

United States Department of Agriculture	Forest Service	R-6 R-5	OR/WA CA	Bureau of Land Management	United States Department of Interior
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Reply Refer To: 2630(FS)/ 1736 PFP (BLM) (OR-935) P **Date:** 8/12/02
FS- EMS TRANSMISSION 08/13/2002
Memorandum BLM-Information Bulletin No. OR-2002-253

To: USDA Forest Service Forest Supervisors within the Area of the Northwest Spotted Owl; USDI Bureau of Land Management District Managers (Coos Bay, Eugene, Lakeview, Medford, Roseburg, Salem) and Field Managers (Klamath Falls and Tillamook, OR. and Arcata, Redding and Ukiah, CA.)

Subject: Survey and Manage Species - Flexibility in the 2001 ROD

In April of this year the interagency Survey and Manage (S&M) staff conducted two workshops for line officers. The workshops were intended to provide updates on the S&M Program as well as to emphasize the flexibilities available in implementing the Record of Decision (ROD) for S&M species. As a follow up, to those presentations and discussions, this memo focuses on some of the key language and opportunities available to line officers implementing the S&M provision of the Northwest Forest Plan.

Line officers have many decision points when assessing project survey needs, management of known sites, and other S&M direction. This update is organized into three general headings: Pre-disturbance surveys, Management of Known Sites, and Other Resources Available.

PRE-DISTURBANCE SURVEYS

Survey efficiency

With the transmittal of the FY01 Annual Species Review, those species listed as Category A or C in the revised Table 1-1 (June 2002) require pre-disturbance surveys. These currently include 1 species of fungus (a conch, *Bridgeoporus nobillisimus*, which can be found year round), 15 lichens, 3 bryophytes, 28 mollusks, 11 vascular plants, and 6 vertebrates. (Currently 12 of the lichens do not have survey protocols completed so do not yet require surveys to be conducted).

In addition, 6 mollusks in Category B and 2 mollusks in Category E require "equivalent effort" pre-disturbance surveys; a type of pre-disturbance survey for species with hard to distinguish characteristics. Of these eight species requiring "equivalent effort" pre-disturbance surveys, three require surveys only for habitat disturbing activities associated with grazing. (These three do not yet have survey protocols published so they do not yet require surveys to be conducted). None of the other species listed in the revised Table 1-1 (June 2002) require pre-disturbance surveys. An implementation memo, outlining the timing requirements for surveys and applicability of the revised Table 1-1 to projects in various stages of planning, was sent recently under a separate memo (June 14, 2002; 2630(FS) and BLM IM-OR-2002-064).

Many botanical surveys can be combined to maximize efficiencies of surveys. For instance, since the fungus requiring pre-disturbance surveys can be surveyed year round it is not necessary to wait until the fall or spring rainy season to complete these surveys. Also, due to the easy identification of this species, surveys can easily be coupled with other botanical surveys. In some areas within the Northwest Forest Plan surveys for all of the botanical species, (lichens, bryophytes, fungi, and vascular plants), can be done simultaneously and can be coupled with surveys for the Agency's special status/sensitive species. In other areas, due to the complexity and number of species requiring surveys, two or more separate visits may be needed: one covering the lichens and bryophytes, the other covering the vascular plants and Agency special status/sensitive species. The survey for *Bridgeoporus nobilissimus* can be conducted during either effort. Spring and summer are sufficient time periods for effective surveys for all of these species. There is no need or requirement for fall surveys to be conducted.

Habitat refinements

In some cases the habitat description, listed in the protocol for a species, may be rather broad owing to the lack of information about the species or due to the broad range the species is found within. In these cases professional judgment of the local biologists and botanists may be utilized to refine the habitat parameters where surveys should be conducted. Biologists and botanists should work with taxa experts and leads to determine if there is more site-specific information within a particular landscape that could be used as rationale for refinement of the local habitat definitions. Departures from the habitat definitions listed in the protocol should be documented with supporting rationale.

Habitat-disturbing activities

Line officers can make the determination as to whether surveys for a particular taxa/species are needed for a proposed activity/project. Page 22 of the S&M ROD Standards and Guidelines (S&Gs) states, "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." Key to this statement is the determination as to whether the project would result in a "significant negative effect" to the species or habitat at the project site. Often survey protocols list types of activities that do not trigger the need to survey and are helpful in making this determination. If the determination is made that there is not a likelihood of a "significant negative effect" from implementation of the proposed activity then no surveys are needed.

The applicability of what constitutes "a significant negative effect on the species habitat, or the persistence of the species at the site," varies by taxa/species. For instance, the proposed activity may be determined to not result in a "significant negative effect" for one taxon but could result in a "significant negative effect" for another taxon. In this case you would conduct surveys for the taxon in which the proposed activity could cause a "significant negative effect".

By late this fall the S&M Program will send out a decision model/key to assist in the determination of whether a proposed activity would result in a "significant negative effect" and whether surveys should be conducted or not. The model/key will provide key questions that line officers should ask specialists in order to help make that decision.

Surveys are also not required if the project does not occur within habitat or the range of the species/taxa or if the project design can avoid habitat.

Routine maintenance

"Routine maintenance of improvements and existing structures is not considered a habitat-disturbing activity. Examples of routine maintenance include pulling ditches, clearing encroaching vegetation, managing existing seed orchards, and falling hazard trees" (page 22, ROD S&Gs). Also, in the "Second Set of Questions on Use of The Record of Decision and Standards and Guidelines", there are additional examples of routine maintenance as well as answers on whether certain actions require pre-disturbance surveys or not (Questions 56-59). These questions and answers are included as Attachment 1. For a full listing of all of the Questions and Answers, in both the First and Second Set, please see the website listed near the end of this document.

Pre-disturbance survey exceptions

There are several exceptions to the requirement to conduct pre-disturbance surveys- mostly relating to fire. Page 22 of the ROD S&Gs lists in detail several of these exceptions. Specifically those exceptions are:

1. "Pre-disturbance surveys are not required in the unusual circumstance such that a delay in implementation of the activity (to permit pre-disturbance surveys) would result in greatly increased and unacceptable environmental risk";
2. "Pre-disturbance surveys are not required for wildland fires for resource benefits in designated Wilderness";
3. "Exceptions to the pre-disturbance survey requirement may be proposed, subject to REO review, for other wildland fires for resource benefits in backcountry, Wilderness Study Areas, roaded natural, and similar areas where the objective of such fires is similar to those in Wilderness"; and
4. "Exceptions to the pre-disturbance survey requirement may also be proposed for wildland fire for resource benefits in Late-Successional Reserves"

The first, third, and fourth exception listed above require REO review. All Wildland fire exceptions must be the result of natural ignition, consistent with the applicable land and resource management plan, addressed in a fire management plan, and burning within prescription to qualify for an exception.

Management Categories

Categories A, B, and E, considered as "rare", require the management of all known sites. Categories C and D, considered as "uncommon", require the management of "high-priority" sites. "High-priority" sites are those sites needed to provide for a reasonable assurance of species persistence. Except for the sites of two species of mollusks found before 9/30/99 no species in Category F require the management of known sites.

Management Recommendations

Management Recommendations (MRs) are written to provide guidance to the manager on how best to manage for long-term site persistence for S&M species. MRs are recommended procedures and are not requirements. These guidelines are often written in a flexible general manner to allow for site specific knowledge in applying the MR. Flexibility in site management is inherent in the MRs with different site size and management expected based on the aspect, slope, and other environmental factors associated with the site. For instance, it is likely that the size of the management areas needed for a given species of mollusk would vary from north to south through the range, or east to west, or north versus south facing slope, etc. To maintain a cool microclimate the size of the management area on the Olympic National Forest may be significantly smaller than a management area needed on the Shasta-Trinity NF. The size within the same BLM Resource Area or Forest Service District may be different as well. Sizes of the management areas would also vary based on what the proposed activity entails. For instance, the size of a management area for the same species in the same general area should be different for regeneration harvest units versus thinnings.

The overall goal of the Recommendations is to provide for long-term site persistence at the site scale. How that is achieved is likely to vary across the range (even across a project area) and requires site-specific recommendations and professional judgment from local botanists and biologists. If the recommendations are not followed the rationale used in making that determination must be documented.

At the line officers workshops handouts were given of two documents that addressed site-specific application of management recommendations for maintaining microclimate conditions needed for persistence of terrestrial mollusks. These applications were developed by field units assessing their specific field conditions. They used the generic information from the MRs, combined with recent research on micro-sites and openings, to develop their site-specific recommendations. Both handouts are provided again and are attached to this memo (as Attachment 2 and 3). Again, these documents represent applications of MRs, not decisions, and are included here to show the flexibility associated with MRs.

Exemptions from site management

Shown below are two important options available to exempt a known site from requiring known site management.

1.) *Four-step process to locally determine "non-high" priority sites*

Until a MR is written that defines "high-priority" sites needed for management of Category C and D species, page 10 of the ROD S&Gs describes a 4-step process in which field units can determine, on a case-by-case basis, "non-high" priority sites. (Currently no MRs to define "high-priority" sites have been completed, and hence, all known sites for these species are to be managed as "high-priority" sites). "Non-high" priority sites are those sites not needing management to ensure the continued persistence of the species. Sites determined to be "non-high" priority do not require known site management and could be released for other resource needs. A detailed description of the 4-step process for determining "non-high" priority sites was mailed to field units on September 21, 2001, (see Attachment 4). A field example of applying the 4-step process is included as Attachment 5 and is an example of how detailed the analysis on determining a non-high priority site should be. Local interagency concurrence of the determinations made in this example has occurred. REO review of the 4-step process is not required.

2.) *REO exemptions for site management*

Site-specific exemptions to known site management can occur. Page 8 of the ROD S&Gs states, "Professional judgment, coupled with locally specific information and advice from tax specialists about the species, may be used to identify occasional (high-priority for "Uncommon, Category C and D") sites not needed for persistence. These exceptions will be reviewed by the REO". This statement is repeated for each of the manage known site categories (Category A, B, C, D, and E). For "rare" species this is the only known site exemption process available. The process used should follow and correspond to the 4 step process listed above documenting the biological rationale for coming to this conclusion which is similar to steps 1, 3, and 4. REO review is needed. To date no REO exemptions have been requested.

OTHER RESOURCES AVAILABLE

The interagency internet site (<http://www.blm.gov/or/plans/surveyandmanage/>), for the Northwest Forest Plan and S&M, has a wealth of information. The website includes survey protocols, guidance, management recommendations, information on implementation of the FY01 Annual Species Review, and sets of Questions and Answers on implementation of the S&M ROD sent to the field last year.

The first line of contact, about the implementation of the S&M ROD and the flexibilities discussed here, should be your Agency Representative. Agency Representatives are knowledgeable of the S&M ROD and have access to the people and information who are able to assist you in your questions. The Agency Representatives are:

Rob Huff, (503) 808-6479, (rob_huff@or.blm.gov) for OR, WA, and Northern CA BLM;
Paula Crumpton, (530) 242-2242 (pcrumpton@fs.fed.us) for FS, Region 5; and
Jeanne Rice (acting), (503) 808-2661, (jrice@fs.fed.us) for FS, Region 6; ;

In addition, the following other personnel in the interagency Survey and Manage program can also be of assistance:

Terry Brumley, Survey and Manage Program Manager: (503) 808-2968; tbrumley@fs.fed.us
Bruce Rittenhouse, Strategic Survey Coordinator: (503) 808-2984; brittenhouse@fs.fed.us

Russ Holmes, Mitigation Coordinator: (503) 808-6536; r1holmes@or.blm.gov

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Mark Huff, Conservation Coordinator: (503) 808-2376; mhhuff@fs.fed.us
Janis Vanwyhe, ISMS Coordinator: (503) 808-6296; janis_vanwyhe@or.blm.gov

The interagency taxa leads and experts are listed in Attachment 6. These individuals can also assist in many of the flexibilities offered in this document.

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6 Attachments

- Attachment 1: [Questions and Answers on routine maintenance](#) (1 p)
- Attachment 2: [Microsite document from the Mt. Hood NF](#) (3 pp)
- Attachment 3: [Microsite document from the Olympic NF](#) (10 pp)
- Attachment 4: [4-step determination of non-HP sites](#) (7 pp)
- Attachment 5: [Example of non-HP determination](#) (10 pp)
- Attachment 6: [Listing of taxa leads and experts](#) (2 pp)

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