COLORADO PLATEAU NATIVE PLANT PROGRAM OPERATIONAL PLAN

MARCH 2011

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INTRODUCTION

In 2009, The Colorado Plateau Native Plant Program (CPNPP) developed a Five-Year Strategy and Action Plan. This document outlined the vision, mission, goals, and objectives of the CPNPP, yet did not address the more day-to-day workings of the program. This Operations Plan, therefore, has been developed to address more specifically, how things will work and how individuals, organizations, and leadership will join together to meet those goals and objectives to achieve the vision and mission of the program. This Operations Plan shall be reviewed regularly and updated as necessary to meet changing needs and an evolving organization in order to maintain the function and utility of this program.

BACKGROUND

In 2001, Congress directed the Department of Interior to work in close partnership with the Department of Agriculture (U.S. Forest Service), under the guidance of the Plant Conservation Initiative, to develop a cooperative native plant program that focused on the reintroduction of native plants into disturbed areas to compete with invasive species. In response, both the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) established national direction to use native plant materials in the restoration of native ecosystems. Information included in the BLM's *Integrated Vegetation Handbook* (H-1740-2) and the USFS's *Vegetation Ecology Manual* (FSM 2070) is included below with ***emphasis added*** that highlights important components of each agency's direction as it relates to the CPNPP.

The purpose of the Colorado Plateau Native Plant Program (CPNPP) is to assist both agencies as well as state and non-government organizations in developing native plant materials to maintain and restore those ecosystems of the Colorado Plateau.

BLM'S INTEGRATED VEGETATION MANAGEMENT HANDBOOK (H-1740-2)

Chapter 8 of the BLM's Integrated Vegetation Management Handbook[1] is devoted entirely to the use of native plant materials. It includes direction for: 1) establishing priorities for using native plants; 2) treatment design considerations; 3) plant material sources; 4) seed quality; 5) seed storage; and 6) seeding rates. In addition, it provides an overview of the BLM's Native Plant Materials Development Program. Because the Colorado Plateau Native Plant Program is a component of this national program, we have included this guidance here in order to emphasize its importance.

NATIVE PLANT MATERIALS DEVELOPMENT PROGRAM OVERVIEW

In 2001, Congress specifically directed "the Secretaries of Interior and Agriculture to report jointly to Congress with specific plans and recommendations to supply native plant materials for emergency stabilization and longer-term rehabilitation and restoration efforts." The *Report to Congress* outlined the following five action items for the federal land managing agencies:

A. Undertake a ***comprehensive assessment of the short-term and long-term need for native plant materials*** including estimate of the amount of native

[1] http://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/blm_handbook.Par.59510.File.dat/H-1740-2.pdf

plant materials needed and whether an adequate supply of these plant materials exists. Agencies also need the ability to identify and track this information.

B. Make a ***long-term commitment to native plant materials production, research and development, education and outreach, and technology transfer***. On-going financial and organizational support will be required to increase the variety and quantity of native plant materials. The average time it takes to develop a typical native plant cultivar is between ten and twenty years.

C. Expand efforts to ***increase availability of numerous species of native plant materials***. Both increases in ***commercial field production and wildland seed collection*** are needed to meet public land needs. Annual seed purchases by federal agencies, or as a result of federal programs, vary greatly creating an unpredictable market. ***Multi-year contracting and increased storage capacity could enhance market stability***. Agencies can also facilitate a secondary, non-federal market.

D. Invest in partnerships with state and local agencies and the private sector. ***Identify restoration and rehabilitation efforts*** to conduct in partnership with other land managers and interested parties. ***Close cooperation and coordination with the private seed industry will ensure their interests and concerns are addressed***.

E. Ensure that ***adequate science-based protocols for monitoring of restoration and rehabilitation efforts are established***. To promote efficiency and economy, monitoring programs with consistent protocols for measuring success must be developed and implemented.

U.S. FOREST SERVICE VEGETATION ECOLOGY MANUAL (FMS 2070)

Like the BLM, the USFS has established policy for the use of native plant materials in the restoration of native ecosystems. The USFS Vegetation Ecology Manual, (FSM 2080)[2] includes the following direction.

Policy for selection, use, and storage of native and non-native plant materials that are used in the revegetation, restoration and rehabilitation of National Forest System lands are as follows:

1. ***Ensure genetically appropriate native plant materials are given primary consideration***.
2. ***Restrict use of persistent, non-native, non-invasive plant materials*** to only those situations when timely reestablishment of a native plant community either through natural regeneration or with the use of native plant materials is not likely to occur. Examples include but are not limited to the following:

a. When emergency conditions exist where it becomes necessary to protect basic resource values (such as, soil stability, water quality, and prevention of establishment of invasive species).

b. When native plant materials are not available and/or are not economically feasible.

[2] http://www.fs.fed.us/im/directives/fsm/2000/2070.doc

c. In permanently, highly altered plant communities, such as road cuts, permanent and temporary wildlife openings, log landings, skid trails, temporary roads that have been closed and are used for linear wildlife openings and sites dominated by non-native, invasive species.
d. In designated historical sites where maintenance of historical vegetation communities, including agricultural crops, is needed to maintain historical integrity (FSM 2630).

3. ***Select non-native plants as interim, non-persistent plant materials*** provided they will not hybridize with local species, will not permanently displace native species or offer serious long-term competition to the recovery of endemic plants, and are designed to aid in the re-establishment of native plant communities.
4. ***Base determination and selection of genetically appropriate plant materials on the site characteristics and ecological setting***, using the best available information and plant materials.
5. Ensure that development, review and/or approval of revegetation, rehabilitation and restoration prescriptions, including species selection, genetic heritage, growth stage and any needed site preparation, is done by a plant materials specialist who is knowledgeable and trained or certified in the plant community type where the revegetation will occur.
6. Do not use noxious weeds for revegetation, rehabilitation and restoration projects.
7. ***Cooperate and coordinate within the Forest Service, with other federal agencies, organizations and private industry in the development of native plant materials and supplies***.
8. ***Anticipate plant material needs for emergency and planned revegetation***. Develop core plant lists, planting guidelines, plant material sources and seed caches and seed storage facilities.

It is because of direction from Congress, as well as direction and policy at the national level from the BLM and USFS that this program has been established and is being developed.

OUR MISSION

Our mission is to facilitate the increased availability and use of native plant materials for use in restoring native plant communities and ecosystems of the Colorado Plateau.

The mission of the Colorado Plateau Native Plant Program is clearly articulated above. It is the purpose of this organization plan to provide the information and guidance in achieving this mission.

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OUR VISION

The vision of the Colorado Plateau Native Plant Program is a Colorado Plateau that supports healthy and resilient native plant communities now and for future generations.

Our vision is clearly focused on defining the desired conditions for the Colorado Plateau and for the role of native plant materials in its restoration.

ISSUES FACING THE PROGRAM

One primary issue associated with the ongoing Colorado Plateau Native Plant Program is a lack of organization. The CPNPP Coordinator has no real power to do anything other than distribute whatever budget is available for work to be done.

EIGHT KEY FOCUS AREAS

The BLM's National **Plant Materials Development Protocol** (Figure 1) makes up the first six **key focus areas** of the CPNPP, which includes: 1) Native Seed Collection; 2) Evaluation and Development; 3) Field Establishment; 4) Seed Production by Private Growers; 5) Seed Storage; and 6) Restoration of Native Plant Communities. CPNPP includes 7) Communications and 8) Native Seed Market Stability as additional key focus areas as important components of its program. Each of these is described in more detail below.

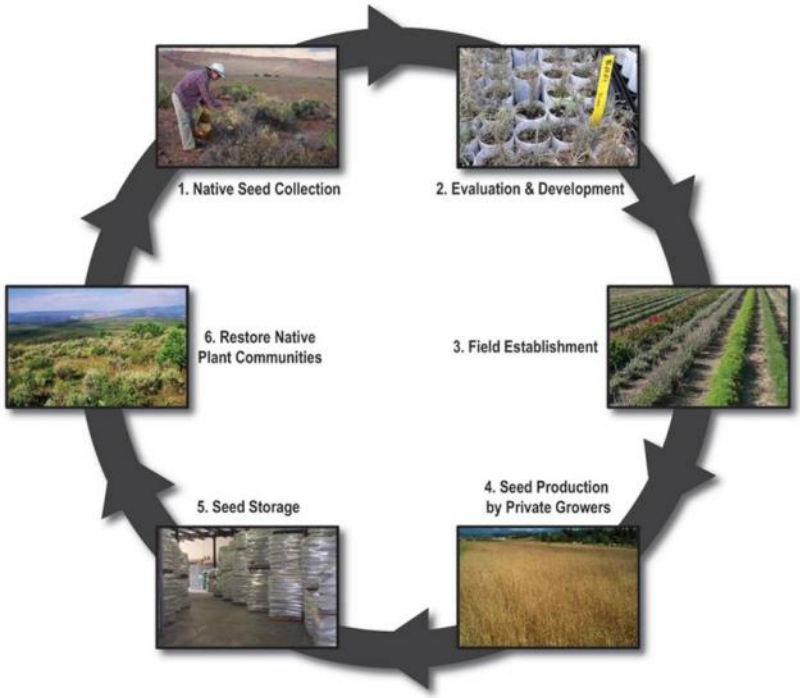

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FIGURE 1. BLM'S NATIONAL PLANT MATERIALS DEVELOPMENT PROTOCOL.

FOCUS AREA 1: NATIVE SEED COLLECTION

Seed collection is the first step in developing native plant materials. Some seed is collected in relatively small amounts for further evaluation and development, while other seed is collected in bulk for direct use in restoration efforts. Both the Seeds of Success and Wildland Seed Collections are important aspects of this program.

SEEDS OF SUCCESS

Seed are collected primarily by interns from the Chicago Botanic Garden through the BLM's Seeds of Success program. In the past this program was a significant contributor to the Kew Millennium Seed Bank partnership (Royal Bontanic Garden), which met its original target of banking seed of 10 percent of the world's wild plant species (their new goal is to save 25 percent by 2020). Now, much of this seed is stored in local facilities after being cleaned, and is available for research and evaluation in preparation for large-scale commercial production and use in restoration efforts.

WILDLAND SEED COLLECTIONS

Trees, shrubs, as well as many herbaceous plants have seed that are more easily collected in the field than through commercial development. Other species, especially grasses and some forbs (those with determinant seed production) are best suited for commercial development. **Wildland seed collections** are cleaned then seeded directly on project areas without further development.

SEED PRICING

The Utah State office of the BLM has established a consistent pricing policy (Appendix B) and other western state offices have done so as well (most are similar, if not the same). In general, the price for seed collected on BLM lands is ten percent of the current market value and the 2011 prices are listed in Attachment 4 of Appendix B.

PERMITTING SEED COLLECTIONS

While no permitting system is in place for native seed collectors on public lands that crosses agency and state boundaries, the Utah BLM has established a system to be used at all offices within the state (Appendix B). This lack of consistency between agencies and offices is not conducive to the adequate and appropriate collection of native seed from public lands. Native seed collectors who are a critical component of this native plant materials development program often find it difficult at best to acquire the proper permits to do what we are asking them to do; collect native seed for our use in restoring native ecosystem.

Because of the ever-increasing market for native seed, however, seed collection is taking place on public lands; often illegally. It is critical that the BLM and the USFS work together to develop an interagency seed collection permitting system, which would help the agencies achieve a couple objectives. The first is a simplified process to not only permit seed collection, but to also collect fees for seed collected off public lands. The second would be to improve law enforcement abilities to enforce proper seed collections by clearly designating collection locations and what is permitted to collect. Any other collecting activities would be prosecuted and fined.

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The permitting of native seed collection will require that each agency and office complete the necessary NEPA to allow for such activity. We have identified the need for a NEPA Working Group below in order to help facilitate this effort throughout the Colorado Plateau.

UNAUTHORIZED SEED COLLECTION

Currently, because of the market for native seed, and partially because of the lack of a consistent permitting system, at least part of the seed collected on public lands is unauthorized. And, because it is collected without authorization, it is unlikely that it is being done in a sustainable manner. It is critical that seed be collected in a manner that maintains population viability of even the most common species over time. Careful analysis and authorization through completion of the appropriate NEPA is necessary in order for this to be done in a sustainable manner.

FOCUS AREA 2: NATIVE SEED EVALUATION AND DEVELOPMENT

In order for seed to be produced by private growers, it is important that evaluations take place to determine which accessions are likely to be most easily grown, produce sufficient amounts of seed, and meet the needs for restoration on disturbed lands. The Uncompahgre Partnership (UP) has been involved in seed evaluation since the early 2000's through partnerships with the Bureau of Land Management and U.S. Forest Service. Field studies by the UP have occurred primarily on national forest lands (Dixie, Fishlake, Manti-LaSal, and Ashley National Forests) in Utah. This work will be continued through a shared USFS/ BLM ecologist/botanist position stationed at the U.S. Forest Service, Rocky Mountain Research Station Shrub Lab in Provo, Utah.

In addition, the Natural Resource Conservation Service (NRCS) Upper Colorado Environmental Plant Center in Meeker, CO and their Plant Material Centers in Los Lunas, NM and Aberdeen, ID have been conducting evaluations of native plant materials for several years now. Plant releases, which are not limited to native species, but are generally dominated by them, can be found on each of these centers' web pages.

- ✓ Upper Colorado Environmental Plant Center
- ✓ Los Lunas Plant Materials Center Plant
- ✓ Aberdeen Plant Material Center

FOCUS AREA 3: FIELD ESTABLISHMENT

Prior to production by private growers, seed that has been determined to have the best development and restoration characteristics must be increased so sufficient seed are available for distribution to growers. Increase fields can be established through contract, but the NRCS Plant Materials Centers will generally provide seed following their evaluations.

FOCUS AREA 4: NATIVE SEED PRODUCTION BY PRIVATE GROWERS

Native seed are to be provided to private growers in order to increase production of these materials. Focus is on developing the program for growers in the Colorado Plateau, but we will use all available sources for increasing production of native seed.

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CPNPP will work closely with private growers to enable them to grow native plants for production of seed or other plant materials in demand for use especially within the Colorado Plateau. Assistance will be in the form of information about:

1) Available native plant materials;
2) Best management practices known for the production of native plant materials; and
3) Workshops and field demonstrations addressing a wide variety of aspects associated with native plant materials.

INDEFINITE DELIVERY/INDEFINITE QUANTITY CONTRACT

An Indefinite Delivery/Indefinite Quantity (IDIQ) Contract is currently (March 2011) being developed by the BLM's Medford Field Office that would include the Colorado Plateau ecoregion. This contract will be open to growers throughout the West, including the Colorado Plateau, and will be established for grasses (probably based on pounds of seed produced) and forbs (probably based on acres in production). Details of this will be released in a timely manner and on as broad a scale as possible so potential growers can get qualified as contractors.

It has been identified that there is a need to establish a budget line item for seed production in the five year budget.

SEED AVAILABILITY TO GROWERS

We will follow the NRCS' process for distributing available seed to growers, following evaluation and increase. Seed will be sold to the growers at fair market value based on similar seed materials currently provided in the market.

PRODUCTION MANAGER

The need for a Production Manager to coordinate seed buys has been identified.

FOCUS AREA 5: NATIVE SEED STORAGE

In order to stabilize the market for native seed, it is critical that it be bought and stored on an annual basis (see Focus Area 8: Native Seed Market Stability). The Utah Division of Wildlife Resources currently has a seed storage facility in Ephraim, Utah that, through the BLM's financial assistance, recently doubled in size. They currently have temperature controlled storage for approximately 800,000 lbs of seed and cold storage for approximately 100,000 lbs of seed. In addition, the BLM is building a seed storage facility in Ely, Nevada while the Colorado Division of Wildlife (CDOW) is in the early stages of designing a facility in Delta, Colorado.

CPNPP will continue to support the Ephraim seed storage facility (approximately $15,000 per year) and will provide support to the Delta storage facility when completed (approximately $25,000 per year).

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FOCUS AREA 6: RESTORATION OF NATIVE PLANT COMMUNITIES

CPNPP is directly involved with the restoration of native plant communities through two of its ongoing activities. The first is through its involvement in the research and development of native plant materials for the Colorado Plateau. The second is through its involvement in research focused on the continuous evaluation and improvement of both the plant materials and the methods used in restoration efforts.

FOCUS AREA 7: COMMUNICATIONS

WEB SITE: The CPNPP has developed a web page as a beginning point to increase communications regarding the availability and use of native plant materials for restoring ecosystems of the Colorado Plateau. Communicate within agencies, partners, and the public regarding the roles, responsibilities, values, and products of the CPNPP. This web page was updated in January 2011 and will be reviewed at least quarterly to keep it relevant and helpful to site visitors.

http://www.blm.gov/ut/st/en/prog/more/Colorado_Plateau/Colorado_Plateau_Native_Plant_Initiative.html

WORKSHOPS: CPNPP will hold meetings on an annual basis with partners to review accomplishments from the previous year. The 2011 meeting is scheduled for March 8-10 in Moab, Utah at the Moab Valley Inn. Each year, this meeting is to be scheduled so as to minimize conflicts with growers and other commercial efforts associated with the native seed program. It should also occur at a time when field work by federal and state agency employees is at a minimum.

In addition, we anticipate the need for workshops to be held on an annual or semi-annual basis for those involved in the commercial production, collection, and sales of native plant materials. These workshops will address issues, concerns, as well as assistance with techniques and methods to assist with these commercial ventures.

PUBLICATIONS: CPNPP will produce Annual Reports each calendar year that describe accomplishments associated with the five-year strategy and action plan. These will be posted on the web page each January for the previous year. In addition, any presentations published in journals or proceedings of workshops attended by CPNPP partners will be compiled and posted on the CPNPP web page regularly.

DEMONSTRATION AREAS: There are currently no demonstration areas identified for the Colorado Plateau Plant Material Development Program. One site will likely be established at the University of Utah's Rio Mesa Center northeast of Moab, Utah. A call letter will be submitted to CPNPP partners in early 2011, and additional sites will be located and established by 2015. We anticipate the establishment of a collection of demonstration sites, at least one in each state included in the Colorado Plateau that will be used as teaching sites for a variety of materials and methods available for restoration efforts in the ecoregion These demonstration areas should include the variability in plant communities, sites, and elevations that occur within the Colorado Plateau.

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One of the primary needs for the CPNPP is for the commercial industry (wildland seed collection, seed growing, and seed sales) to become strong and, while bolstered by, yet independent of the governmental use of native plant materials. The following graph (Figure 2) illustrates our desire to stabilize our annual native seed buy nationally at approximately 3 million pounds in order to help stabilize the market.

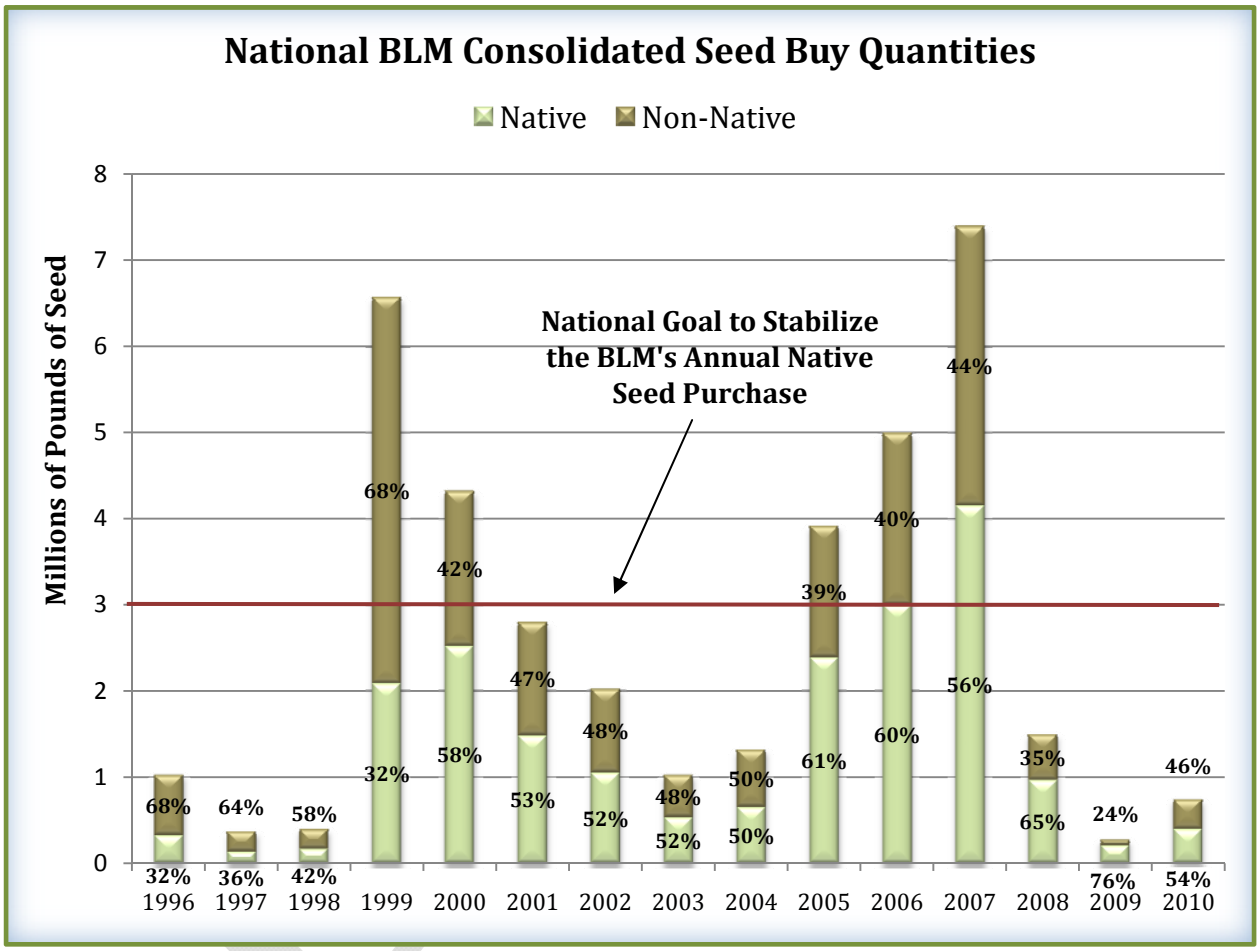

Figure 2. National BLM Consolidated Buy Quantities of Native and non-native seed between 1996 and 2010, and desired level of BLM's annual native seed buy (3 million pounds).

ROLES AND RESPONSIBILITIES

The following committees, working groups, and partners have been identified as necessary for the appropriate functioning of the CPNPP, and their roles are being developed. While partners have been identified, most committees and working groups have not been formally established. The need, however, has been identified. These include establishing an Executive Committee as well as a Technical Committee. In addition, several working groups have been identified and are in various stages of establishment. These include: 1) Seed Priority & Development; 2) Provisional Seed Zone; 3) Seed Certification; 4) Seed Distribution: 5) Research and Science; 6) Grants and Agreements; and 7) Interagency Permitting Working Groups. The Roles and Responsibilities of the Committees, Working Groups, and Partners are articulated below.

PARTNERS

The following section describes only the roles and responsibilities of current (2011) partners of the CPNPP. As new government agencies and non-government organization partners are identified, their roles will be clearly articulated and included in revised editions of this Operational Plan.

FEDERAL PARTNERS

In addition to the BLM, other federal agencies involved with the CPNPP are the U.S. Geologic Survey (USGS), U.S. Forest Service (USFS), and Natural Resources Conservation Service (NRCS). Each agency has specific roles and responsibilities in the research, development, and use of native plant materials on the Colorado Plateau.

U.S. GEOLOGIC SURVEY (USGS)

The USGS Southwest Biological Science Center (SBSC) is primary lead for research related to native plant materials of the Colorado Plateau. Currently funded by the CPNPP, it is the vision that this will become a self-sustaining compartment of the program through a variety of funding sources. The initial role of the USGS is to identify all current research related to native plant materials on the Colorado Plateau.

U.S. FOREST SERVICE (USFS)

The USFS is a partner in research, development, and use of native plant materials of the Colorado Plateau. In 2010, the USFS hired a full time, term research ecologist/botanist position through the Dixie National Forest, which is supported by the BLM as well as the Intermountain Region of the USFS. This position is housed at the USFS Rocky Mountain Research Station (RMRS) Shrub Lab in Provo, Utah. Guidance for this position will come through the Research and Science Working Group.

NATURAL RESOURCE CONSERVATION SERVICE (NRCS)

The NRCS is partners with CPNPP through their Upper Colorado Environmental Plant Center in Meeker, Colorado, as well as their Plant Material Centers in Los Lunas, New Mexico and Aberdeen, Idaho. No financial support has been provided to these NRCS facilities from the CPNPP, but may happen as specific requests are made for plant materials evaluation and development.

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STATE PARTNERS

CPNPP currently has partners in both Utah and Colorado State governments. It is the goal to add partners from both Arizona and New Mexico as well within two years of the publication of this Operational Plant.

COLORADO DIVISION OF WILDLIFE

The Colorado Division of Wildlife (CDOW) is one primary user of native plant materials for restoring native ecosystems in the Colorado Plateau. In addition, they plan on building a seed storage facility in Delta, CO by 2012 and the CPNPP plans to financially support this facility on an annual basis in return for native seed storage and management (seed cleaning, mixing, and packaging).

UTAH DIVISION OF WILDLIFE RESOURCES

The Utah Division of Wildlife Resources, like CDOW, is a primary user of native plant materials for restoration of native ecosystems in the Colorado Plateau. In addition, their seed storage facility in Ephraim, UT has been, and will continue to be used to store and manage native seed. Financial support has primarily been through a state wildlife partnership, but the Utah State Office of the BLM provided significant financial support to help nearly double the storage capacity of this facility. CPNPP plans to financially support this facility annually in return for native seed storage and managment.

NON-GOVERNMENT ORGANIZATIONS

UNCOMPAHGRE PARTNERSHIP

The Uncompahgre Partnership (UP), formerly known as the Uncompahgre Plateau Project, has been a leader in native seed evaluation and development since the beginning of the Colorado Plateau program. This partner will continue to conduct small scale, more localized research and development on native plant materials primarily for use in western Colorado. It will seek funding for its research independently of the CPNPP. They will continue to participate and provide input to the direction and future of CPNPP as a partner. It is anticipated that their role in the CPNPP will be more clearly outlined in an MOU currently being developed (see Appendix C).

THE NATURE CONSERVANCY

The Nature Conservancy's Canyonlands Research Center based out of Moab and the Dugout Ranch in southern Utah is a logical partner for the Colorado Plateau Native Plant Program. With the common goal of maintaining and/or restoring ecological conditions within the Colorado Plateau Ecoregion, we have an opportunity to engage our partners in a collaborative effort to meet that goal.

NATIVE SEED NETWORK

The Native Seed Network is a non-profit, non-governmental organization whose primary purpose is to support the sales and use of native plant materials throughout the United States. This partnership is critical in our attempt to improve access to those selling native seed and those using it in their restoration efforts.

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UNIVERSITIES

NORTHERN ARIZONA UNIVERSITY – LANDSWARD INSTITUTE

The Landsward Institute of Northern Arizona University has been involved with the Northern Arizona Native Seed Alliance (NANSA), but has also mentored Seeds of Success (SOS) seed collection interns from the Chicago Botanic Garden. A Cooperative Agreement was established between the BLM and NAU Landsward Institute.

UNIVERSITY OF UTAH – RIO MESA CENTER

An MOU was signed by the BLM's Utah State Director and the University of Utah's Vice President for Research in 2010 to build a partnership in the use of the Rio Mesa Center northeast of Moab, UT. Plans are in place to use establish research and demonstration plots in the irrigated fields adjacent to the Dolores River.

SOUTHERN UTAH UNIVERSITY

At a meeting in October 2010 at Southern Utah University, several options were discussed about involving student interns with various aspects of monitoring native plant revegetation efforts in the Colorado Plateau of southeastern Utah.

COMMITTEES

The need for three committees, the Executive, Technical, and Advisory Committees, has been identified. While the Technical Committee has been identified and is in the early stages of development, the Executive and Advisory Committees have not. All committees are critical to the continued support and growth of this program.

EXECUTIVE COMMITTEE

Responsibilities of this yet-to-be-established committee include providing direction and support to the CPNPP Coordinator and Technical Committee. While this committee has not been formally organized, it is the goal to make this happen in 2011. Up until this report was written, leadership involvement has been informal and less helpful than is hoped and expected in order for the CPNPP to maintain its direction and purpose.

Committee Members	Office
BLM Resource Branch Chiefs	Arizona, Colorado, New Mexico, and Utah State Offices
BLM Field Office and District Managers	**Arizona**: Arizona Strip, Hasayampa, Safford; **Colorado**: White River, Grand Junction, Uncompahgre, Dolores; **New Mexico**: Farmington, Rio Puerco, Soccorro; **Utah**: Vernal, Price, Moab, Monticello, Richfield, Kanab, GSENM
USFS Regional Resources Staff	**Rocky Mountain Region**, Denver; **Intermountain Region**, Ogden; **Southwest Region**, Albuquerque
USFS Forest Supervisors	**Arizona**: Kaibab NF, Coconino NF, Prescott NF, Tonto NF, Apache-Sitgreaves NF; **Colorado**: Grand Mesa-Uncompahgre-Gunnison (GMUG) NF, San Juan NF; **New Mexico**: Cibola NF, Santa Fe NF, Carson NF; **Utah**: Ashley NF, Manti-LaSal NF, Dixie NF, Fishlake NF

This is a critical aspect of maintaining and moving this program forward in order to meet the needs of resource staff and the native ecosystems they support. Following is an incomplete list of staff positions that are suggested as critical to this committee. The number of individual position appears to be high, but especially those at the Field Office, District, and Forest levels may choose to have representatives from their states and/or regions participate in this committee.

TECHNICAL COMMITTEE

This committee includes Resource Specialists with the BLM (State), USFS (Regional), USGS, and State Agencies. Responsibilities include direction and support to the CPNPP. Committee members will be responsible for sharing information with their superiors, peers, and subordinates and act as the conduits for that information within their agencies/organizations and with the CPNPP. The following individuals have been identified as members of this committee and, upon acceptance, will remain on this committee as long as they remain in their current position.

Committee Members	Office
Peggy Olwell, National Plant Conservation Lead	Bureau of Land Management, Washington Office
Wayne Padgett, CPNPP Coordinator	Bureau of Land Management, Utah State Office
Carol Dawson, State Botanist	Bureau of Land Management, Colorado State Office
Sheila Williams, Botanist	Bureau of Land Management, Farmington F.O.
Teresa Prendusi, Regional Botanist	U.S. Forest Service, Intermountain Region
Andrew Kratz, Regional Botanist	U.S. Forest Service, Rocky Mountain Region
Charlie McDonald, Regional Botanist	U.S. Forest Service, Southwestern Region
Jim Garner, Wildlife Biologist	CDOW/Uncompahgre Partnership
Troy Wood, Research Ecologist	USGS, Southwest Biological Science Center

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WORKING GROUPS

The following working groups have been identified and their roles are articulated below. The CPNPP Coordinator is a member, but not leader of each of these working groups. The Coordinator acts as the liaison between all working groups and the Executive and Technical Committees.

SEED PRIORITY AND DEVELOPMENT WORKING GROUP

The CPNPP Coordinator, Wayne Padgett (BLM), Intermountain Regional Botanists, Teresa Prendusi (USFS), Jim Garner (UP and CDOW), and industry representative(s) lead this working group. The purpose of this group is to establish a protocol for selecting the priority species for commercial development. As that protocol is developed, it will be added to this Operational Plan.

PROVISIONAL SEED ZONE WORKING GROUP

Lead by Dr. Stanford Young, Research Professor and Seed Certification Specialist with the Utah Crop Improvement Association, this working group is developing provisional seed transfer zones for different priority (work horse) species on the Colorado Plateau. A draft document was completed in 2010 and an interim report is anticipated in 2011.

SEED CERTIFICATION WORKING GROUP

Before native seed can be used in restoration of native ecosystems in the Colorado Plateau, it must be certified. The Association of Official Seed Certifying Agencies (AOSCA) has developed seed certification requirements and standards for native plant germplasm. AOSCA seed certification agencies, which are third party participants and are available in each state included in the Colorado Plateau, require wildland seed collectors and commercial producers of native seed to follow their established requirements, procedures, and standards. Appendix A includes information regarding the AOSCA certification.

SEED DISTRIBUTION WORKING GROUP

This team will determine how native seed that has been collected through the Seeds of Success (SOS) or other similar process is to be distributed to growers. Wayne will contact Steve Parr (NRCS-PMC) to see if they have a process that we can use and/or modify to meet our needs.

RESEARCH AND SCIENCE WORKING GROUP

The US Geologic Survey Colorado Plateau research geneticist, Troy Wood, leads this effort. It is important that any and all research being conducted on native plant materials, as well as on native plant restoration methods be coordinated through one entity. And, while Troy would not be directing research outside his own and that directly funded by the Colorado Plateau Native Plant Program, he will at least provide some guidance and/or context and continuity among these efforts. Initially, this team will include Troy, Kelly Memmott (USFS), Ron Martin (SUU), Sylvia Torti (UU-Rio Mesa), and Barry Baker (TNC-Canyonlands Research Center). Researchers with the NRCS Plant Materials Centers in Los Lunas, NM and Meeker CO, as well as US Forest Service Rocky Mountain Re-

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search Station and Universities within and adjacent to the Colorado Plateau are encouraged to participate in this effort as well.

AGREEMENTS WORKING GROUP

CPNPP needs to develop agreements for a variety of purposes and there is a need for a working group to focus on the development of these. For example, the Great Basin Native Plant Selection and Increase Project developed a *Cooperative Native Seed Increase Program*. This buy-back program provides early generation seeds of new releases to growers and includes a buy-back option in the contract to purchase seeds from the first crop for distribution to secondary growers.

INTERAGENCY PERMITTING WORKING GROUP

As noted above, there is currently no permitting system in place for native seed collectors on public lands that crosses agency and state boundaries. This working group will focus on developing an interagency permitting system that includes pricing native seed collected on public lands.

> *Refer to 36 CFR 223 subparts G and H, and FSM 2467 for direction regarding sales of special forest products; consult FSM 2490 for reporting requirements.*
>
> ***Forest Botanical Products**. Naturally occurring special forest products, including, but not limited to, bark, berries, boughs, bryophytes, bulbs, burls, cones, ferns, fungi (including mushrooms), forbs, grasses, mosses, nuts, pine straw, roots, sedges, **seeds**, shrubs, transplants, tree sap, and wildflowers. Forest botanical products are not animals, animal parts, Christmas trees, fence material, firewood, insects, mine props, minerals, posts and poles, rails, rocks, shingle and shake bolts, water, worms, and soil (36 CFR part 223 Subpart H).*

NEPA ANALYSIS WORKING GROUP

One Working Group that was not identified prior to this Operational Plan was a NEPA Analysis Working Group. It is felt, however, that in order for the BLM and USFS to complete the necessary NEPA to allow for native seed collections on each working unit of these agencies, it would be advantageous for a team to develop NEPA templates and assist in the completion of these analyses. This will be necessary in order for permitting to be streamlined and to be consistent within and across agency boundaries. This will require NEPA analysis, likely an Environmental Assessment/Finding of No Significant Impact (FONSI) and Decision Notice.

Because of increasing concerns regarding the impact of commercial harvest of botanical products, Public Law 106-113 was passed by Congress in the 2000 Appropriations Act (titled *Pilot Program of Charges and Fees for Harvest of Forest Botanical Prodcts*) for the National Forest System, commonly referred to as *Section 339* (Department of the Interior Appropriations Act 2000). This law provided the impetus for the development of a cost appraisal system for Special Forest Products (SFP) sold from USFS lands.

The BLM and USFS currently have direction in their Special Forest Products handbooks to allow for seed collections and fees to be levied for such a service. In 2010, the USFS Pacific Northwest Research Station published the following document, which is available on the internet: *A U.S. Forest*

Service Special Forest Products Appraisal System: Background, Methods, and Assessment (**General Technical Report PNW-GTR-822**). This publication focuses on a cost appraisal system, specifically for the Pacific Northwest Region of the U.S. Forest Service. It includes an overview of industry structure, harvests, and major markets for SFP from the Western United States, but includes information that applies to a broader geographic area and is of interest across agencies.

PROGRAM COORDINATION AND MANAGEMENT

It has been determined that developing a Memorandum of Understanding (MOU) is the best tool we can use to build program coordination and management. A draft MOU is included in Appendix C that was developed from the National Plant Conservation Alliance (PCA) MOU.

PROGRAM GOALS

The following are short-, mid-, and long-term goals identified at a meeting of the Uncompahgre Partnership in 2010.

SHORT TERM (1 YR) GOALS

- ✓ Hold annual CPNPP meeting March 8-9 in Moab, UT
- ✓ Complete operating plan and protocols
- ✓ Identify research priorities
- ✓ MOU/agreements – clear understanding of everyone's roles and responsibilities
- ✓ Knowledge and use of the NSN by growers and users
- ✓ Identify research opportunities for non agency partners
- ✓ Establish a commercial industry network
- ✓ Identify, prioritize and develop plans for key species
- ✓ Establish routine checkups/conference calls

MID TERM (2 – 5 YR) GOALS

- ✓ Hire *Production Coordinator*
- ✓ Establish a fund for wildland collections
- ✓ Establish coordinated research opportunities

LONG TERM (5+ YR) GOALS

- ✓ Identify research opportunities for non-agency partners
- ✓ Self –supporting commercial production of native plant materials

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KEY ELEMENTS OF THE NATIVE PLANT PROGRAM

REMOVE BARRIERS

INCREASED USE OF CONTRACTING FLEXIBILITIES

TRAINING AND DEVELOPMENT

PROGRAM EVALUATION

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PROGRAM EVALUATION

Success in building a strong and self-sustaining native plant program depends on commitment at all levels and across program lines of the BLM and USFS, as well as collaboration with partners. The following chart identifies goals and objectives designed to increase the availability and use of native plant materials in restoring ecosystems on the Colorado Plateau. Following the chart are clearly defined roles and responsibilities for all levels that support attainment of identified goals and objectives.

GOALS AND OBJECTIVES	Milestones	Measure	Measurement Approach	Expected Result
Goal 1 – Identify existing and Future needs for native plant materials for restoration purposes on the Colorado Plateau	A) CP Native Plant Program Operational Plan B) Research Operation Plan C) Determine Seed Storage Capabilities D) Identify a Production Manager E) Establish an Industry Network F) Develop an MOU for program members	A) B) Resources committed to achieving goals and objectives. C) xxx D) xxxx E) xxx F) xxx	A) B) **Managers held accountable for results** C) Input and accomplishments provided for annual report D) Increased collaboration rates E) F)	A) B) Standardized approach implemented; and clearly defined expectations communicated across the program C) D) E) F)

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GOALS AND OBJECTIVES	Milestones	Measure	Measurement Approach	Expected Result
Goal 2 – Follow the National Native Plant Materials Development Program Protocol to develop an adequate supply of diverse, economical, and regionally-adapted native plant materials for restoration efforts on the Colorado Plateau.	A) Native seed collected by interns in each state of the Colorado Plateau B) Begin/continue evaluation and development of priority target native plant materials. C) Increase native seed for distribution to private growers. D) Provide native seed to private growers in order to increase production of native plant materials. E) Use existing seed storage facilities and identify future needs to store native plant materials for use in ecosystem restoration efforts. F) Develop protocols that assist in the creation of contracts and agreements to help maximize the cost effectiveness of available funding	A) B) C) D) Number of workshops conducted; number of participants; increased knowledge and skills E) Number of participants F) xxx	A) Reports to track activity; data from national SOS program lead B) C) D) Increased collaboration rates E) Input and accomplishments provided for annual report F) Increased collaboration rates	A) B) C) D) E) F)
Goal 3 – Identify existing methodologies and work with partners to develop and test new methodologies to ensure successful establishment and persistence of native plant materials.	A) Identify existing information regarding technology and methods for successfully establishing native plant materials. B) Identify adaptable prescriptions for different landscapes and species. Ensure adequate evaluation of native plant materials for use in restoration C) D) E)	A) B) C) D) E)	A) B) C) D) E)	A) B) C) D) E)

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GOALS AND OBJECTIVES	Milestones	Measure	Measurement Approach	Expected Result
Goal 4 – Communicate within agencies, partners, and the public regarding the roles, responsibilities, values, and products of the CPNPP.	A) Establish demonstration areas, workshops, symposiums, publications, website, and other means to assist in efforts to inform individuals regarding the development and use of native plant materials for ecosystem restoration activities. B) Identify and stimulate interest in new products (releases) as they become available. C) Develop outreach materials to assist in communications efforts D) E)	A) B) C) D) E)	A) B) C) D) E)	A) B) C) D) E)

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BUDGET STRATEGY

The following section is devoted to a strategy for building a strong and viable native plant materials program for the Colorado Plateau. It is based on increasing need and demand for the most productive and beneficial native plant materials and methods for both the commercial growth and restoration of native plant ecosystems in the Colorado Plateau.

In FY10, $350,000 funds available for the CPNPP were used in the following manner (Table 1). These data are provided as a means to build a strategy for future budgets and are organized by Goals and Objectives outlined in the Five Year Strategy and Action Plan. This budget did not include salary for the Colorado Plateau Native Plant Program Coordinator because one-time funding was provided for that position. Future budgets include these costs.

TABLE 1. BUDGET AND SPENDING OF THE CPNPP PROGRAM IN FISCAL YEAR 2010

Goal/Objective	Activity	Organization	Amount
Goal 2, Objective 1[3]	Native Seed Collection and Curation	Northern Arizona University Landsward Institute - NANSA	$85,000
		Chicago Botanic Garden	$8,000
		Red Butte Gardens	$40,000
Goal 2, Objective 2[4]	Native Seed Evaluation and Development	USFS Agreement (Cooperative Position)	$100,000
Goal 2, Objective 5[5]	Native Seed Purchase and Storage	UDWR thru Watershed Restoration Initiative	$9,000
Goal 3, Objective 1[6]	Research technology and methods for successful establishment of native plant materials	USGS Colorado Plateau Field Station	$108,000

2010 OUTCOMES

The following results, which are included in the 2010 CPNPP Annual Report, are provided here as a means to evaluate future budget needs and budget distributions.

NATIVE SEED COLLECTION AND CURATION

Chicago Botanic Garden Interns were mentored by BLM Botanists in Utah, Colorado, and New Mexico, the NANSA Coordinator at Northern Arizona University's Landsward Institute, and by Red Butte Gardens and Arboretum. A total of $133,000 was spent on native seed collection by the CPNPP. Appendix D is a list of SOS Collections from

NATIVE SEED EVALUATION AND DEVELOPMENT

A new position was filled in December 2010 (Fiscal Year 2011) by the Dixie National Forest and is currently housed at the Rocky Mountain Research Station at their Shrub Lab in Provo, Utah. The focus of this position will be to continue evaluations of existing native seed accessions from the Colorado Plateau and to ultimately add new species and new collections for study. A new interagency agreement was developed and funds were transferred in FY10 for this position, but no charges were made against these funds. Additional funds will be contributed with FY11 funds in order to get this position fully established and in sound functioning condition.

[3] Goal 2, Objective 1 = Native Seed Collection (NAU Coordinator also conducted two training events

[4] Goal 2, Objective 2 = Native Seed Evaluation and Development

[5] Goal 3, Objective 5 = Native Seed Storage

[6] Goal 3, Objective 1 = Technology Research

NATIVE SEED PURCHASE AND STORAGE

A relatively small amount of the CPNPP FY11 budget was provided to the Utah Division of Wildlife Resources (UDWR) seed storage facility in Ephraim, Utah for native plant materials to be bought and stored for wildlife restoration efforts in the Utah portion of the Colorado Plateau. These funds were provided through an existing interagency agreement between BLM (Utah State Office) and UDWR.

RESEARCH TECHNOLOGY

The USGS Southwest Biological Science Center in Flagstaff, Arizona filled a new research ecologist position, funded entirely by CPNPP in June 2010. The focus of this position is on research associated with native plant species of the Colorado Plateau. Funds provided in FY10 were to cover only salary, yet sufficient funds have been provided to complete a small amount of new research.

PROPOSED FIVE-YEAR BUDGET

The following budget (Table 2) is proposed for FY11 through FY15. This budget includes funds needed to achieve goals and objectives listed above, and is expected to increase as the program develops. Prior to FY 2011, the cost to government for the GS-13 Ecologist position, which acts as the CPNPP Coordinator, were not included in the budget as these were covered through other expenditures. Values are in thousands of dollars.

TABLE 2. FIVE YEAR BUDGET NEEDS FOR FISCAL YEARS 2011 THROUGH 2015 FOR THE CPNPP PROGRAM

Funding Needs	**2011**	**2012**	**2013**	**2014**	**2015**
Programmatic Infrastructure					
Salary + Travel (GS-13)	130	135	140	145	150
Develop and Produce Education/Outreach Materials	5	10	15	20	25
Plant Materials Development Program					
Native Seed Collection and Curation	120	200	300	350	400
Field Establishment[7]	25	30	35	40	45
Evaluation and Development[8]	90	125	150	200	250
Seed Production by Private Growers[9]	10	50	75	100	125
Seed Storage, Management and Maintenance[10]	10	30	35	45	50
Research					
USGS Interagency Agreement[11]	140	200	250	300	350
Grand Total	**530**	**780**	**1,000**	**1,200**	**1,395**

It is anticipated that, with expanding budgets, the percent of the funds that will be focused on plant materials development and research will increase in percentage of the total from approximately 75 percent in 2011 to approximately 90 percent of the total budget in 2015.

[7] Primarily done by NRCS Plant Materials Centers

[8] Support to US Forest Service term employee hired to conduct common garden studies and development of native plant materials as well as limited support to NRCS Plant Materials Centers and contract work with UP.

[9] Includes incentives for private growers as well as technical support

[10] Includes support to existing facilities in Ephraim, Utah (UDWR seed storage facility) as well as anticipated support to additional storage facilities

[11] Provides support to USGS to lead research efforts for the Colorado Plateau Native Plant Program (See interagency agreement), Average cost per species per year was $40,000 in 2009 and is expected to increase in cost at approximately 5% per year.

APPENDIX A. ASSOCIATION OF OFFICIAL SEED CERTIFYING AGENCIES (AOSCA) PROCESS FOR CERTIFIED PRODUCTION OF NATIVE PLANT SEED

The following direction for the certification of native seed is provided by the Association of Official Seed Certifying Agencies (AOSCA) and is available on their web site (http://www.aosca.org/). Download a PDF version of the AOSCA Native Plant Connection booklet from:
http://www.aosca.org/aoscanativeplantbrochure.pdf

A. Wildland Native Seed Collection

Wildland collected seed can be used for direct sales to end users, for establishment of field/nursery production, or for entry into plant germplasm development programs. Certification procedures include:

- Pre-Collection Application filed before harvest
- Proper permitting and/or permission for collecting on public and private lands
- Site Identification Log filled out during and after harvest
- Verification of the collection site and identification and evaluation of plant and seed samples before, during, and/or post harvest
- Tagging of the seed lot after compliance with applicable requirements and standards; seed purity and viability analysis may be required
- Germplasm accessions acquired within established protocols of recognized public or private agencies are normally eligible (with appropriate data on file in lieu of the above procedures) to enter the certification process as planting stock

B. Field/Nursery Production of Native Seed

Stock seed or plants for establishing certified field/nursery production must be of an eligible generation and have appropriate labeling. Certification procedures include:

- Application for Certification
- Verification of origin and generation of planting stock
- Seedling inspection
- Field inspection before harvest to check compliance with species requirements for isolation and genetic purity (control of prohibited and other specified weeds or other species may be required)
- Tagging of the seed lot after compliance with applicable requirements and standards; seed purity and viability analysis may be required

Each state within the Colorado Plateau participates in this program and those agencies, with their January 2011 contact information, are listed below.

ARIZONA CROP IMPROVEMENT ASSOCIATION

Abed Anouti, Executive Vice-President
2120 East Allen Road, Tucson AZ 85719-1522
Telephone 520/305-3586 Fax 520/305-3587
E-mail: anouti@ag.arizona.edu azcrop@ag.arizona.edu
Web: www.arizonacrop.org

COLORADO SEED GROWERS ASSOCIATION

Brad Erker, Director of Seed Programs
Colorado State University, Department of Soil & Crop Sciences,
Fort Collins CO 80523-1170
Telephone 970/491-6202 Fax 970/491-1173
E-mail: csga@lamar.colostate.edu or Brad.Erker@colostate.edu
Web: http://www.seeds.colostate.edu/CSGA/csga.html

NMSU SEED CERTIFICATION

Tracey Carrillo, Director
Agricultural Experiment Station
College of Agriculture, Consumer & Environmental Sciences
New Mexico State University
PO Box 30003, MSC 3 Ley, Las Cruces NM 88003-8003
Telephone 575/646-4125 Fax 575/646-8137
E-mail: tcarrill@nmsu.edu
Web: http://seedcertification.nmsu.edu

UTAH CROP IMPROVEMENT ASSOCIATION

Stanford A. Young, Secretary Manager
4855 Old Main Hill, Utah State University, Logan UT 84322-4855
Telephone 435/797-2082 Fax 435/797-3376
E-mail: sayoung@mendel.usu.edu
Web: www.utahcrop.org

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APPENDIX B. UTAH BLM'S CURRENT PRICING POLICY FOR NATIVE PLANT SEED

The following policy was signed by the Utah State Director for the BLM. In addition to the policy, information was provided regarding 1) Permitting for Seed Collection Activities; 2) Suggested Permit Stipulations; 3) Utah BLM Seed Collection Permit Pricing Formula; and 4) Spring 2010 Minimum Price List; all of which is provided below.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155
http://www.blm.gov/ut/st/en.html

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
5400 / (UT-933)P

June 28, 2010

Instruction Memorandum No. UT 2010-044
(Expires: 09/30/2011)

To: AFOs

From: State Director

Subject: Seed Collection Policy and Pricing

Program Area: Vegetative Permits and Contracts, Range, Botany, Forestry

Purpose: This Instruction Memorandum (IM) updates the uniform Seed Collection Permitting and Pricing Policy within Utah Bureau of Land Management (BLM). This IM supersedes and replaces the expired IM No. UT 2008-045, which established policy for seed collection for Utah BLM.

This IM will also establish a process for updating prices charged for permits on a more regular basis and establishes consistencies with neighboring BLM states and offices by utilizing a nationally posted minimum price list (Native Plant Seed Collection Pricing Table) for seed. The Native Plant Seed Collection Pricing Table is posted on the BLM Internal ES&R and National Seed Warehouse Website at: http://web.blm.gov/internal/wo-200/wo-220/ESR Additional guidance for special forest products, other than seed, is provided in IM UT 2009-028.

The Native Plant Seed Collection Pricing Table is intended to be used by those individuals that are responsible for issuing native seed collection contracts to seed collectors. The objectives for posting this spreadsheet include, providing BLM offices with easy access for up-to-date pricing when they have requests for collection contracts, and to bring pricing consistency to all BLM offices. This table will be updated two times per year, once in the spring and again in the fall. The appraisal system used for this product type is to charge 10 percent of the wholesale price. The spreadsheet calculates the price to be charged for each species listed, and is listed in the "BLM Charge Rate $" column.

This spreadsheet is intended to be a working document and as such, please contact Aaron Wilkerson, UTSO Forestry Program Lead at 801-539-4077 or by e-mail at aaron_ailkerson@blm.gov to request the addition of a species.

Policy/Action: The current Bureau policy for permitting the collection of wildland seed resources is to:

- Meet public needs for commodity and non-commodity benefits and uses to the extent possible;
- Promote the development and availability of native plant materials for use in restoration and revegetation efforts;
- Manage resources to maintain desired ecosystems and to improve the health of the land;

- Receive fair market value for the products sold while recognizing the validity of free use on a limited basis;
- Prevent unauthorized use of public lands and resources;
- Meet objectives and goals as outlined in land management and activity level plans and guidance documents.

General Guidelines: Issuance of a seed collection permit or contract must be in conformance with the current land use plan. It must also be adequately analyzed through the National Environmental Policy Act (NEPA) procedures prior to issuance, including necessary archeological and Special Status Species clearances. Mitigation measures, in the form of special permit stipulations, can be attached to any Bureau vegetative permit or contract. These stipulations should address and mitigate any issues identified through the NEPA process. If issues cannot be mitigated to an acceptable level through stipulations, then the permit or contract should not be issued.

Management of wildland seed resources is an important component of ecosystem based resource management. An effectively managed seed collection program will benefit both the BLM and the public. These benefits will: complement other resource programs managed by the Bureau; contribute to the economic stability and well being in local communities; aid in restoration projects and programs as well as contribute to partnerships such as the Utah Partners for Conservation and Development; resolve some of the conflicts created by commercial and personal use harvesters; and educate the public as to the social and economic value of our natural renewable resources.

Utah BLM is also involved in a Native Plant Materials Development program and has identified certain areas for collection of native and rare plant seeds. Permits may need to be temporarily restricted in areas set aside for this program. Any necessary restrictions are expected to be short term and temporary. The State Office Botanist, Ron Bolander, will provide information regarding this program and potential restrictions to affected field offices prior to the seed collection season.

Utah has experienced recent periods of prolonged drought. Protection of the vegetative resource is paramount and caution should be used when authorizing seed collection during these periods of vegetation stress. Verification of good vegetative condition (species vigor, root reserves, viable seed, seed abundance, etc.) will be required prior to seed collection permit issuance. Generally the FO Botanist or Range Specialist is capable of making this determination, which must be completed prior to permit issuance. The long term health and abundance of the species and the vegetative community must be assured. If the future vegetative and ecological site condition can be assured, then a seed collection permit may be issued at the discretion of the Field Office (FO). If other priorities will not allow a FO to assess the vegetative condition, or if the vegetative resource is in questionable vigor, then a permit should not be issued.

Seed collection is generally not allowed on recently seeded areas or areas currently in a post-fire rest/recovery period (prescribed or wildfire). This must be addressed and evaluated on a case by case basis in each FO by the appropriate range or vegetation specialist.

Permits for federally threatened, endangered or candidate species and State sensitive species will not be issued to the general public. Collection of these species will require special consultation with the U.S. Fish & Wildlife Service and will only be permitted for scientific research or species propagation. Coordinate these permit requests in consultation with the Utah State Office Sensitive Species Program Lead.

In compliance with the Wilderness Act, no commercial seed harvest or collection will be permitted within designated Wilderness areas; although collection for recreational use is allowed and permits for personal use and free use may be issued. Collection must be conducted in a non-impairing manner.

Seed collection in Wilderness Study Areas (WSA's) must adhere to the Interim Management Policy for Lands Under Wilderness Review (IMP). As in designated Wilderness, collection for recreational use is allowed and permits for personal use and free use may be issued. With regard to permits for commercial seed collection there are two key considerations. (1.) IMP guidelines allow for permitting of seed collection as long as it is done in a non-impairing manner. (2.) There is no differentiation between personal and commercial use. However, the IMP guidance also directs FO's to minimize new discretionary uses in WSA's that would be incompatible with possible wilderness designation, even when the uses would not exceed the non-impairment standard. Therefore the FO has discretion in determining whether to issue permits for commercial seed collection within WSA's taking into consideration the extent, duration, and frequency of such use. Permits for commercial seed collection within WSA's must include a stipulation that states the permit is subject to termination in the event that the area is designated as wilderness.

Only hand powered collection of seed will be permitted unless motorized mechanical harvest is specified in writing within the permit and is in conformance with land use plans. Motorized, mechanical harvest will only be permitted for specific areas and acreages with an attached map specifying the area.

It is recommended that the authorized officer and/or the FO person responsible for seed permitting coordinate closely with Range staff, so that if necessary, grazing permittees may be notified of seed collection activity within their allotments.

Only materials containing viable seed will be permitted for harvest. It is a waste of resources and unnecessary disturbance to the environment to attempt to harvest where viable seeds are lacking.

It is Utah BLM State Office policy to generally encourage collection of seeds from grasses and forbs; and to not allow the collection of forb or grass plants for landscaping or transplanting purposes, unless specifically analyzed on a case by case basis. Although provisions exist for collection of certain types of trees, shrubs and cacti under regulations for Forest and Vegetation Products, seed collection is the preferred method for grasses and forbs, and some shrubs. Most native plants from our semi-desert ecosystems are not known to transplant readily and there is a significant risk of wasting resources as well of unnecessarily disturbing the environment.

Neither seed collection nor vehicle parking will be permitted within the rights-of-ways of Interstate (Freeways) or State highways. This is due to a safety concern by BLM and the state of Utah.

The original permittee signed copy of the stipulations will be maintained with the BLM FO files. A copy will be attached to the permit and given to the permittee.

Permitting procedures: There are four options which allow the public to collect vegetative materials such as seed from Bureau administered lands. These include 1) Recreational use, 2) Personal use, 3) Commercial use and 4) Free use. The forms used and fees assessed depend on which option applies to the situation and the intended use of the seed. These options and appropriate permit forms are defined in more detail in Attachment 1. Permits should only be authorized by a resource staff specialist who is familiar with the area and vegetative conditions where the seed is to be harvested.

CFR 5402.0-6(c) specifies the conditions under which a permit for vegetative materials may be issued without advertising; generally it applies in situations where it is impracticable to obtain competition, for instance where the demand for seed or the amounts collected don't warrant competition. CFR 5401.0-6(a)

states "All sales other that those specified in 5402.0-6 shall be made only after inviting competitive bids through publication and posting." If FO experience indicates that there is competitive interest in either 1) specific seed collection areas or 2) types of seed requested, they are encouraged to advertise locally for competitive sales, for example a sealed bid sale. Bidding should be based on the minimum appraised price for the particular species being offered for sale, and awarded to the highest bidder. Sales warranting competition will be based on FO experience, but generally will include seed types or collection areas with multiple members of the public requesting permits, or a number greater than can be easily accommodated by non-restricted collection.

Grass and shrub seed (Indian rice grass, needle and thread grass, four-wing saltbush, prostrate kochia, mountain mahogany, etc…) are encouraged to be sold in advertised sales if the authorized officer determines that there is competitive interest in such a sale. The FO may need to be prepared to provide enforcement to minimize poaching from seed areas awarded in an advertised sale.

All seed collection activities authorized by issuance of a permit or contract (refer to Attachment 1) will be reported in the Timber Sale Information System (TSIS) under the special forest products section. Permits will only be issued by the Authorized Officer (AO) after first obtaining an original permittee signature on the permit and the attached permit stipulations. [*Note: The AO and permittee can sign several copies of the permit if necessary to accommodate multiple collection parties. If more than one "original" copy is signed by the AO each "copy" must have the quantity reduced so the combined total equals the total amount permitted to that specific permittee*].

Previous requirements to send copies of the permits to the Utah Crop Improvement Association have been determined to be no longer necessary.

Permits will only be issued in 10 pound increments by species, sub-species or variety based upon an un-cleaned material ("dirt") weight.

The original permit must be in the possession of all collectors/harvesters working for the permit holder while collecting/harvesting on BLM administered lands. The original permit must remain with the harvested/collected material at all times. Copies of the permit will not be honored or considered valid without an original signature of the permittee and the Authorized Officer. This permit must be presented to any law officer or BLM official upon request. In the future, BLM and the State of Utah in conjunction with the seed crop industry may develop protocols for transport permits.

Permittees will be encouraged to keep a seed collection log listing materials collected by species and amounts with global positioning system (GPS) locations taken. Source identified seed can command higher prices on the market. Contact Utah Crop Improvement Association if more information is required for source identified seed certification protocols (UCIA 435 797-2082).

Bonding is required for not less than 20 percent of the total product sale value for all sales of $2,500.00 or more. For sales valued at less than $2500.00, an appropriate performance bond may be required at the discretion of the Authorized Officer.

Suggested Permit Stipulations are given in Attachment 2. FO Manager's may modify, add to, or customize a local list of stipulations. However, good justification should be given for not requiring appropriate stipulations. A list of stipulations determined appropriate by the Field Manager will be attached to, and made a part of, all seed collection permits and contracts. Contractors that employ non-English speaking workers are required to provide translated versions to workers or have translators on the job site. A Spanish version of the permit stipulations is currently available, upon request. Versions in other languages may be made available in the future if a need is identified.

Pricing Policy: The BLM pricing for collected seed will be standardized within the State and will follow the procedures given within Attachment 3. The State Director has the authority to set the pricing list based upon current prevailing market values. The policy for forest and vegetative products throughout BLM is that the state office sets the "Minimum Price List." The FO may set a higher price for any product when based on a local market appraisal and supported with appropriate documentation. Note that the pricing policy has changed from previous guidance in order to charge the best and most up to date market reflected price structure. Prices have been set at 10% the assessed market value in collaboration with the Utah Seed Council. Prices are accessible on the BLM intranet ES&R and Regional Seed Warehouse sites and may be updated twice annually prior to collection seasons. Additionally, multiple BLM states have adopted this minimum price list in order to increase consistency among BLM states and offices.

Timeframe: This IM is effective upon receipt and will remain in effect until replacement or is rescinded. Refer to the nationally posted minimum seed price list for annual updates and changes in price.

Budget Impacts: Additional resource management and compliance monitoring may be required. Management of the vegetative resource is part of our mission and will be completed along with other field duties. A calculation of the amount of additional work will vary from area to area and be driven primarily by public demand and prevailing markets for seed.

Manual/Handbook Sections Affected: Development of a Utah Manual Supplement or Handbook may become necessary at a future date as other vegetative materials policy needs are addressed. Additional interim guidance may be found in the Oregon H-5400-2 Special Forest Products Procedures Handbook.

Coordination: Implementation may develop questions or concerns which should be scheduled for discussion and resolution at an appropriate Utah Leadership Team meeting or conference call. Major changes could require a revision of the IM.

Contact: Aaron Wilkerson 801-539-4077 or Verlin Smith 801-539-4055.

Signed by:
Jeff Rawson
Acting State Director

Authenticated by:
Rosie Geren
Records Manager

Attachments
1- Permitting for Seed Collection Activities
2 – Suggested Permit Stipulations
3 - Utah BLM Seed Collection Permit Pricing Formula
4 – Spring 2010 Minimum Price List

Attachment 1

Permitting for Seed Collection

There are four options which allow the public to collect seed materials from Bureau administered lands. These include 1) Recreational use, 2) Personal use, 3) Commercial use and 4) Free use.

1 – Recreational Use:

Authority for recreational use is found in 43 CFR 8360 Visitor Services. The specific reference to vegetation is at § 8365.1-5 Property and Resources; sections (b), (1) and (5) and (c).

This authority allows the public to collect seeds in "reasonable amounts," in non-restricted areas, for "non-commercial purposes," as well as several other types of commonly available renewable resources such as flowers, berries, nuts, cones and leaves.

For clarification, seed collected for recreational use in Utah will include seeds from only the portion of the plant which occurs above ground; and "reasonable amounts" with respect to seeds is less than or equal to about 1lb of dirt weight seed. There is an exception in the case of pine cones (other than pinyon) collected for seeds, and up to one bushel is considered "reasonable." Cones collected for ornamental use or crafts and Pinyon nut collection are covered in CFR Subpart 5400 – Sales of Forest Products.

Collection for recreational use must be collected by hand or with simple hand tools. The seed materials collected under this regulation may be transported off public land for personal use.

No seeds or seed materials collected under the Visitor Services regulation may be sold or bartered. Activities meeting all of the above guidelines **do not require a permit for collection**. Activities exceeding any of the guidelines, either in amount collected, type of product collected, or intended use of the product, require a permit.

Restricting areas from vegetative recreational use collection may be implemented under the procedures for closing areas in 43 CFR § 8365.1-6 Supplementary Rules.

2 – Personal Use:

Authority for personal use is found in 43 CFR Subpart 5400 – Sales of Forest Products; General. Under this Subpart personal use is defined as "…use other than for sale, barter, trade, or obtaining a profit." These resources may be utilized at the site of collection or transported off public land for personal use elsewhere. Personal Use may be differentiated from Recreational Use, both by intended purpose and by the amount of seed collected. Quantities of seed collected under this regulation are typically greater than what is allowed for under the Visitor Services/ Recreational Use regulation.

Attachment 1

A **permit is required** for all seed collections issued under this regulation. The appropriate form depends on the value and length of the contract and whether a bond is issued.

Personal use can be authorized through completion of Form 5450-5, Vegetative or Mineral Material Negotiated Cash Sale Contract. This is a cash sale contract and must be paid in full prior to issuance or signing by the Authorized Officer. This contract may not exceed $2,499.00 in value for seed. Bonds may be held with these permits and listed in the special stipulations section. The expiration period for this contract is short, usually six (6) months or less, but can be made valid for up to 12 months.

If the value of the seed materials being sold exceeds $2,499.00 or if a bonding requirement is desired, or if the term of the contract needs to be greater than 12 months, use Form 5450-1, Contract for the Sale of Vegetative Resources.

3 – Commercial Use:

Authority for commercial use is also found in 43 CFR Subpart 5400 – Sales of Forest Products: General.

In this Subpart, commercial use is defined as "…use intended for resale, barter, trade, or for profit." This type of use also encompasses all types of vegetative and woodland products (including seed collection) and **requires a contract or permit regardless of the quantities harvested**. The key difference between personal and commercial use lies in the "intended use" of the material and to a lesser extent, the quantities being harvested. Generally, quantities collected under commercial use will be greater than that collected under personal use. Care should be exercised in the issuance of commercial use permits to ensure that long term resource damage does not occur.

A **permit is required** for all vegetative material collections issued under this regulation. The appropriate form depends on the value and length of the contract and whether a bond is issued.

Commercial use can be authorized through completion of Form 5450-5, Vegetative or Mineral Material Negotiated Cash Sale Contract. This is a cash sale contract and must be paid in full prior to issuance or signing by the Authorized Officer. Pricing is explained in attachment 3, and is based on fair market value and any applicable road maintenance fees. This contract may not exceed $2,499.00 in value for vegetative materials. Bonds can be held with these permits and listed in the special stipulations section. The expiration period for this contract is short, usually six (6) months or less, but can be made valid for up to 12 months.

If the value of the seed materials being sold exceeds $2,499.00 or if a bonding requirement is desired, or if the term of the contract needs to be greater than 12 months, use Form 5450-1, Contract for the Sale of Vegetative Resources.

Draft

Attachment 1

4 – Free Use:

Authority for free use is found in 43 CFR Part 5500 – Non-sale Disposals; General, (a) and (b). Under most cases, applications for free use permits for vegetative materials will fall under the Act of 1947 as amended by the Non-sale Disposals Act of July 23, 1955.

Applicants **must meet certain criteria in order for a free use permit to be issued**. They must be a resident of the state, a federal or state governmental agency, unit or subdivision including municipalities, or any association or corporation not organized for profit. Free use materials may not be used for commercial or industrial purposes or resale. There is no annual maximum value for governmental units; however, a non-profit association or corporation may not receive more than $100.00 worth of seed in any one calendar year.

Free use permits for vegetative materials will be issued to Native Americans for ceremonial purposes when requested. Quantities will be limited to the amount identified in the personal use section above or specified in the local land use plan.

For free use applications that fall under the Act of 1947, Form 5510-1 Free Use Application and Permit should be used. The expiration period for this permit is six (6) months. It may be extended by the Authorized Officer for three (3) additional months.

The following is the policy concerning Free Use of forest products on BLM administered lands within the State of Utah.

A. Free use of collected seed will only be allowed to nonprofit organizations and governmental units, as authorized by the AFM, Renewable Resources (43 CFR 5510.0-3.b).

B. The only form authorized for issuing free use permits is BLM Form 5510-1, Free Use Application and Permit.

C. Free use permits issued to governmental units shall have a $100.00 dollar limit per calendar year, and the seed materials collected must be used for a non profit public project.

D. Free use permits issued to nonprofit organizations have a dollar limit of $100 worth of seed materials collected during any one calendar year. This would be based on the same BLM nationally posted minimum price list used for personal & commercial seed collection permits, as specified in Attachment 3.

Draft

Attachment 1

<u>Required information on all permits</u>:

All permits will have an issue date, a harvest start date and a termination date specified on the permit. The permit will only be valid for the period between the harvest start date and the termination date. The length of time and timing for which the permit is valid should be commensurate with the amount of seed purchased and the species to be harvested.

Permits will state that they are valid only upon public lands administered by the BLM FO issuing the permit (or on an adjoining FO area where authority has been delegated to the issuing FO for such permits) and only for the area further identified by the legal description and location wording on the permit or by an attached map.

Permittee vehicle make, model, license plate number(s) and phone number(s) will be recorded on all permits. Alternate vehicles may be assigned, i.e. in case of vehicle breakdown or replacement, with written consent of FO representative, amending the permit.

All 5450-1 contracts permits will have a unique FO number in the following format: two digit year, UT, FO number and consecutive number (example 10-UT-010-001 for the first permit for the Fillmore FO for FY-10). 5450-5 contracts are already numbered (i.e. the contracts that are commonly used for firewood.)

All permits shall have a signed copy of permit stipulations attached. (See attachment 2 for suggestions).

Draft

Attachment 2

Permit Stipulations

- This original permit must be in the possession of all collectors/harvesters working for the permit holder while collecting/harvesting on BLM administered lands. This original permit must remain with the harvested/collected material at all times. Copies of the permit will not be honored or considered valid without an original signature by the Authorized Officer. This permit must be presented to any law officer or BLM official upon request;
- Only seed specifically listed by species, sub-species or variety can be legally harvested under this permit. This permit is issued in 10 pound increments based upon dirt (un-cleaned material) weight. There is no implied similar species collection under this permit, and non-permitted seed in your possession while on public lands will be considered a violation of this permit;
- Vehicles, equipment and clothing must be cleaned of all noxious weed seed prior to leaving an area where these species are present and prior to entering a new collection area;
- Only hand powered collection of seed will be permitted unless motorized mechanical harvest is specified in writing within this permit. Motorized mechanical harvest will only be permitted for specific areas and acreages with an attached map specifying the area;
- Cutting of vegetative material for later seed removal is not allowed unless specifically specified on this permit. Species where this may be permitted include winterfat, squirrel-tail, lupines, penstemons and sagebrush;
- Vegetative material litter accumulated by the permittee will be scattered sufficiently to not create piles of material;
- All trash and garbage created by the harvesters/collectors will be removed from the public lands and properly disposed of. BLM practices a Leave-No-Trace policy and expects the same from its permittees;
- Seed collection and vehicle parking within the rights-of-ways of Interstate (Freeways), state or county blacktop roads is prohibited;
- Vehicles are prohibited on all BLM roads, trails and lands if muddy conditions exist that will cause ruts to be formed greater than two inches deep. Vehicles are not permitted at any time off existing roads and trails;
- All livestock gates will be left as you found them. If they are open, leave them open and if they are closed, close them. No harvest is permitted within one-half mile of livestock watering troughs, springs, and reservoirs.
- Permit execution is subject to all federal, state and local laws;
- If permit violations occur or if unforeseen unintended resource impacts occur, it may be canceled by the Authorized Officer prior to the termination date of the permit;

I have read and understand the above permit Stipulations and will abide by these restrictions.

_____ _____

Permit Holder Signature Date Signed

_____ _____

Authorized Officer Date

Draft

Attachment 3

Utah BLM Pricing Policy and Permit Charges for Seed Collection

Charges for a permit will be based on the 1) fair market value of the seed materials to be collected and 2) a road maintenance fee as described below.

1. Appraised Value of Collected Seed

This IM establishes a process for updating prices charged for permits on a more regular basis and establishes consistencies with neighboring BLM states and offices by utilizing a nationally posted minimum price list (Native Plant Seed Collection Pricing Table)for seed. The Native Plant Seed Collection Pricing Table is posted on the BLM Internal ES&R and National Seed Warehouse Website at: http://web.blm.gov/internal/wo-200/wo-220/ESR

Additional guidance for special forest products, other than seed, is provided in IM UT 2009-028.

The Native Plant Seed Collection Pricing Table is intended to be used by those individuals that are responsible for issuing native seed collection contracts to seed collectors. The objectives for posting this spreadsheet include, providing BLM offices with easy access for up-to-date pricing when they have requests for collection contracts, and to bring pricing consistency to all BLM offices. This table will be updated two times per year, once in the spring and again in the fall. The appraisal system used for this product type is to charge 10 percent of the wholesale price. The spreadsheet calculates the price to be charged for each species listed, and is listed in the "BLM Charge Rate $" column.

This spreadsheet is intended to be a working document and as such, if anybody has species that they would want added please contact Aaron Wilkerson, UTSO Forestry Program Lead (801) 539-4077 aaron_wilkerson@blm.gov

No attempt is being made to establish a maximum price for any product. The local seed and or vegetative products appraiser may establish a higher price for any vegetative product when based on a local market appraisal. These minimum prices are to be used when no better market data is available. Field Offices experiencing strong demands for forest products should appraise those products to establish their local fair market value.

The appraiser can adjust the price for their FO area by using 10% of the local wholesale market selling price or as long as this is higher than the set statewide minimum price. If price updates are needed, a FO may submit new the price and documentation supporting the updated price to the UTSO (the retail seed price estimates should be from at least 3 local sources) for approval and incorporation into the price list.

2.) "Road Maintenance Fee".

The Authorized Officer may determine when it is appropriate to collect road maintenance fees in addition to the established vegetation sale price on vegetative product permits, including seeds (for use with form 5450-5). Assess an additional ten to thirty percent for road maintenance (rounded to the closest dollar) to the total purchase price. The percentage can be adjusted at the FO level, at the Field Manager's discretion; generally 20% is the current standard. Fees collected for road maintenance will be deposited to the 9120 account for that FO. (Note: The Material Site Reclamation fee is only appropriate when selling minerals, and should not be used for seeds or other forest products.)

Draft

Attachment 4

2010 Appraised Minimum Seed Values for Seed Collection Permits

NATIVE PLANT SEED COLLECTION PRICING TABLE

Note: Prices listed are based on the "rough cleaned" or "in-the-dirt" price per pound paid to seed collectors from vendors *

COMMON NAME	SCIENTIFIC NAME	VENDOR PRICING	BLM CHARGE RATE ($)
SHRUBS			
Big sagebrush, basin	*Artemisia tridentata tridentata*	0.65	0.065
Big sagebrush, mountain	*Artemisia tridentata vaseyana*	0.75	0.075
Big sagebrush, Wyoming	*Artemisia tridentata wyomingensis*	0.75	0.075
Bitterbrush, antelope	*Purshia tridentata*	1.50	0.150
Bitterbrush, desert	*Purshia glandulosa*	1.75	0.175
Blackbrush	*Coleogyne ramosissima*	2.50	0.250
Brittlebush, Virgin River	*Encelia virginensis*	0.75	0.075
Bursage, white	*Ambrosia dumosa*	3.00	0.300
Cheesebush, Burrobush	*Hymenoclea salsola*	2.50	0.250
Cliffrose	*Cowania stansburiana*	2.50	0.250
Creosote bush	*Larrea tridentata*	3.00	0.300
Ephedra, green	*Ephedra viridus*	2.00	0.200
Ephedra, Nevada	*Ephedra nevadensis*	2.00	0.200
Mountain mahogany, birchleaf	*Cercocarpus betulifolia*	3.00	0.300
Mountain mahogany, curlleaf	*Cercocarpus ledifolius*	2.50	0.250
Mountain mahogany, true	*Cercocarpus montanus*	3.00	0.300
Quailbush	*Atiplex lentiformis*	0.90	0.090
Rabbitbrush, rubber	*Ericameria nauseosa*	1.10	0.110
Rabbitbrush, whitestem	*Ericameria nauseosa ssp.hololeuca*	1.10	0.110
Sagebrush, black	*Artemisia nova*	1.75	0.175
Sagebrush, low	*Artemisia arbuscula*	1.80	0.180
Saltbush, cattle	*Atriplex polycarpa*	1.00	0.100
Saltbush, fourwing	*Atriplex canescens*	0.50	0.050
Shadescale	*Atriplex confertifolia*	0.45	0.045
Winterfat	*Kraschenninikovia lanata*	1.00	0.100
FORBS			
Aster/ Fleabane	*Aster or Erigeron sp.*	0.80	0.080
Balsamroot	*Balsamorhiza hirsuta*	1.30	0.130
Balsamroot, Arrowleaf	*Balsamorhiza sagittata*	1.25	0.125
Balsamroot, Hooker's	*Balsamorhiza hookeri*	1.30	0.130
Balsamroot, toothed	*Balsamorhiza serrata*	1.30	0.130

Attachment 4

COMMON NAME	SCIENTIFIC NAME	VENDOR PRICING	BLM CHARGE RATE ($)
FORBS (CONTINUED)			
Blanketflower	*Gaillardia aristata*	0.90	0.090
Desert dandelion	*Malacothrix glabrata*	2.00	0.200
Desert marigold	*Baileya multiradiata*	1.50	0.150
Desert-parsley (and others)	*Lomatium dissectum*	2.00	0.200
Evening-primrose	*Oenothera sp.*	1.10	0.110
Globemallow, desert	*Sphaeralcea ambigua*	1.25	0.125
Globemallow, gooseberryleaf	*Sphaeralcea grossulariifolia*	1.75	0.175
Globemallow, Munro's	*Sphaeralcea munroana*	1.75	0.175
Globemallow, scarlet	*Sphaeralcea coccinea*	1.90	0.190
Globemallow, small-flowered	*Sphaeralcea parvifolia*	1.90	0.190
Lewis' flax	*Linum lewisii*	2.75	0.275
Lupine	*Lupinus sp.*	0.75	0.075
Mexican red hat	*Ratibida columnaris*	2.00	0.200
Milkvetches	*Astragalus sp.*	3.00	0.300
Palmer's penstemon	*Penstemon palmeri*	0.75	0.075
Firecracker penstemon	*Penstemon eatonii*	2.50	0.250
Thickleaf penstemon	*Penstemon pachyphyllus*	0.75	0.075
Prairieclover, western	*Dalea ornata*	3.00	0.300
Sweetvetch, northern	*Hedysarum borealus*	2.50	0.250
Tapertip hawksbeard	*Crepis accuminata*	2.90	0.290
Yarrow, western	*Achillea millefolium lanata*	2.50	0.250
GRASSES			
Bluegrass, Sandberg's	*Poa secunda*	1.90	0.190
Bottlebrush squirreltail	*Elymus elymoides*	1.00	0.100
Needle & thread	*Stipa comata*	2.50	0.250
Needlegrass, desert	*Acnatherum speciosum*	2.75	0.275
Needlegrass, Thurber's	*Acnatherum thurberianum*	3.00	0.300
Ricegrass, Indian	*Acnatherum hymenoides*	2.25	0.225
Three-awn, purple	*Aristida purpurea*	2.00	0.200
Wheatgrass, bluebunch	*Pseudoroegneria spicata*	n/a	
Wheatgrass, western	*Pascopyrum smithii*	n/a	
Wildrye, basin	*Leymus cinereus*	n/a	

Draft

APPENDIX C. DRAFT COLORADO PLATEAU NATIVE PLANT MATERIALS DEVELOPMENT PROGRAM MEMORANDUM OF UNDERSTANDING

among the
BUREAU OF LAND MANAGEMENT
and the
USDA FOREST SERVICE
and the
U.S. GEOLOGIC SURVEY
and the
NATIONAL PARK SERVICE
and the
USDA AGRICULTURAL RESEARCH SERVICE
and the
USDA NATURAL RESOURCES CONSERVATION SERVICE
and the
U.S. FISH AND WILDLIFE SERVICE
and the
UNCOMPAHGRE PARTNERSHIP
and
THE NATURE CONSERVANCY
and the
NORTHERN ARIZONA NATIVE SEED ALLIANCE
and the
NORTHERN ARIZONA UNIVERSITY
and the
UNIVERSITY OF UTAH
and the
SOUTHERN UTAH UNIVERSITY
and the
COLORADO DIVISION OF WILDLIFE
and the
UTAH DIVISION OF WILDLIFE RESOURCES
and the
FEDERAL HIGHWAY ADMINISTRATION
and the
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Draft

This Memorandum of Understanding is made and entered into by and between the USDI Bureau of Land Management, Department of Defense, Federal Highway Administration, USDI U.S. Geological Survey, USDI National Park Service, Office of Surface Mining Reclamation and Enforcement, United States Department of Agriculture (USDA) Agricultural Research Service, USDA Forest Service, USDA Natural Resources Conservation Service, and the USDI Fish and Wildlife Service, hereinafter referred to as the Partnership or as Members.

I. PURPOSE

The purpose of this MOU is to establish and describe a Colorado Plateau Native Plant Program Program Partnership. The Partnership will identify and recommend, as appropriate, priority conservation needs for native plants and their habitats and coordinate implementation of programs for addressing those needs. A native plant species is one that occurs naturally in a particular habitat, ecosystem, or region of the United States and its Territories or Possessions, without direct or indirect human actions. Recognizing that native plant species are of aesthetic, ecological, educational, historical, recreational, and scientific value to the Nation and its people, the Partnership's priorities will be driven by the following vision:

The vision of the Colorado Plateau Native Plant Program is a Colorado Plateau that supports healthy and resilient native plant communities now and for future generations.

"For the enduring benefit of the Nation, its ecosystems, and its people; to conserve and protect our native plant heritage by ensuring that, to the greatest extent feasible, native plant species and communities are maintained, enhanced, restored, or established on public lands, and that such activities are promoted on private lands."

II. STATEMENT OF MUTUAL BENEFITS AND INTERESTS

Native plants are a key component of regional, national and global biodiversity conservation efforts. Native plants and their communities support ecosystem functions vital to a healthy, productive, and beautiful environment. Native plants also provide innumerable direct and indirect benefits to the Nation's wildlife, its people, and its economy.

Many of the common and widespread plant species of the Colorado Plateau have been affected by a wide variety of land uses since early settlement in the 1800's. In addition, more than 300 plant species are endemic to the Colorado Plateau. All these species face challenges in the form of habitat loss and alteration, competition and predation by invasive species, and in some cases overexploitation for human use.

Opportunities exist for native plant preservation and conservation at the Regional level, among public and private land managers, conservation organizations, and the interests of individual citizens. Protection and conservation of areas of highly diverse or rare native plants is key to conserving the Colorado Plateau's biodiversity and may convey additional benefits to species of both plants and animals that otherwise could become imperiled.

Numerous opportunities exist to employ native plants in a variety of federally implemented, funded, authorized, or permitted activities. For example, native plants can be used to revegetate roads and other construction sites, or to assist the stabilization and recovery of wildfire burn sites. Native plants are an essential element of habitat restoration efforts at scales ranging from isolated wetlands to large regional efforts.

Plants represent over half of all species federally listed as endangered and threatened species in the United States. As of January 2011 there are as many as 40 plants of the Colorado Plateau that were federally listed as endangered or threatened. Federal lands provide habitat for most, if not all of these listed plant species and careful management of these lands can help maintain our nation's plant heritage. Federal agencies have the expertise to assist non Federal land managers in plant conservation and protection efforts. Innovative partnerships are needed among public and private sectors, nationally and internationally, to conserve native plants and their habitats before they become critically endangered.

III. AUTHORITIES

This Memorandum of Understanding is made and entered into by each federal agency included pursuant to the provisions of the following statutes:

1. Bureau of Land Management: Federal Land Policy and Management Act of 1976, 43 U.S.C. 1737(b), section 307(b) (1988) as amended by P.L. 98 540 (98 Stat. 2718) Oct. 24, 1984.

2. National Biological Survey: Secretarial Order 3173, September 29, 1993.

3. National Park Service: National Park Service Organic Act of 1916, 16 U.S.C. 1 (1988); Economy Act of 1932, 31 U.S.C. 1535 (1988); Fish and Wildlife Coordination Act, 72 Stat. 563, 16 U.S.C. 661 (1988).

4. USDA Forest Service: Economy Act of 1932, 31 U.S.C. 1535 (1988); Multiple Use Sustained Yield Act of 1960, 16 U.S.C. 528 531.

5. USDA Soil Conservation Service: Soil Conservation and Domestic Allotment Act of1935, P.L. 74 46 (49 Stat. 163, 16 U.S.C. 590a f).

6. U.S. Fish and Wildlife Service: Endangered Species Act of 1973, 16 U.S.C. 1531 1548 (1988); Fish and Wildlife Conservation Act of 1980, 16 U.S.C. 2912 (1988); Fish and Wildlife Act of 1956, 16 U.S.C. 742f (1988); Fish and Wildlife Coordination. Act, 16 U.S.C. 661 (1988).

7. Federal Highway Administration: Surface Transportation and Uniform Relocation Assistance Act of 1987, Section 130, Wildflowers, 23 U.S.C. 319(B) (P.L. 100 17).

8. U.S. Geologic Survey: (1) Public Law 99-591--provides in Fiscal Year 1997 and thereafter that the USGS has permanent authority to prosecute projects in cooperation with other agencies, Federal, State, and private (43 U.S.C. 36c); (2) The USGS Organic Act of March 3, 1879, as amended (43 U.S.C. 31 et seq.)

IV. PARTNERSHIP MEMBERSHIP, STRUCTURE, AND OPERATIONS

The Partnership members mutually agree that:

1. Membership on the Partnership is open at any time to any Federal body or Non-Government Organization interested in taking an active role in a native plant conservation program. Membership becomes official at such time as the Memorandum of Understanding is signed by the head of the Federal body or a designee thereof.

2. A member agency or organization may designate one official (with one alternate) to serve as its representative to the Partnership, who will attend scheduled meetings at his or her agency's expense. Each member agency will inform the Partnership, in writing, of the name and position of its representative and alternate, or of any changes in same.

3. The Partnership shall establish its own working rules, including a procedure for designating the Chair. The position of Partnership Chair shall rotate every two years to a different member agency or organization.

4. The Partnership shall meet a minimum of once per year. Additional meetings may be scheduled as agreed to by the Partnership, and may include meetings at field locations.

V. PARTNERSHIP RESPONSIBILITIES

The Partnership members mutually agree that the Partnership will:

1. Develop and serve as a forum for coordination and implementation of a regional native plant conservation program, consisting of public education and outreach, research, conservation actions, native plant materials development coordination, databases and information exchange, and international programs. The Partnership shall continue to further its goals and objectives for a Colorado Plateau native plant conservation program.

2. Encourage Partnership members to take appropriate action within the limits of their respective authorities, policies, and budgets.

3. Encourage Partnership members to coordinate program implementation with State natural resource agencies and natural heritage programs where appropriate, and promote cooperative efforts with States, tribal land managers, and local, national, and international conservation organizations through existing agreements or through establishment of new agreements.

4. Evaluate implementation of the Memorandum of Understanding annually to determine how effectively objectives are being met.

VI. WORKING GROUPS

1. Working Groups may be formed or disbanded as needed, at the discretion of the Partnership, consistent with the applicable requirements of the Federal Advisory Committee Act. Membership will consist of experts from both public and private sectors.

2. Working Groups will be formed to determine needs for public education/outreach, research, conservation actions, databases/information exchange, regional programs, and to address other issues as agreed to by the Partnership.

3. Working Groups will report regularly to the Partnership on their deliberations including planning, coordination, facilitation, and implementation of actions recommended or developed by the Working Groups or by the Partnership.

VII. COOPERATORS

1. Any Federal body not desiring formal representation on the Partnership, and any State agency, private organization or individual, or foreign government agency interested in native plant conser-

vation, may become a Cooperator upon acceptance of a written request to the Partnership Chair. Cooperators may attend meetings of the Partnership as observers, participate in informal open forums with the Partnership, and participate in Working Groups. Cooperator agencies and organizations may designate one individual as a contact person, informing the Partnership Chair in writing of the selection and of any changes in same. A Cooperator may withdraw upon 30 days' written notice.

VIII. IT IS MUTUALLY AGREED AND UNDERSTOOD BY AND BETWEEN THE SAID PARTIES THAT:

1. This Memorandum of Understanding in no way restricts participants from involvement in similar activities with other public and private agencies, organizations, and individuals.

2. Nothing in this Memorandum of Understanding shall be construed as obligating Partnership members or Cooperators to expend funds or to provide resources or be involved in any obligation for future payment of money or provision of resources.

3. Modifications within the scope of this Memorandum of Understanding shall be made by formal consent of the parties, by the issuance of a written modification, signed and dated by the parties, prior to any changes becoming effective.

4. Any Partnership member may terminate or withdraw membership in whole or in part at any time before the date of expiration, by providing 30 days' written notice to the Partnership Chair.

5. This Memorandum of Understanding is neither a fiscal nor a funds-obligation document. Any endeavor involving reimbursement or contribution of funds between the parties to this instrument will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. This instrument does not provide such authority. Specifically, this instrument does not establish authority for noncompetitive award to any Partnership member of any contract or other agreement. Any contract or agreement for training or other services must fully comply with all applicable requirements for competition.

6. This instrument expires no later than December 31, 2015, at which time it is subject to renewal through review and amendment, by extension, or by reauthorization by the participating Federal Agencies (Partnership).

IX. GENERAL REQUIREMENTS

1. The program or activities conducted under this Memorandum of Understanding will be in compliance with the nondiscrimination provisions contained in Titles VI and VII of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1987 (P.L. 100 259); and other nondiscrimination statutes: namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, and the Age Discrimination Act of 1975.

2. No member of, or Delegate to, Congress shall be admitted to any share or part of this instrument, or any benefits that may arise therefrom.

X. EFFECTIVE DATE

IN WITNESS WHEREOF, the parties hereto have entered into this authorization of the Colorado Plateau Native Plant Development Program Memorandum of Understanding, which is effective upon the date of the second Agency signature and will remain in effect until December 31, 2015, or until such time prior to this date that it is subject to review and amendment.

SIGNATURES…

The MOU is effective when at least two Federal agencies have signed; other agencies may sign the MOU in the future and names of signatory agencies will be added on an ongoing basis.

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APPENDIX D – 2010 SEEDS OF SUCCESS COLLECTIONS FROM THE COLORADO PLATEAU

The following collections are only those from Red Butte Gardens and Arboretum and Northern Arizona University's Landsward Institute SOS Interns in 2010. Others will be added as data is received. In 2010 these two sets of interns made total of 162 collections of 76 species. Those species in *RED* are those that were identified as priority species for collections in 2010.

Number of Collections	Code	Species
7	ACHY	*Achnatherum hymenoides*
1	AMUT	*Amelanchier utahensis*
1	ANRO3	*Antennaria rosulata*
4	ATCA2	*Atriplex canescens*
4	ATCO	*Atriplex confertifolia*
1	ATGA	*Atriplex gardneri*
2	BLTR	*Blepharoneuron tricholepis*
1	BRCA3	*Brickellia californica*
1	CAAT3	*Carex atheroides*
3	CAIN14	*Castilleja integra*
1	CALI4	*Castilleja linariifolia*
2	CAMI12	*Castilleja miniata*
1	CAOC2	*Carex obtusata*
1	CEFE	*Ceanothus fendleri*
3	CLLI2	*Clematis ligusticifolia*
1	CLSE	*Cleome serrulata*
1	COTI3	*Coreopsis tinctoria*
1	CYPU	*Cymopterus purpureus*
1	DAWR2	*Datura wrightii*
3	ELEL5	*Elymus elymoides*
3	ERAL4	*Eriogonum acaule*
2	ERNA10	*Ericameria nana*
8	ERNAS2	*Ericameria nauseosa*
1	ERPH2	*Eriogonum pharnaceoides*
2	ERRA3	*Eriogonum racemosum*
3	ERUMC3	*Eriogonum umbellatum* var. *cognatum*
3	FAPA	*Fallugia paradoxa*
1	FRAN2	*Fraxinus anomala*
5	FRSP	*Frasera speciosa*
2	GASP	*Gaillardia spathulata*
1	GRSP	*Grayia spinosa*
1	HEBOB	*Hedysarum boreale*
1	HEAU	*Helenium autumnale*
4	HECO26	*Hesperostipa comata*
5	HEMU3	*Heliomeris multiflora*
2	HEVI4	*Heterotheca villosa*

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Number of Collections	Code	Species
1	HYFIL	*Hymenoxys filifolia* var. *lugens*
1	IPLO2	*Ipomopsis longiflora*
1	IRMI	*Iris missouriensis*
1	JUCO	*Juncus compressus*
1	JUOS	*Juniperus osteosperma*
1	KOMA	*Koeleria macrantha*
1	LATR2	*Larrea tridentata*
7	LEMO2	*Lepidium montanum*
1	LECI4	*Leymus cinereus*
1	LILE3	*Linum lewisii*
1	LOWR	*Lotus wrightii*
3	LUAR3	*Lupinus argenteus*
1	LUKI	*Lupinus kingii*
1	LUPU	*Lupinus pusillus*
1	LYSE3	*Lycurus setosus*
1	MEAL6	*Mentzelia albicaulis*
1	MEPUM	*Mentzelia pumila* var. *multiflora*
1	MUMO	*Muhlenbergia montana*
1	NIAT	*Nicotiana attenuata*
3	OECA10	*Oenothera caespitosa*
2	OEPA	*Oenothera pallida*
2	OXLA3	*Oxytropis lambertii*
2	PELI2	*Penstemon linarioides*
1	PHHE2	*Phacelia heterophylla*
2	PLIN7	*Platyschkuhria integrifolia*
3	PLJA	*Pleuraphis (Hilaria) jamesii*
2	POCR4	*Potentilla crinita*
1	POHI6	*Potentilla hippiana*
2	PUST	*Purshia stansburyiana*
1	RHTR	*Rhus trilobata*
3	SCSC15	*Scabrethia scabra*
1	SESP3	*Senecio spartioides*
1	SHAR	*Shepherdia argentea*
7	SPAI	*Sporobolus airoides*
3	SPCO	*Sphaeralcea coccinea*
1	SPCR	*Sporobolus cryptandrus*
1	SPFE	*Sphaeralcea fendleri*
5	SPPA2	*Sphaeralcea parvifolia*
2	VEMA	*Verbena macdougalii*
6	XYVE	*Xylorhiza venusta*

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