



United States Department of Agriculture

## BLUE MOUNTAINS FOREST PLAN REVISION - 2016

Malheur, Umatilla, and Wallowa-Whitman  
National Forests

# Fall Newsletter

Hello from the Forest Plan Revision Team. We are working on the final Forest Plans for the Malheur, Umatilla, and Wallowa-Whitman National Forests. Over the next 15-year planning period, these Plans will guide how the Forest Service manages approximately 5 million acres of public lands in eastern Oregon and Washington. To keep everyone informed on our progress, we are publishing a series of newsletters to share updates and possible changes that are shaping the final Forest Plans and the Environmental Impact Statement (EIS). In this newsletter, we will cover the following topics:

- *Team leader transition*
- *Revised timeline and next steps*
- *Intergovernmental cooperation and coordination*
- *Consultation with tribal governments*
- *Consultation with federal agencies on the Endangered Species Act*

Recent newsletters and other details related to the Forest Plans are available on our website at [fs.usda.gov/goto/BlueMountainsPlanRevision](http://fs.usda.gov/goto/BlueMountainsPlanRevision). To review, our April 2016 newsletter provided a status update on the Forest Plans and announced that we are analyzing two new Alternatives in response to public input and revised information from resource specialists. Our June 2016 newsletter shared examples of Forest Service staff recommendations on Backcountry Areas, Recommended Wilderness, Wildlife Corridors, and Designated Routes. Future newsletters will continue to provide public updates on key topics, including timber and grazing.



Working together in the Blue Mountains.

for the greatest good

## ***Team Leader Transition***

It is with a heavy heart that we share with you the sad news of Sabrina Stadler's recent passing. Sabrina passed away on September 7, 2016 due to complications with pancreatitis. Her family, friends, and colleagues are shocked and saddened by this news. Sabrina gave her all to the Forest Plan Revision effort for more than four years in her role as Team Leader. In August, she began her new role as District Ranger back home on the Plumas National Forest in northern California. Our hearts go out to Sabrina's husband and two young daughters. We will miss Sabrina dearly. If you would like to send condolences, please address mail to The Stadler Family, c/o The Forest Plan Revision Team, 1550 Dewey Avenue, Suite A, Baker City, OR 97814.



While we search for a new Team Leader, Michael Hampton, of MLH Natural Resource Consulting, will serve as our Interim Team Leader until late 2016. Michael retired from the Forest Service in 2015 and the majority of his 38 years of Forest Service work have been in the Pacific Northwest Region. He is no stranger to the Blue Mountains or to the Blue Mountains Forest Plans. Michael spent four years on the Umatilla National Forest as a Planner and as Acting District Ranger in Walla Walla, WA. He worked directly with the Blue Mountains Forest Plan Revision Team from 2010 through 2015 in his position as Regional Planner. We are fortunate to have both his level of Forest Plan knowledge and his Blue Mountains experience. Welcome back, Michael.

## ***Revised Timeline***

We are currently on a path to publish the Revised Plans, Final EIS, and draft Records of Decision in 2017 (please see the milestone graphic on the next page). These documents will not be ready to publish this Fall of 2016 as our timeline had previously indicated. We will announce a revised publication date after we complete Formal Consultation with the US Fish and Wildlife Service and the National Marine Fisheries Service.

There are a number of reasons for this schedule change. One reason is the time required to develop and analyze the two new Alternatives announced this year. We also need to spend additional time revising Plan components related to watershed condition and habitat conservation for aquatic species. To share another important example, an unexpected delay emerged from the need to update our vegetation modeling across all Alternatives to ensure alignment between different modeling processes. We will cover these topics and others in future newsletters, and we will continue to provide public updates on our progress through our website, emails, conference calls, and other modes of communication.



As we work to complete the Forest Plans and EIS, we will also continue to engage with federal, state, local, and tribal governments to share information and discuss their individual interests regarding the Plans. Please read the sections below to learn more.

## ***Intergovernmental Cooperation and Coordination***

Because National Forest management affects state, local, and tribal governments, the Forest Service seeks their input in a number of ways. During the formal comment period for the Draft EIS and Draft Plan(s), the States of Oregon and Washington submitted comment letters, as did many of the tribes and counties in and around the Blue Mountains. Additional opportunities exist for the Forest Service and other government agencies to *cooperate and coordinate*.

Under the National Environmental Policy Act (NEPA) and implementing regulations, government agencies can agree to serve as Cooperating Agencies. Cooperating Agencies work with the Forest Service to share information and shape successful Plans. Cooperating Agencies may participate in special briefings and discussions with the Forest Service regarding the NEPA process. Cooperating Agencies may also have access to select draft documents in advance of the publication of the Final EIS and Revised Forest Plans. Where they have special expertise, Cooperating Agencies can provide information to the Forest Service (e.g., social and economic information), which is interpreted by a technical expert on the Revision Team. Moreover, Cooperating Agencies are listed as such in the Final EIS and Revised Forest Plans.

The National Forest Management Act (NFMA) and its implementing regulations state that “the responsible line officer shall coordinate regional and forest planning with the equivalent and related planning efforts of other federal agencies, state, and local governments, and Indian tribes” (36 CFR 219.7, 1982). As part of the Forest Plan Revision process, the Forest Service reviews government planning and land-use policies; considers the objectives expressed in those plans and policies; assesses the interrelated impacts of the plans and policies; determines how the revised Forest Plans should deal with the identified impacts (consistent with federal laws, policies, and regulations); and considers alternatives for resolving conflicts with the revised Forest Plans (36 CFR 219.7(c), 1982). Our “coordination review” is currently in progress, and we will include the results in the Final EIS.

To conclude, the Forest Service is the lead agency and maintains decision-making authority on the Forest Plans, yet we also strive to be good neighbors by cooperating and coordinating with other government agencies. This involves exchanging information and seeking win-win solutions whenever possible.

## ***Consultation with Tribal Governments***

The tribes involved in the Blue Mountains Forest Plans have included (in alphabetical order) the Burns Paiute Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Warm Springs, the Nez Perce Tribe, and others. Their long histories with these lands are well-documented, and their knowledge and experience is helpful to us as federal land managers. Therefore, we seek the tribes' advice and support when making decisions for these National Forests.

The Forest Service's legal responsibilities to federally recognized tribes are identified in treaties and clarified in statutes, executive orders, and case law. Tribal-U.S. treaties have legal authority under the U.S. Constitution, and the Forest Service has an obligation to uphold the rights recognized by those treaties. Tribal treaty rights often include fishing, hunting, gathering roots and berries, and pasturing horses and cattle.

Executive Order 13175 on Consultation and Coordination with Indian Tribal Governments, sets forth guidelines for all federal agencies to (1) establish regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that have tribal implications, (2) strengthen the U.S. government-to-government relationships with Indian tribes, and (3) reduce the imposition of unfunded mandates on tribes. Federal agencies are directed to consult with tribes when engaging in policymaking or programs that may have implications on tribal resources. In addition to Executive Order 13175, consultation obligations are included in a number of legal statutes, including the Federal Land Policy and Management Act and the National Historic Preservation Act. USDA Departmental Regulation 1350-002 on Tribal Consultation, Coordination, and Collaboration also provides direction.

In summary, we value our relationships with the tribes. Through regular consultation, we exchange information and build mutual understanding that improves stewardship of the ecological and cultural resources that are significant to the tribes.

## ***Consultation with Federal Agencies on the Endangered Species Act***

In the Forest Service, we have a responsibility to conserve diverse habitats for many different species, and it is a responsibility that we take seriously.

The Endangered Species Act (ESA) directs all federal agencies to assist in conserving species "listed" as threatened or endangered under ESA. Under Section 7 of ESA, any federal agency whose actions may



*Bull trout. Credit: U.S. Fish and Wildlife Service.*

affect listed species and their critical habitats must consult with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS). The purpose of this consultation process is to ensure that the agency's actions are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats. For more details on the Section 7 consultation process, please see the FWS and NMFS handbook on ESA Section 7 consultation: <http://go.usa.gov/xZPHx>.

The Blue Mountains Forest Plans may affect ESA-listed species and their critical habitats, including Bull trout, Steelhead, Chinook salmon, and others. The Forest Service is currently engaged in early, informal consultation with FWS and NMFS about the potential effects of Forest Plan components on listed species and their critical habitats, and opportunities for improvement. To learn more about ESA-listed species and their critical habitats, please visit <http://go.usa.gov/xZP7d> and <http://go.usa.gov/xZPAT>.

Next steps: Before initiating formal ESA consultation with FWS and NMFS, the Forest Service must prepare a Biological Assessment, a report detailing how the Forest Service expects the Forest Plans may affect listed species and their critical habitats. Upon receipt of a complete Biological Assessment and request to initiate formal consultation, FWS and NMFS have 135 days (unless extended) to complete a Biological Opinion. The

Biological Opinion will state whether or not the Forest Plans are likely to jeopardize the survival of ESA-listed species or adversely modify their critical habitats. If a “jeopardy” or “adverse modification” determination is made by FWS or NMFS, their Biological Opinion must identify reasonable and prudent alternatives that the Forest Service would adopt to move the Forest Plans forward.

The Blue Mountains of eastern Oregon and Washington provide special habitats for a wide variety of species, including those listed as threatened or endangered under ESA. The Forest Plans will provide direction to help contribute to the conservation and recovery of habitats for these species. We will also continue to work with federal, state, tribal, and county agencies at the project level to promote resilient ecosystems that support the rich biological heritage of the Blue Mountains region.

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## Coming soon! Public conference call with Forest Service staff

**November 17, 2016** ▪ 5:30-6:30 p.m. ▪ Dial: 1-888-844-9904, then enter Access Code: 2651088# We will discuss topics related to those covered in this newsletter and answer questions. Please email your questions to [bluemtnplanrevision@fs.fed.us](mailto:bluemtnplanrevision@fs.fed.us) by **November 10**, and we will do our best to respond to your questions during the call. This will be a broadcast-style call with one-way audio, and it will be recorded for those who cannot listen to the live broadcast. To listen to previous conference calls and read the transcripts, please visit [fs.usda.gov/goto/BlueMountainsPlanRevision](http://fs.usda.gov/goto/BlueMountainsPlanRevision), and see “Recent Communications.”

