

PROJECT DESCRIPTION

UTAH NORTHERN GOSHAWK PROJECT

INTRODUCTION

The Forest Service, in accordance with 36 CFR 219.19, develops land and resource management plans that, in part, manage fish and wildlife habitat to maintain viable populations of existing native and desired non-native vertebrate species in the particular planning area. In compliance with their own laws and regulations, and in accordance with the Council on Environmental Quality (CEQ) regulations, the Forest Service proposes to develop and adopt interim direction to retain options for management of habitat for northern goshawk in the State of Utah until existing Utah forest plans are revised. Interim direction developed as part of this project may take the form of amendments to the Regional Guide and/or Forest Plans.

It is recognized that goshawks range throughout much of the western United States, however, this project will only address National Forest System lands for the six National Forests in Utah stated above. The scope of this project is limited to this area because the Conservation Strategy and Agreement, and the scientific assessment supporting the strategy (Graham et al. 1998, in press), only addressed goshawk habitat in the State of Utah.

Graham et al. 1998 (in press) state that "Utah was the largest geographic area used for assessing goshawk habitat. It would have been useful to look at a regional scale to set the Utah assessment in context to explore how the habitat in Utah is related to habitat in adjacent states. But, time, budget, and personnel constraints, did not permit the wider analysis. Only recommendations and inferences on the status of goshawk habitat within Utah were requested by the involved and cooperating agencies." Benefits of viewing habitat at larger scales were recognized. The biologists involved in the development of the assessment and strategy state "It is our belief that the use of the state scale (i.e., its aggregation of landscapes) to conduct a habitat based analysis for PVA" [population viability analysis] "will provide us with the information needed to understand the different ecological processes that influence the life histories of this far ranging, broadly distributed species."

PURPOSE AND NEED

Purpose: The purpose of this action is to provide needed interim direction for National Forest System lands in the State of Utah on the Ashley, Dixie, Fishlake, Manti-LaSal, Uinta, and Wasatch-Cache National Forests to address new scientific information found in the *Conservation Strategy and Agreement for the Management of Northern Goshawk in Utah (1998)*.

Interim direction will be designed to retain options for management of habitat for northern goshawks in Utah until Land and Resource Management Plans for the aforementioned National Forests are revised or suitably amended. Revised Land and Resource Management Plans for these forests are projected to be in place by the year 2002 or earlier.

Need: Changes in forest structure, especially large tree removal, and other forest management activities singly or in combination may negatively affect goshawk populations (Crocker-

Bedford 1990). These changes in habitat are associated with timber harvest, fire (wild or prescribed fire), insect and disease epidemics, and/or grazing. Perhaps one of the greatest influences on habitat is fire exclusion from forest and woodland ecosystems. Successful fire exclusion has altered native successional pathways, resulting in the ingrowth of shade-tolerant tree species throughout Utah. With these changes in habitat came suspected declines in goshawk populations in much of the western United States (Bloom and others 1986, Herron and others 1985, Kennedy 1989). [Graham et al. 1998, in press]

In July 1991, the USDI Fish and Wildlife Service announced a 90-day finding for a petition to list the northern goshawk in Utah, Colorado, New Mexico, and Arizona as endangered and to include critical habitat (USDI Fish and Wildlife Service 1997). In September of 1991, a coalition of conservation organizations requested to amend the petition already under consideration by the USDI Fish and Wildlife Service. The revised petition requested expansion of the geographic region to include the contiguous United States west of the 100th meridian and was accepted by the USDI Fish and Wildlife Service (1997). Since this petition's acceptance the USDI Fish and Wildlife Service determined that listing as endangered was not warranted. Through court action in 1992 and 1997, the USDI Fish and Wildlife Service was ordered to revisit their decision and emphasized the need to address goshawk habitat in the western United States. [Graham et al. 1998, in press]

On June 29, 1998, the USDI Fish and Wildlife Service released their notice of 12-month petition finding. The Service found "that while forest management (e.g., timber harvest and fire exclusion) has changed the vegetation characteristics throughout much of the western United States, the goshawk continues to be well-distributed throughout its historic range." [FR 98-17151, Vol. 63 Number 124, pages 35183-35184]

In 1992, the Reynolds et al. *Management Recommendations for the Northern Goshawk in the Southwestern United States* was published. This report provided a credible, management strategy to protect the northern goshawk in the southwestern United States, specifically Region 3 of the Forest Service (Southwestern Region). It summarized existing knowledge of the biology and ecology of the goshawk and provided information on habitat needs and recommended Forest management practices necessary to protect goshawk habitat as well as benefit many other wildlife species. Region 3 adopted these recommendations in their entirety and incorporated them as R-3 Goshawk Interim Directives through 1995. On June 5, 1996, Southwestern Regional Forester Charles W. Cartwright, Jr. signed a Record of Decision that, in part, provided a final Region-wide amendment to Forest Plans in Arizona and New Mexico for goshawk habitat management.

In 1991, the goshawk was designated as a sensitive species in the USDA Forest Service Intermountain Region (Region 4). As a result of this designation, special management was emphasized to ensure the goshawk's viability. In a October 13, 1992 letter to Forest Supervisors in Region 4, Intermountain Regional Forester Gray F. Reynolds directed Forests to " use the Reynolds et al. 1991 recommendations as important information to be considered along with other goshawk and ecosystem management information that may be available for their specific habitat types." Because habitat types in Region 4 may differ from those found in the Southwestern Region, the Regional Forester stated that in "Using this approach, we anticipate

specific goshawk management practices will differ depending upon the habitat types encountered." Use of the Reynolds et al. 1991 recommendations, as appropriate, in the Intermountain Region continues to this day.

In March 1997, the Utah Division of Wildlife Resources classified the goshawk as a sensitive species. This designation identifies species in the State that are most vulnerable to population declines or habitat loss and to stimulate management actions for the conservation of this species. To address the issue of declining goshawk habitat in Utah, a Northern Goshawk Inter-agency Technical Team was created. This team was charged with completing an assessment for the State of Utah that addressed the following questions:

- 1) Is there adequate nesting habitat available?
- 2) Is there adequate foraging habitat available?
- 3) Are northern goshawks able to move freely between habitat patches?
- 4) Is the population viable at the State level?
- 5) Where is the high valued habitat?
- 6) How are current management policies affecting goshawks?
- 7) What are the important habitat trends and their implications for goshawks?

The assessment and findings are documented in the Graham et al. 1998 publication (in press) "Habitat Assessment and Management Recommendations for the Northern Goshawk in Utah". This assessment and recommendations "provide a detailed description of current habitat conditions and capabilities and found them adequate to support nesting goshawks at the current time and at the scale analyzed. However, it was not able to predict future habitat conditions because of the great latitude in management allowed by current land management plans/policies on state and federal lands. Current management plans/policies are flexible enough to both permit activities that address habitat needs for the goshawk as well as allow those that do not." [Conservation Strategy for the Management of Northern Goshawk Habitat in Utah, 1998]

In June 1998, a team of Forest Service biologists, supported by state and BLM biologists, began the preparation of a Habitat Conservation Strategy (HCS) for the northern goshawk. This strategy, completed in September 1998, suggests additional site specific measures that, if implemented, will ensure that habitat for the goshawk is managed consistently across federal and state lands in Utah. By implementing actions prescribed in the HCS "agencies will contribute to sustaining short and long term habitat for goshawks which is important to their overall viability across the state. ... Consistency in management of habitat is key to providing a reasonable probability of goshawk persistence." [HCS, 1998]

The Graham et al. assessment found that 84 percent of the medium and high valued nesting habitat, and 81 percent of the optimum and high valued habitat for the northern goshawk in Utah are found on National Forest System lands. Due to the important role National Forest System lands will play in restoring and maintaining habitat for the northern goshawk in Utah, the Forest Service elected to take immediate action to determine how to incorporate principles prescribed in the HCS into management actions proposed in the future.

In October 1998, Forests in the Intermountain Region reviewed measures suggested in the HCS to determine if they represented significant new information or changed condition bearing on current Regional Guide and/or Land and Resource Management Plan direction or the effects identified in the Final Environmental Impact Statement supporting these documents. The findings of these reviews indicated that current direction should be amended to implement actions prescribed in the HCS for the northern goshawk; amendments will be prospective only.

PROCESS

Supplemental Information Reports (SIR's) will be completed for each of the six National Forests previously stated to determine if the *Conservation Strategy and Agreement for the Management of Northern Goshawk Habitat in Utah* represents significant new information or changed conditions bearing on their current Land and Resource Management Plan (LRMP) direction or the effects identified in the Final Environmental Impact Statement (FEIS) for the LRMP.

The development of the proposed action for amending the Regional Guide and/or forest plans will be based on information found in these SIR's.

COMMUNICATION STRATEGY

We expect the ID Team to develop a comprehensive public involvement strategy for this action. The team should design public involvement activities that strive for informed consent among our interested and affected publics. Design the plan so that it informs all interested parties early in the process and provides constant updates. The plan should focus on interested parties in the State of Utah, as well as those interested in Forest Service planning activities in Utah.

A concern of some county and local representatives is that federal agencies do not involve them early enough in the planning process. Your involvement strategy should ensure that they have an early opportunity to provide input to our proposal.

The proposed amendments must be specific. The scoping letter will clearly and concisely communicate what goals, objectives, management direction, standards and guidelines, and monitoring plan items will be revised, added or deleted within the Regional Guide and/or each forest plan.

The public involvement strategy should identify opportunities for the public to become involved in the development of alternatives to the proposed action; this should be outlined in the scoping letter. You should pay particular attention to the public identification of issues, and how these issues are used to develop alternative proposals.

We must make a special effort during this amendment process to coordinate with our Federal and State agency partners (e.g., FWS, BLM, BIA, UDWR), and the affected Indian Tribes, so that future goals, objectives, management direction and standards and guides reflect

coordination needs. Our amendment must be structured so that we can implement activities consistent with management needs across agency boundaries. If the RF Team can undertake work with agency managers to ensure coordination occurs, please let us know.

We expect this amendment to generate a moderate amount of public interest and debate. Therefore, it will be important for the public to receive accurate and reliable information regarding our intentions and expected effects on forest resources and users. When warranted use public meetings in major population centers (e.g. Salt Lake City), as well as local communities, to resolve issues.

The public involvement process for this amendment should include an opportunity for people to gain information and reply via the Internet. The opportunity to do this should be linked to the Intermountain Region and/or Uinta National Forest home pages. The record for this decision should be developed electronically, and the decision and analysis shared over the Internet to defray costs.

Also, an internal communication strategy should be developed to ensure the Washington Office, Regional Office, Forests and Districts are informed of what the ID Team is doing and to identify critical stages of the project needing line officer and staff concurrence.

CORE AND SUPPORT INTERDISCIPLINARY MEMBERS

Team Leader

Pete Karp - Forest Supervisor, Uinta National Forest

Washington Office Contact

- Ecosystem Management Coordination:
- Wildlife, Fish and Rare Plants:
- Forest Management:

Regional Contact

Larry Larson - Regional Director, Planning, Appeals and Litigation

Core Team:

Randall Hayman - NFMA/NEPA Process Manager
Ron Rodriguez - Biologist
Doug Page - Silviculture/Ecology
Loyal Clark - Public Affairs
Kathie Hauser - Records Manager, FOIA, Writer-Editor

Support Team

Randy Hickenbottom - Regional TES Coordinator
Bob Davis - Regional Planning Coordinator
Craig Morris - Regional Analyst
Clint Williams - Timber Planning Analyst
Joe Stringer - Legal Advisor, OGC
David Hatfield - Forest Planner, Manti-LaSal NF

Support Team, continued

Laura Jo West - Forest Planner, Ashley NF

Reese Pope - Forest Planner, Uinta NF

Tom Scott - Planner/Social Scientist, Wasatch-Cache NF

Research Support

Russ Graham, Rocky Mountain Research Station

ANALYSIS AND DECISION FORMAT

The analysis should assume that all forests will adopt interim amendments that are consistent, (i.e., same goals and objectives, management direction, and standards and guidelines). Variations among Forests should be made only to accommodate unique situations. If objectives are part of the interim amendments (tasks to complete by the end of this planning period) it may be necessary to tailor them to each Forest, depending on resource needs, anticipated funding, and workforce.

If any monitoring plan items are generated as part of this amendment process for the goshawk and its habitat, items will clearly indicate the measurable criteria that will be used to determine if objectives, management direction, standards and guidelines are met. The monitoring plan will also state what will be done if something is not met.

A single environmental assessment (EA) will document this effort.

All Regional Guide and/or forest plan amendments will be completed through a single decision document (DN/FONSI), signed by the Intermountain Regional Forester.

NEPA ANALYSIS TIMELINE

The NEPA analysis and documentation should begin immediately. You are authorized to begin IDT meetings to complete this process. Our goal is to have a completed NEPA document (EA) by the beginning of February 1999 and a signed decision by the end of April 1999. Be prepared to meet the following dates:

Timeline

1. Conservation Strategy for the Northern Goshawk completed; signed by biologists.	September 30, 1998
2. Team Intros/Information needs assessment	October 22 and 23, 1998
3. Conservation Agreement signed by all parties	October 26, 1998
4. Charter and Initiation Memo signed	October 28, 1998
5. Forest Plan SIRs signed	November 10, 1998
6. Development of Proposed action (interim direction for Regional Guide and/or Forest Plans). Completion of a detailed internal and public involvement strategy.	November 2-12, 1998
7. Regional Forester, Staff Directors and Forest Supervisor briefing and concurrence on PA and Public involvement strategy. Internal strategy reviewed and agreed upon, including WO involvement.	November 19 and/or 20, 1998
8. Scoping letter and FR notice mailed.	November 21, 1998
9. Notice published in papers of record/FR	November 27, 1998
10. Alternatives drafted, analysis work	December 1-12, 1998
11. Finalize alternatives, environmental consequences, and alternative recommended for review	January 4-22, 1999
12. Preferred Alternative and Draft FONSI agreement	February 3, 1999
13. WO Informed	February 8-10, 1999
14. EA and Draft FONSI to printer	February 12, 1999
15. Complete and indexed Administrative Record	February 12, 1999
16. Decision and EA back from printer	February 18, 1999
17. EA and Draft FONSI Issued/mailed	February 22, 1999
18. Notice filed in papers of record and FR	February 26, 1999
19. End of EA comment period	March 29, 1999
20. Review of comments and adjustments to EA completed.	April 5-12, 1999
21. RO and FS Review of DN/FONSI	April 14, 1999
22. DN/FONSI mailed	April 19, 1999
23. Notice filed in papers of record and FR	April 23, 1999
24. Appeal period ends	June 7, 1999

**Predecisional Comment Period:* Release of an EA for 30 day comment period prior to final decision is not required under 36 CFR 217 rules, however, modification of this requirement may be recommended depending on the number of issues and concerns generated during the development period of the EA. The timeline above is built on the assumption that the EA *will* be released for a 30-day comment period. If it is elected *not* to release the EA for a 30-day comment period, then the DN/FONSI could be released in late February or early March.

***Appeals* Appeals timeline for the Forest Service is covered under 36 CFR 217 rules.

Please keep the RF Team advised of any delays. A document that is not only concise and focused, but also will meet legal challenges to compliance with policy and process is a must. Please keep the amendment process, documentation, and disclosure as simple as possible to meet the desired end.

AMENDMENT PLANNING RECORD

A complete planning record as part of the NEPA process for this amendment is required. This record will serve as a foundation for the decisions to be made. Please review the latest Regional direction regarding the compilation of a planning record.

All records relating to the analysis should be formally documented within an indexed file. As much of the record as possible should be stored electronically. The record must be kept up-to-date with the progress of the planning team. All data, reports, public input, public contacts, ID team meeting notes, maps, photos and reports must be included in the amendment record. All meeting notes and public contacts must be signed and dated.

The Process Manager should work closely with the Records Manager to verify contents and completion of the planning record before decisions are made. This will ensure that we can meet potential FOIA requests involving the amendment record, as well as assemble any appeal and/or litigation files, if necessary.

LITERATURE CITED:

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- Graham, R.T.; Rodriguez, R.L.; Paulin, K.M.; Player, R.L.; Heap, A.; Williams, R. 1998. Habitat Assessment and Management Recommendations for the Northern Goshawk in Utah. Gen. Tech. Rep. GTR-RM-00 (in press).
- Herron, G.B.; Mortimore, C.A.; Rawlings, M.S. 1985. Nevada raptors, their biology and management. Biology Bulletin No. 8. Reno, NV: Nevada Department of Wildlife. 114 p.
- Kennedy, P.L. 1989. The nesting ecology of cooper's hawks and northern goshawks in the Jemez Mountains, NM: A summary of results, 1984-1988. Unpublished Final Report, P.O. No. 43-8379-8-346. Santa Fe, NM: U.S. Department of Agriculture, Forest Service, Santa Fe National Forest. 21 p.
- Reynolds, R.T.; Graham, R.T.; Reiser, M.H.; Basset, R.L.; Kennedy, P.L.; Boyce, D.A., Jr.; Goodwin, G.; Smith, R.; Fisher, E.L. 1992. Management recommendations for the northern goshawk in the southwestern United States. Gen. Tech. Rep. GTR-RM-217. Fort Collins, CO: U.S. Department of Agriculture, Rocky Mountain Forest and Range Experiment Station. 90 p.
- U.S. Department of Interior, Fish and Wildlife Service, Federal Register. 1997. Endangered and threatened wildlife and plants; 90-day finding for a petition to list the northern goshawk in the contiguous United States west of the 100th meridian. Vol. 62, No. 188: 50892-50896.
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