
MEMORANDUM

TO: CHRIS FRENCH, US FOREST SERVICE - FACA DFO

FROM: THE NATIONAL ADVISORY COMMITTEE FOR IMPLEMENTATION OF THE 2012 NATIONAL FOREST SYSTEM LAND MANAGEMENT PLANNING RULE

SUBJECT: SUMMARY OF KEY OBSERVATIONS FROM THE FOREST SERVICE'S SPECIES OF CONSERVATION CONCERN (SCC) ENQUIRY AND THE COMMITTEE'S SCC STAKEHOLDER SUMMARY REPORT

DATE: APRIL 25, 2016

CC: USFS WASHINGTON OFFICE SCC TEAM

Background: The National Advisory Committee for Implementation of the 2012 National Forest System Land Management Planning Rule's Species of Conservation Concern (SCC) work group recently completed a series of outreach conversations with stakeholders involved in revisions across the country to learn more about public perceptions of implementation of the SCC process within the 2012 Rule. This effort complimented the Forest Service's internal SCC Enquiry.

The Committee commends the Forest Service for undertaking the SCC Enquiry and supporting the Committee's interviews with stakeholders involved in forest plan revisions across the country. The content and findings of both reports will be useful in refining the SCC identification process and improving the efficiency and effectiveness of planning rule implementation. We particularly thank the Forest Service for their leadership on the SCC issue, their willingness to investigate and understand policy implementation challenges, and their cooperative spirit in working with the Committee to solve policy challenges. It is important to note that while identification of the SCC list is a vital step, how forests incorporate SCCs into plan components will be fundamental to the planning process. The Committee would like to continue to pursue a deliberative evaluation of the subsequent planning steps with the USFS.

Memo Objective: This memo summarizes key observations from both the Forest Service's SCC Enquiry and the Committee's SCC Stakeholder Summary Report and identifies issues that the Committee would like to continue to explore with the agency. The SCC Stakeholder Summary Report and the Forest Service's SCC Enquiry highlight many similar challenges including the need for earlier identification of SCCs, more clarification on the roles of the Regional Office (RO) and forests, and greater consistency across units. The two reports differ significantly on the public's perception of engagement opportunities provided to date.

Key findings – Public perceptions of implementation of the SCC process: During telephone conversations, several key themes emerged. The majority of stakeholders identified the following challenges:

- Sequencing – Many stakeholders believe that it is imperative for forests/regions to release SCC lists early in the planning process. They believe that the SCC list should inform the Need for

Change and plan component development and worry that without proper sequencing, forest plans will not adequately address SCCs' needs. In addition, late release of lists inhibits stakeholders' ability to comment on the draft Need for Change and other planning documents.

- Lack of Rationale Provided – Many stakeholders believe that forests have not provided adequate information on the rationale used for identifying and evaluating potential SCCs and that this lack of information makes it difficult, if not impossible, for stakeholders to comment on lists.
- Inconsistency and lack of a clear process – Many stakeholders believe that lack of a consistent process among forests/regions is creating unnecessary problems and making it difficult for stakeholders to provide input.
- Lack of integration between SCCs and the overall planning process – The majority of participants voiced concern that SCC lists are being developed 'in a vacuum' and request better integration of SCCs into the planning process.
- Misinterpretation of the 2012 Rule and directives – Several stakeholders believe that some forests are misinterpreting the direction laid out in the 2012 Rule and directives. Examples of these inconsistencies include exclusion of: invertebrates; game species; species that seasonally use forests and migratory species. In addition, participants noted exclusions based on assumptions that: future management will alleviate concerns; other SCCs will serve as indicators; or climate change will create situations where it is no longer within the inherent capability of the plan area to maintain a viable population of a species.
- Forest Service capacity – The majority of participants believe that the Forest Service does not have the capacity necessary to address SCCs.
- Challenges to Using Best Available Scientific Information (BASI) – Many expressed concern over a lack of BASI and/or inconsistent application of BASI being used in SCC determinations. These stakeholders note that inconsistent interpretations of BASI make forests' decisions seem arbitrary.
- Concern over Sensitive Species and the Transition to SCCs – A few participants expressed concern over a lack of clarity around how the Forest Service is addressing current sensitive species. They believe that there is a lack of understanding within and outside of the agency.
- Lack of public understanding – Several noted that the general public doesn't understand the role of SCCs and how they may affect plan components and future management.
- Concerns over how the Forest Service is defining terms – Several participants expressed confusion and concern over how the Forest Service is defining terms used in the 2012 Rule and directives (Long term, Capability to persist over the long term, Best available scientific information, Substantial concern, Known to occur, In the plan area)

Previous Committee recommendations on the SCC process: In November 2013, the FACA developed a set of consensus recommendations on the draft directives, including several pertaining to the SCC process¹. Within these recommendations, the FACA addressed many of the key challenges highlighted by stakeholders including: Regional Forester SCC determinations should occur early enough in the assessment phase to ensure integration of SCC's into the planning process and to

¹ The Committee's recommendations on the draft directives can be found at: http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3828567.pdf

increase planning efficiencies; the Regional Forester and responsible official should leverage expertise in local, state and Tribal natural resource agencies in the identification of potential species of conservation concern; the Regional Forester and responsible official should invite public input on the identified potential SCCs upon release of the assessment and consider this input when determining SCCs; the directives could be clearer on the roles of the regional forester and responsible official in the SCC identification and determination processes and; the responsible official shall similarly involve the public in determining whether plan components need to be added, removed or changed based on new SCC determinations.

Areas for further exploration between the USFS and Committee

The Committee supports the agency's plan to conduct additional outreach to regions and forests using the questions outlined in the Forest Service's SCC Enquiry and would like to be engaged in those conversations. The Committee would like to continue to discuss the findings from both enquiries and assist in determining if additional guidance (white papers, etc) would be useful. If the group determines that additional guidance is necessary, the Committee would like the opportunity to review and comment on draft documents. In addition, the Committee would like to explore the alternatives to written guidance including education, training, and/or facilitated group learning.

Specific areas for further discussion include:

1. The policy tension and implications between national consistency and local discretion and flexibility.
2. All of the issues associated with BASI, including uncertainty, lack of information and insufficient information, as well as the capacity to process BASI, possibly with agency or other science-based experts on those topics (e.g. research station scientists).
3. Policy issues surrounding the transition from Regional Forester Sensitive Species (RFSS) to SCCs. It is imperative that the agency address this issue in the near term; both external and internal confusion will remain until this is resolved. In addition, how RFSS were considered and documented in the SCC process are of high interest to members of the committee.
4. More information from NatureServe on how their conservation information can be used in making conservation decisions (as well as its limitations) would be useful; a learning call with NatureServe on this subject may be useful.
5. The possible benefits/limitations of using an eco-region approach to planning to aid in the identification of SCCs (including adjacent units that are not currently under revision). This approach may enhance both agency efficiency and the confidence of stakeholders.
6. The potential of developing a coding system to explain why species were included/excluded (e.g. "a" = insufficient BASI to determine status and trend of species on the planning unit; "b" = BASI supports including species, etc)
7. How the agency can do a better job explaining to the public: the role of SCCs, how they are identified and evaluated, how the SCC process fits into the larger planning process and how the course/fine filter approach will be used to develop plan components.
8. How forests and regions are defining specific terms within the identification of SCCs including "occurrence", "capability to persist", "long term", and "insufficient information". Some degree of standardization regarding how these terms may aid planning efficiency and acceptance by external entities.