

July 29, 2009

Ms. Robyn Thorson, Regional Administrator  
US Fish and Wildlife Service  
911 NE 11<sup>th</sup> Avenue  
Portland, OR 97232-4181

Mr. Barry Thom, Acting Regional Administrator  
National Marine Fisheries Service  
7600 Sand Point Way NE  
Seattle, WA 98115-6349

Mr. Edward Shepard, State Director  
US Bureau of Land Management  
333 S.W. 1<sup>st</sup> Avenue  
Portland, OR 97204-3440

Ms. Mary Wagner, Regional Forester  
USDA Forest Service  
PO Box 3623  
Portland, OR 97208-3623

Dear Regional Executive Team Members:

This letter is to request your assistance as per the Streamlining Consultation Procedures<sup>1</sup> under Section 7 of the Endangered Species Act. Please find enclosed an elevation package from the Blue Mountains Consultation Streamlining Level 2 Team related to Malheur National Forest (MNF) and NOAA's National Marine Fisheries Service (NMFS) ongoing consultation for the MNF administration of seven livestock grazing allotments. The Level 2 Team requests your collective guidance to resolve the issue presented herein:

Is the use of bank alteration (as measured by MIMs<sup>2</sup> protocols) as an extent of incidental take indicator for the proposed grazing action appropriate, and/or can you offer recommendations for the use of other quantified indicators for the extent of incidental take?

The Level 2 Team has developed a detailed timeline that will allow completion of consultation prior to cattle turnout in 2010. This timeline requires our receipt of your advice regarding the elevated issue by no later than September 25, 2009. Thank you for your consideration of this request.

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<sup>1</sup> FS, NMFS, BLM, and USFWS. 1999. Streamlining Consultation Procedures under Section 7 of the ESA. Elevation of Issues. <http://www.blm.gov/or/esa/procedure.htm>. July.

<sup>2</sup> Burton, T.A., E.R. Cowley, and S.J. Smith. 2008. Monitoring stream channels and riparian vegetation—Multiple Indicators. Version 5. Boise, ID. Idaho State Office of Bureau of Land Management and Intermountain Region, U.S. Forest Service. [http://rmsmim.com/Portals/2/MIM%20Version%205\\_Fieldbook%204\\_28\\_08.pdf](http://rmsmim.com/Portals/2/MIM%20Version%205_Fieldbook%204_28_08.pdf)

Sincerely,

Doug Gochnour, Supervisor  
Malheur National Forest

Spencer Hovekamp, Chief  
Eastern Oregon Branch (NMFS)

Gary Miller, Supervisor  
La Grande Field Office (USFWS)

Kevin Martin, Supervisor  
Umatilla National Forest

Steve Ellis, Supervisor  
Wallowa-Witman National Forest

Dave Henderson, Manager  
Vale District (BLM)

Debbie Henderson-Norton, Manager  
Prineville District (BLM)

Attachments:

1. 5c Form
2. NMFS' Elevation Position Statement
3. MNF Elevation Position Statement