distribution
WO-230 (204LS) (Peg Olwell)
CA-330 (Paul Roush)
CA-932 (Ed Lorentzen)
OR-931 (Anita Bilbao, Mike Haske, Barb Hill, Rob Huff, Joan Seevers, Kelli Van Norman)
OR-932 (Todd Thompson)
OR-014 (Steve Hayner)
OR-015 (Todd Forbes, Alan Munhall)
OR-026 (Darren Brumback, Matt Obradovich)
OR-030 (Cynthia Tate)
OR-036 (Jon Sadowski)
OR-050 (Jan Hanf)
OR-056 (Jimmy Eisn er)
OR-080 (Roy Price, Robert A. Ruediger)
OR-090 (Mark D'Aversa)
OR-095 (Eric Greenquist)
OR-100 (Scott Lightcap)
OR-104 (Christopher Foster)
OR-105 (Nancy Duncan)
OR-110 (Dale Johnson, Carole Jorgensen)
OR-125 (Bill Hudson)
OR-128 (Kerrie Palermo)
OR-134 (Joe Kelly)
OR BOTANY ALL

cc:
Forest Service WO
Marc Bosch

Forest Service R6
Kathy Anderson
Alan Christensen
Russell Holmes
Carol Hughes
Cal Joyner
Sarah Madsen
Elaine Rybak
Sue Zike
Forest Botanists
Forest Fish Biologists
Forest Wildlife Biologists

Forest Service R5
Steve Bishop
Kathy Clement
Sue Danner
Dave Gibbons
Diane Macfarlane
Quentin Youngblood