



United States Department of the Interior

FISH AND WILDLIFE SERVICE



La Grande Field Office



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Project Name: Blue Mountains Forest Plan Revision EIS NOI Comment Letter

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Umatilla National Forest Supervisor's Office



Attn: Blue Mountains Forest Plan Revision

Subject: Comments – Notice of Intent for an Environmental Impact Statement for the Draft Proposed Malheur, Umatilla, and Wallowa-Whitman National Forest Land Management Plans.

Dear Forest Supervisor:

The U.S. Fish and Wildlife Service (Service) appreciates the opportunity to review and provide comments on the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Draft Proposed Malheur, Umatilla, and Wallowa-Whitman National Forest Land Management Plans revision project. The NOI was included in the federal register on Tuesday, August 5, 2025 (FR 37458). Additionally, the Service has indicated interest in participating as a cooperating agency.

The project proposes to revise the existing 1990 land management plans for the Malheur, Umatilla, and Wallowa-Whitman National Forest (Blue Mountains National Forests). A Preliminary Draft Proposed Land Management Plan (Plan) has been developed for the three forests that focuses on desired conditions, and includes objectives, standards, guidelines, and other plan content. Also included are the suitability of lands for specific multiple uses, the identification of rivers eligible for inclusion into the National Wild and Scenic Rivers system and an Aquatic and Riparian Conservation Strategy.

The revised land management plans will not authorize site-specific projects or actions but will guide future decision-making on the Blue Mountains National Forests and provide for sustainability, diversity of plant and animal communities, and active resource management in a multiple use context. The plan will inform the purpose and need for future actions, guide the design of projects, and will include a plan monitoring program that will inform development of future land management activities on the Blue Mountains National Forests.

The Service is providing the following comments in order to ensure the project provides conservation value for at-risk species, including those listed, proposed and petitioned under the Endangered Species Act (ESA) and other species of concern including the federally endangered California condor (*Gymnogyps californianus*), the federally threatened bull trout (*Salvelinus confluentus*), Gray wolf (*Canis lupus*), MacFarlane's four o'clock (*Mirabilis macfarlanei*), North American wolverine (*Gulo gulo luscus*), Spalding's catchfly (*Silene spaldingii*), whitebark pine (*Pinus albicaulis*) the proposed greater sage grouse (*Centrocercus urophasianus*), monarch butterfly (*Danaus plexippus*) and Suckley's cuckoo bumble bee (*Bombus suckleyi*), the petitioned western ridged mussel (*Gonidea angulata*) and a species of concern, Pacific lamprey (*Entosphenus tridentatusis*).

To adequately assess the potential effects on biological resources for these species of conservation concern, the Service recommends that the EIS include:

- Detailed species descriptions with species occurrences range wide and in the project area. The description should include tables and maps showing the species distribution and any designated critical habitat found in the project area.
- Potential threats to the species.
- A thorough evaluation of direct and indirect effects to species of conservation concern that may result from project activities.
- Methods including desired conditions, objectives, design criteria, standards and guidelines with associated management intent that will avoid or minimize effects to species of conservation concern and their habitats. We recommend that each guideline has a corresponding management intent.
- An effects analysis and effect determination under the ESA for each listed and proposed species.
- Address how the plan will contribute to the ESA Section 7 a(1) responsibilities of the Blue Mountain Forests. The Service would like to take this opportunity to remind the Forest Service that the ESA Section 7(a)(1) directs all Federal agencies to carry out programs within their authorities to advance the recovery of endangered and threatened species. Federal agencies have non-discretionary obligations to develop and carry out programs to advance the recovery of ESA-listed species, but agencies have discretion about program design. Federal agency discretion about how to fulfill Section 7(a)(1) obligations provides agencies with an opportunity to design their programs to meet their responsibilities under Section 7(a)(2). (US Department of the Interior, Office of the Solicitor, 2024)

The Service also recommends that the EIS includes desired conditions, objectives, design criteria, standards and guidelines with corresponding management intent that will ensure the conservation of species listed above and those identified for special concern listed in the Forest

Service's *Evaluations for Wildlife Species Considered for Species of Conservation Concern Blue Mountains Forests: Malheur, Umatilla, and Wallowa-Whitman National Forests (2025)* and volume 1 and 2 of the *Evaluations for Plant and Fungus Species Considered for Species of Conservation Concern (2025)*.

Additionally, the Service recommends the EIS includes how the Plan will be consistent with the Enclosures and Appendices included in the November 15, 2015, USFS Region 6 Regional Forester's memorandum to the Deschutes, Fremont-Winema, Malheur, Ochoco, and Wallowa-Whitman National Forests, "Conservation and Protection of Greater Sage Grouse and Its Habitat" (USFS File Code: 2670). The 2015 USFS R6 Sage Grouse Memo and its enclosures include a comprehensive list of desired conditions, guidelines, objectives and standards for sage-grouse that are relevant to the Blue Mountains Forest Plan revision. The Service recommends that these desired conditions, guidelines, objectives and standards for sage grouse in the memo are reviewed and carried forward into the Blue Mountains Forest Plan, with some updates based on best available information listed below.

The Service recommends the following updates to the guidance in the memo, including:

- (1) Aligning with ODFW's updated habitat objective as published in their recently updated Sage-grouse Conservation Assessment and Strategy:
"Habitat Objective 1: Manage a minimum of 70% of greater sage-grouse range for sagebrush habitat in ecostates A (good condition shrubland), B (good condition grassland) and A-C (intermediate condition shrubland) and prioritize the protection and growth of these areas." This objective relies on the widely accepted Threat-Based Ecstate approach for assessing habitat quality, which was not fully in use at the time the 2015 USFS R6 Sage Grouse Memo and associated enclosures were developed.
- (2) In Enclosure 1 of the 2015 USFS R6 Sage Grouse Memo, "Table 2. Grazing Guidelines" the Service recommend the USFS cross-reference Appendix 4 in the recently updated 2025 BLM ARMPA for consistency across BLM and USFS managed lands in sage-grouse habitat.
- (3) The USFS should be aware that priority and general habitat management areas for sage-grouse were updated in the 2025 BLM ARMPA.
- (4) The USFS should be aware that the state of Oregon has specific mitigation rules for sage-grouse. OAR 660-023-0115 and OAR 635-140-0025.

The Interim Strategies for Managing Anadromous Fish-Producing Watersheds in Eastern Oregon and Washington and Idaho, and portions of California (PACFISH) and the Inland Native Fish Strategy (INFISH) were developed to temporarily replace forest plan direction for Federally listed, proposed, and candidate species and designated critical habitat on the Forests. In 2018, the USFS, National Marine Fisheries Service, and the Service agreed to an updated Aquatic and Riparian Conservation Strategy (ARCS) with an associated Biological Opinion that Revised Forest Plans would include that replaced the PACFISH/INFISH and other strategies and associated consultations (USDA 2018, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd644753.pdf). The EIS should

provide detail on how the ARCS components in the Blue Mountains Plan is consistent with PACFISH/INFISH. Any Forest Plan revision within the ARCS area should at a minimum incorporate all of the components of the 2018 ARCS. The ARCS built on the strategies in PACFISH/INFISH and included an active watershed restoration component. All components of the ARCS were agreed to, and are necessary for the conservation of listed and sensitive aquatic species. The ARCS is a broad-scale strategy to maintain and restore the ecological health of watersheds and aquatic and riparian ecosystems on National Forest System (NFS) lands throughout the Pacific Northwest Region (Oregon and Washington) and portions of the Pacific Southwest Region (California). ARCS is a synthesis and refinement of three existing aquatic strategies. (USDA 2018, p. 5)

a. “ARCS will be implemented through its integration into Forest Plans via plan components and other plan content” (USDA 2018, p. 41)

b. “The goal of ARCS is to develop networks of properly functioning watersheds that support populations of fish, other aquatic and riparian-dependent organisms, and State-designated uses of water while enabling provision of multiple other goods and services such as outdoor recreation, timber, forage, and habitats for plants and wildlife. Like the existing strategies, it focuses on maintaining and restoring the dynamic ecological processes responsible for creating and sustaining habitats and providing high-quality water at landscape scales, as opposed to individual project or small watershed scales” (USDA 2018, p. 5)

c. ARCS Intended Use (USDA, 2018, p. 8): “ARCS is instruction from the Regional Foresters of the Pacific Northwest and Pacific Southwest Regions for revising Forest plans under the 2012 Planning Rule. Specifically, it outlines the minimum core set of Forest plan components and other plan content to guide watershed and aquatic and riparian resource management on NFS lands in Oregon, Washington and portions of northern California (Figure 1). All Forest Plan Revisions within the ARCS Area should be consistent with the Strategy. Components of ARCS do not become Forest Plan direction until a decision is made to adopt them via Forest Plan revision or amendment. As such, refinements to elements of ARCS can be made through the collaborative Forest Planning process, provided they are based on best available science, are aligned with ARCS goals, provide comparable outcomes and are informed by discussions with the Regional Directors of Resource Planning and Monitoring and Natural Resources. Forest should add specificity and local detail as needed to tailor management of watersheds and aquatic and riparian resources to local ecological, social and economic systems and conditions. It is anticipated that as each Forest works through its interdisciplinary team and collaborative public processes, they will add science-based, Forest-specific plan components and other plan content. To achieve consistency and success, ARCS will need to be strongly integrated into the broader set of Forest-specific revised plan direction. Some of that direction may not be directly associated with ARCS, but is still critical to achieving its goals and objectives.”

Both golden eagle (*Aquila chrysaetos*) and the bald eagle (*Haliaeetus leucocephalus*) have been documented within the Blue Mountain Forests. The Service recommends the EIS describes in detail how the project will be consistent with the Federal Bald and Golden Eagle Protection Act. Additionally, migratory birds covered under the Migratory Bird Treaty Act (MBTA) are documented to use the Blue Mountain Forests and the Service recommends the EIS documents how the plan will be consistent with the MBTA.

The EIS should provide information on how the activities conducted under the Blue Mountains Plan will be consistent with existing programmatic section 7 consultations such as the Forest Service's Pacific Northwest Region Whitebark Pine Consultation Programmatic Biological Opinion, the Programmatic Biological Opinion for Aquatic Restoration Activities in the States of Oregon, Washington and portions of California, Idaho and Nevada (ARBO II), the Blue Mountain Programmatic Informal Consultation (Blue Mountain PIC) for 2024-2034 Bull Trout, Spalding's Catchfly, and Macfarlane's Four O' Clock - Umatilla, Wallowa-Whitman, and Malheur National Forests and individual section 7 project consultations on the three Forests.

Many areas in the Blue Mountains National Forests support sensitive biological resources that are negatively affected by road construction, use and maintenance. These areas may experience increased sedimentation, loss of vegetation and altered hydrology. The Blue Mountains Plan includes desired conditions, objectives, standards and guidelines for existing roads. However, it has been stated during meetings with the Forest Service that the Blue Mountains Plan is not intended to serve as a transportation plan and a separate transportation plan will be needed. We are willing to work with the Forest Service on developing a transportation plan. We believe the new transportation plan should include provisions on reducing the number of roads in sensitive areas while maintaining public access. Additionally, the Service recommends the transportation plan should revisit the current road network layout and see where improvements in road layout can be completed to improve ecological conditions.

In closing, we would like to reiterate our appreciation for the opportunity to provide comments on the NOI for the Draft Proposed Malheur, Umatilla, and Wallowa-Whitman National Forest Land Management Plans revision project. If you have any questions or require further information regarding these comments, please contact [REDACTED]

Sincerely,

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Acting Field Supervisor