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MEMORANDUM FOR: USDA Forest Service, Regional Foresters, Regions 1, 4, and 6,  
Columbia River Basin

USDI Bureau of Land Management State Directors, Idaho,  
Montana, Oregon, and Washington

USDI Fish and Wildlife Service, Regional Director, Region 1

USDOC National Marine Fisheries Service, Regional  
Administrator, Northwest Region

FROM: Interagency Implementation Team

SUBJECT: **Third Semi-Annual Evaluation** of Accomplishment of  
Requirements in the September 16, 1997, Biological Assessment,  
and June 22, 1998, Biological Opinion on Continued  
Implementation of Land and Resource Management Plans in the  
Upper Columbia and Snake River Basins

This memorandum provides a status report from the Interagency Implementation Team (IIT) on the outstanding issues and accomplishment of requirements in the United States Forest Service (USFS)/ Bureau of Land Management (BLM) September 16, 1997, biological assessment (BA) and National Marine Fisheries Service's (NMFS) June 22, 1998, biological opinion (Opinion). Through the BA and Opinion, NMFS coordinated with USFS and BLM to develop five mechanisms that strengthen and focus species and habitat protection and restoration efforts during the extended application of Pacfish and Infish (interim strategies) pending completion of the Interior Columbia Basin Ecosystem Management Project (ICBEMP).

The IIT believes that it has developed a solid, productive interagency forum, approach, and balance to implement the BA and Opinion. Elements of implementation have proved difficult and have caused some delays; however, the IIT finds that over the past year a large portion of the requirements have been accomplished, and substantial progress has been made toward completing other delayed requirements. The IIT plans to continue to track the specific actions identified during the first and second reporting periods, continue to move forward with positive solutions to complete these actions and meet each requirement of the BA and Opinion, and

continue to build solid working relationships between the agencies which will be critical for both interim and long-term approaches to recovery of listed species.

The IIT used information primarily from its monthly meetings and documents transmitted from management units and task teams to the IIT to evaluate implementation of the BA and Opinion. The IIT is pleased to report that the participation from both regulatory and management agencies in the implementation of the BA and Opinion has been a priority and is generally being implemented as intended. The IIT is committed to carrying out your direction in the December 11, 1998, charter, and thus has identified specific recommended actions to strengthen implementation of the BA and Opinion. The recommended actions and additional items are summarized below in three sections:

- 1) recommendations in response to IIT findings identified during the third evaluation period;
- 2) follow-up on the IIT's recommended actions from the first (May 13, 1999) and second (October 14, 1999) evaluation periods; and
- 3) summary of implementation to date regarding the nine BA recommendations and the five mechanisms in the Opinion.

#### **I. Additional Recommended Actions IIT Identifies in this Third Evaluation Period**

- 1) The IIT recommends the Restoration Task Team continue to seek consistency/understanding between IIT restoration protocol and restoration efforts of other entities (states, tribes, other federal agencies, model watershed groups, etc.).
- 2) The IIT identified the need for the Unroaded Task Team to continue to coordinate with ICBEMP and the USFS National Roadless Team to avoid overlap and duplication of efforts and increase understanding.
- 3) The IIT recommends the Monitoring Task Team coordinate the development of the Implementation Monitoring Modules with the ICBEMP staff.
- 4) The IIT is disbanding the roads database task team. This action acknowledges the completion of work done by the Road Database Team and the Priority Watershed Team that meets the obligations in the BA and Opinion. Some task team members have been selected to participate in development of the road-monitoring module and assist the interagency Level 4 team with programmatic road guidance.
- 5) The IIT recommends accelerating progress on Mechanism #5, subbasin assessments. Initial team members were identified, with final team composition determined in the April IIT meeting.
- 6) The IIT recommends an increased emphasis be placed on completion of the task team assignment to evaluate efficiencies that can be gained by bundling/batching of projects.

## II. Status of Outstanding Recommended Actions from IIT's First and Second Evaluation

During previous evaluation periods the IIT found that most of the Opinion's mechanisms and subelements were underway and several had already been accomplished, though not always on schedule. The following elements are specific actions, which the IIT recommended to improve implementation of requirements in the BA and Opinion, and the status of these actions through the end of the third evaluation period and up to the date of this memorandum.

First Evaluation Period (May 13, 1999)

Issue #1. Insufficient intra-agency understanding of Opinion requirements and their implementation.

*Action* - The IIT recommended: (a) briefing the executives on the requirements of the Opinion and accomplishments to date; and, (b) increasing management units' understanding of the Opinion's requirements by conducting a one-day workshop to inform and gather ideas from management units.

*Status* - Item a) has been accomplished with annual briefings (February 8, 1999, and February 17, 2000) to the Regional Executives. Item b) was partially accomplished with a series of workshops during Spring 1999 and 2000 regarding the IIT monitoring task team's grazing implementation monitoring module; however, the majority of the requirements in the BA and Opinion have not been presented in a workshop format. To better communicate with the field, a chronology of direction/accomplishments related to implementation of the Opinion has been made available on a WEB site ([www.fs.fed.us/r6/fish](http://www.fs.fed.us/r6/fish)). Based on these actions, the IIT concludes the issue has not been fully addressed.

Issue #2. Need for feedback on and improvement of management units' batching/bundling of projects.

*Action* - The IIT recommended that the IIT summarize management units' input and provide overall guidance to the units on effective procedures for batching/bundling.

*Status* - The IIT has identified a team to evaluate how well batching and bundling was accomplished and make recommendations to help guide future batching/bundling efforts. In some locations, Level 1 teams have accomplished this task and can provide constructive feedback to the team. **Currently, this team has been not been active due to a lack of agency commitment and team leadership.**

Issue #3. Lack of recent review of how well management agencies are exercising existing authorities, particularly with respect to actions involving mining, ANILCA, and the Ditch Act.

*Action* - The IIT recommended that it: (a) oversee the compilation of a list of these authorities; (b) provide direction to management units to clarify existing authorities; and

(c) periodically evaluate if management units' use of their authorities meets the requirement in the Opinion.

*Status* - The IIT has assigned a task team to refine an initial list of questions to clarify existing authorities. The IIT will then request answers to these questions from experts among the involved agencies. The questions and answers will be summarized in a memorandum from the IIT. The status of this task was discussed at the February 2000 IIT meeting, with consideration of options to address this topic. Options included:

- 1) deferral of this task to the Interagency Level 4 team; and/or
- 2) convening a new task team.

No decision was made; therefore, the IIT will need to give this item added attention.

Issue #4. Lack of information on implementation of BA recommendations.

*Action* - The IIT recommended that it request BA implementation information from the management units and their level 1 teams.

*Status* - The June 26, 1999, July 13, 1999, and December 22, 1999 (BLM only), implementation reports from the management units provide this information. The implementation of BA recommendations were generally reported as either completed or in progress, with some specific notes from each unit clarifying the meaning of the "in progress" rating. Following feedback from field units, the report framework is being modified to reflect percent completion, projected completion dates, and provide additional space for comments. This information will be requested of the field, gathered by State/Regional Office, reported to the State Director/Regional Forester, and presented to the IIT, who will then use this information in developing future field reviews.

Second Evaluation Period (October 14, 1999)

Issue #1. Begin addressing long-term elements of mechanism #5 (subbasin assessments).

*Action* - The long-term elements described in the Opinion (Mechanism #5) will be needed because ICBEMP will not be in effect for the 2000 field season.

*Status* - The IIT has convened a small group to evaluate the expectations associated with Mechanism #5. This has been completed and reported to the IIT. The IIT has also designated a new task team to evaluate agreed upon methodologies for conducting subbasin assessments, with your approval.

Issue #2. Inclusion of Recommendation #1 into management unit surveys. Recommendation #1 involves the continued application of NMFS 1995 LRMP Opinion and all subsequent related direction, and extending application to the Clearwater and upper Columbia River basins.

*Action* - The IIT recommends revising the management unit surveys so the second semi-annual survey includes BA recommendation 1 and provides clearer information on the level of units' accomplishments.

*Status* – Management unit surveys have been revised to incorporate BA recommendation #1. To date (for this third evaluation period), reports have only been received from OR/WA and ID/MT BLM units. Where applicable, the implementation of BA recommendation #1 was generally reported as “in progress”.

Issue #3. Completion of restoration funding/program of work review.

*Action* – The IIT recommends additional emphasis be given to the restoration task team to prioritize completion of the Interim Restoration Strategy.

*Status* - The restoration task team has completed a final draft of the strategy (dated November 10, 1999). The task team has evaluated the FY 2000 funding/program of work to ensure consistency in the application of the strategy. It is anticipated to have a rollout letter and the strategy presented to the IIT in April, 2000.

### **III. Accomplishment of the BA Recommendations and Mechanisms in the Opinion**

The nine recommendations in the BA have been in effect since September 16, 1997, when the BA was issued. Some of the recommendations (recommendations 5 and 7) have been further developed and incorporated as one of the five mechanisms, the implementation of which was discussed above. The other recommendations involve elements of section 7 consultation, and are implemented primarily through the consultation streamlining process. As noted in attachment 3, the June 26, 1999, and July 13, 1999, management unit survey results showed that the recommendations have been or are being implemented by all units where the recommendations apply.

Attachment 1 provides a table summarizing the IIT’s findings on the accomplishment of the five mechanisms and their subelements. This table includes a brief description of each mechanism and subelement, the regulatory reporting and interagency checkpoint dates, and a brief description of implementation status. Attachment 2 includes text that provides additional description of the status of these mechanisms and subelements.

/s/Gordon Haugen  
GORDON HAUGEN  
Interagency Implementation Team Coordinator

attachments

Attachment 1

**1998 LRMP Opinion Mechanisms for Extended Implementation of PACFISH**

<b>Regulatory Reporting Date</b>			
	<b>Mechanism (#s correspond to Opinion Appendix 2)</b>	<b>Inter-agency Check-point</b>	<b>Task Accomplished?</b>
<b>November 1998</b> <b>Deliverable Received:</b> <b>IIT meeting notes provided a partial description of accomplishments re: this mechanism. This memorandum completes the description.</b>			
	1a. Develop mechanism for accountability and implementation of plan-level direction.	October 20, 1998	Yes. IIT and task teams established (chartered December 11, 1998)
	1b. Establish priority watersheds for steelhead.	August 21, 1998	Yes. Priority watersheds submitted to NMFS January 15, 1999.
	1c. Review fiscal year work program for attainment of fish conservation measures; identify shortfalls; given shortfalls, mutually develop strategy to implement aquatic conservation measures.	By March 1 each year	In progress: draft guidance developed in August 6, 1999 meeting
	1d. Implement monitoring commensurate with on-the ground activities and provide feedback to NMFS on the effects of the activities.		In progress. Monitoring task team has completed grazing strategy, drafting monitoring protocols re: other activities
	1d.1. Review NMFS' 1995 LRMP Opinion expectations when updating the PACFISH monitoring strategy.		Yes. Monitoring task team is referring to this in developing strategy
	1d.2. Activate the PACFISH monitoring subgroup to develop monitoring strategy commensurate with activity, funding, and staffing levels.	October 20, 1998	Yes. Monitoring task team established
	1d.3. Improve implementation of PACFISH by, for example, expanding regional, state, line officer involvement in oversight and review.		In progress. This is a goal of the IIT
<b>January 15, 1999</b> <b>Deliverable Received:</b> <b>This document provides the report to NMFS on this mechanism</b>			
	2a.1. Improve and monitor grazing strategies to meet PACFISH standard GM-1. An interagency group will develop stratified monitoring plans and link these to adaptive management of grazing to ensure compliance with PACFISH.	Prior to 1999 Grazing Season	In progress. The implementation monitoring plan is complete. Effectiveness portion being developed; validation portion not yet done.

<b>Regulatory Reporting Date</b>			
	<b>Mechanism (#s correspond to Opinion Appendix 2)</b>	<b>Inter-agency Check-point</b>	<b>Task Accomplished?</b>
	2a.2. Monitoring plans in 2a.1. will be fully implemented beginning in 1999. The interagency team may approve alternative monitoring approach. Without approved monitoring, only grazing allowed is that which level 1 team deems "not likely to adversely affect."	1999 Grazing Season	In progress. Implementation monitoring module in place; effectiveness being developed
	2b.1. Provide NMFS with road inventories on the management units using existing information and road definitions. Provide missing information within two years.	October 20, 1998/ June 22, 2000	Accomplished. Roads team provided IIT and Restoration Team with maps of roads and road densities April 29, 1999.
	2b.2. Collaborate with NMFS in developing multi-year road restoration strategies for priority watersheds		In progress (see element 5b)
	2b.3. Annually update road inventories	October 20 each year	Yes. USFS has completed road evaluation, BLM currently converting information to GIS layers. Roads team delivered road density information and maps April 29, 1999.
	2c. Conduct biannual programmatic reviews and/or project bundling by watershed or subbasin. Provide updated environmental baseline using best available information; group, analyze, and submit the ensuing two years' projects in these biannual reviews.	January 15, 1999 and each subsequent year	In progress. Some units provided this, others still compiling. Units are including many but not all 99/00 actions

<b>Regulatory Reporting Date</b>			
	<b>Mechanism (#s correspond to Opinion Appendix 2)</b>	<b>Inter-agency Check-point</b>	<b>Task Accomplished?</b>
<b>September 1, 1999 Deliverable Received:</b>			
	3. Convene team of agencies technical experts and research scientists to guide an assessment of unroaded and low density roaded areas in relation to conservation of listed salmon and steelhead. Assessment will include items below.		In progress. Team convened, beginning tasks.
	3a. Provide descriptions, locations, and maps of unroaded and low density roaded areas, and existing information on the relative habitat value of the areas for anadromous fish.	October 1, 1998	In progress. Team is developing GIS map with these elements for field unit validation.
	3b. Summarize existing management direction in these areas.	October 1, 1998	In progress. Part of team's coarse evaluation, to be verified by the field.
	3c. Technical/research team reviews this information and makes recommendations to senior managers regarding at a minimum: need for additional habitat protection; risks to listed fish from developmental activities; priorities for subbasin assessments and watershed analyses; connectivity between areas; and restoration priorities. Proposed roading of these areas not submitted for consultation until this mechanism is completed.	March 1, 1999	In progress. Team would evaluate refined information and recommendations from units and would provide its recommendations to senior managers.
	3d. Provide a mutually agreed on strategy to accomplish any additional habitat protections recommended by the technical/research team.	September 1, 1999	In progress. Team will assess mapping results with other data layers to develop recommendations.
	4. Exercise existing authorities per ESA section 7(a)(1) to protect critical habitat from activities associated with laws that may conflict w/ ESA (e.g. ANILCA, Ditch Act, mining laws, etc.)	Effective June 22, 1998	In progress. IIT subgroup compiled authorities needing clarification and will seek clarification from involved agencies. Discussion of deferral of this task to Level 4 team or assignment to new task team, no action taken. IIT will need to give this item added attention.

<b>Regulatory Reporting Date</b>			
	<b>Mechanism (#s correspond to Opinion Appendix 2)</b>	<b>Inter-agency Check-point</b>	<b>Task Accomplished?</b>
<b>Annually, Beginning May 1999 Deliverable Received:</b>			
	5a. Adhere to special management considerations for South Fork Salmon, Middle Fork Salmon, and Selway River subbasins (refer to enclosure 2, action item 4) via consultation streamlining and accountability mechanism 1a., above.	Effective June 22, 1998	Yes. Relevant units report this is being done.
	5b. Develop multi-year strategies to accelerate restoration of habitat for listed anadromous fish in the Snake and upper Columbia River basin priority watersheds. Include specific projects, incorporating restoration opportunities from mechanisms 2 and 3, above. Strategy provides basis for implementation of restoration in 1999 and subsequent years.	March 1, 1999	Yes. Top ten list provided for FY 1999 and FY 2000. Restoration team has finalized its strategy, and will begin implementing via budget planning for FY 2000.
	5c. Provide schedule for completion of at least one watershed analysis per management unit per year beginning in 1999. When available, subbasin assessments (mechanism 5d.3. ) should be used to prioritize watersheds for analysis.	September 20, 1998	Yes. List sent to NMFS February 15, 1999
	5d. In the event that ICBEMP may not be implemented by the 2000 field season, begin providing and implementing components of a long term strategy listed below.		IIT subgroup convened.
	5d.1. Initiate basin reviews for the Snake and upper Columbia River basins. Review will include: delineation of migration corridors, metapopulations, and subpopulations of listed salmon and steelhead; subbasin priorities for further review based on value for, and level of risk to the listed fish; and determination if other subbasins warrant the special management considerations described in proposed action item 4 (refer to enclosure 2). Develop strategy to provide any protection deemed necessary for additional subbasins within 6 months following basin review.	December 15, 1999	In progress. Team convened to refine alternative subbasin assessment protocols. Application of Restoration Strategy and other task team products will partially address these issues.
	5d.2. Complete one subbasin assessment per management unit per year. Priorities for assessment provided by basin review. Mutually agree on protocols and products for these assessments.	May 1, 2000, and each year thereafter	In progress. Some subbasin assessments conducted as pilot projects for ICBEMP process development.
	5d.3. Develop action plans at watershed scale based on goals and objectives identified in subbasin assessments. This should be coordinated with the restoration strategies in 5c., above.		In progress. Absent completed subbasin assessments, application of Restoration Strategy will focus efforts and funding in priority areas for aquatics.

## **Attachment 2: Accomplishment of Five Mechanisms**

*Mechanism 1* - The Opinion requires that the management agencies develop a mechanism for accountability and oversight that ensures PACFISH direction, direction in the LRMP Opinions, and BA recommendations are fully implemented through a mechanism other than level 1 teams. The Opinion requires reporting accomplishment of this mechanism to NMFS by November 1999.

As noted in enclosure 1, almost all subelements of this mechanism have been accomplished. Two subelements are still in progress: the review of the fiscal year program of work for attainment of fish conservation measures, and program for monitoring commensurate with on-the-ground activities. The program of work review is being addressed in concert with funding the restoration strategy. This program of work interagency review did not occur as planned for 1999; however, it has occurred as part of an effective restoration program in 2000. The IIT has reviewed, and approved, a draft strategy regarding restoration funding and program of work review so that it can be effective for FY 2000. Regarding the monitoring subelement which is still underway, the monitoring task team has developed the Grazing Implementation Monitoring Module and is in the process of drafting an aquatic monitoring package which will provide effectiveness monitoring for grazing and other activities.

*Mechanism 2* - The Opinion requires that the management agencies complete prior commitments in PACFISH, LRMPs, and previous Opinions. The primary commitments identified are implementation of PACFISH grazing standard GM-1 and range monitoring, road evaluation and planning requirements in line with PACFISH standards RF-2 and RF-3, and batching/bundling of projects by watersheds instead of submitting project by project consultations. The Opinion requires reporting accomplishment of this mechanism to NMFS by January 15, 1999.

The subelements of this mechanism were underway at the end of the first reporting period (ending December 22, 1998), with further progress made during the second reporting period. The grazing implementation monitoring module was completed April 7, 1999, and was put in place with several workshops overseen by the IIT. As noted above, the monitoring task team is now completing other aspects of the monitoring program. Also, the roads task team completed its task with an April 29, 1999, report and roads database of existing electronic information. The batching/bundling of projects by watershed has continued to occur and has been completed on most units. Most units completed bundling for a one-year period, so the watershed BAs

will need to be updated and new consultations completed for most actions proposed for 2000 and beyond.

*Mechanism 3* - The Opinion requires that the management agencies implement conservation actions based on mapping and analysis of unroaded areas and areas of species occurrence. The Opinion also requires submission of an implementation report for this mechanism to NMFS by September 1, 1999.

The unroaded areas task team has met consistently since the last reporting period and is developing an approach to accomplish this task. The approach entails a GIS based analysis by the team and GIS staff following a protocol developed the Nez Perce National Forest. The products of this analysis will be: 1) descriptions, maps, and a data layer of unroaded areas; 2) descriptions, maps, and a data layer of current management direction in these areas; and 3) descriptions, maps, and a data layer based on a coarse assessment of the value of these areas for listed fish species. These products will be passed to the field units for refinement and recommendations where field units feel additional protections are warranted. The team will in turn analyze the information provided by the field and forward technical recommendations to senior managers regarding additional protection, if needed, for these areas.

*Mechanism 4* - The Opinion requires that the management agencies exercise existing authorities on land management programs with a pattern of adverse effects (e.g., mining, water conveyances, and some non-Federal activities enabled by Federal road access permits) in accordance with ESA section 7(a)(1). This mechanism will be tracked at the project level and does not require plan-level reporting under the Opinion.

An IIT subgroup has begun this process by providing a list of the questions that should be answered to clarify existing authorities. A larger task team has been convened to further refine this list. The IIT subgroup will then request answers to these questions from experts among the action agencies. The questions and answers will be summarized in a memorandum from the IIT. The IIT, recognizing the implications of the task team product to extend beyond the geographic bounds of IIT responsibilities, discussed deferring the task to the Interagency Streamlining Level 4 team. This transfer has not taken place; therefore, the IIT has identified the need to retain responsibility for completion of this task. The IIT further recommends elevating the importance of the assignment, assigning deadlines and leadership responsibilities.

*Mechanism 5* - The Opinion requires that the management agencies implement long-term strategies to accomplish BA recommendations 4, 5, and 7. The Opinion also requires that if ICBEMP is not in place for the 2000 field season, the agencies must begin implementing key components of a long-term aquatic conservation strategy. Annual implementation reports are required for this mechanism beginning in May 1999.

As noted in enclosure 1, subelements of this mechanism which were due during the first and second reporting periods (adhering to special management considerations, developing the restoration strategy, and providing a schedule for watershed analyses) have been completed. The IIT notes, however, that subelements that come into play if ICBEMP may not be implemented for the 2000 field season (basin review, subbasin assessments, and watershed action plans based

on subbasin assessments) have not been scheduled for completion. The IIT plans to develop an approach, preferably paralleling ICBEMP, to meet these requirements now that it appears likely ICBEMP will not be in place for field season 2000.

**Attachment 3**

**Proposed Action Items (BA Recommendations adopted as part of the plan-level action)**

Action Item (#s correspond to Opinion Appendix 1)	Timeframe	Implementation check
1. Continue applying NMFS 1995 BO and all subsequent related direction, and extend application to the Clearwater and upper Columbia River basins.	Effective starting September 1997	In progress. Mgt. unit surveys revised to incorporate recommendation #1. Second semi-annual survey reports limited to BLM, FS has not reported.
2. Extend to steelhead the 17 project-specific Opinions already developed for salmon.	The agencies will use current direction (plan-level and consultation streamlining) to complete consultations on these projects	IIT not aware that this has been done; some of these projects have been completed and no longer require consultation.
3. Consult on ongoing actions using consultation streamlining direction and NMFS' matrix. Prior to the consultations an interagency team will modify the matrix as needed for the Snake River and upper Columbia River basins.	Approximately August 21, 1998	In progress. Many units accomplished this. A few dealt with ongoing and proposed actions together and will soon complete consultation.
4. Apply special management considerations for management of the South Fork Salmon River, Middle Fork Salmon River, and the Selway River subbasins. These measures include restrictions on road building, timber harvest, grazing, and recreation activities. Specific fire management and riparian area management techniques are required. Emphasis is placed on road closures, obliterations, and repairs to reduce the effects of existing roads on the listed species (Opinion pp. 78-80).	Effective as of September 1997	Yes. Relevant units report these special management considerations are being applied.
5. Accelerate restoration of steelhead habitat in the Snake River basin. Mutually develop and fund restoration.	Effective September 1997	Yes. Top ten list provided for FY 1999 and FY 2000. Restoration team has finalized its strategy, and will begin implementing via budget planning for FY 2000. )
6. Review commercial and non-commercial recreational boating and floating for adverse effects on steelhead spawning; eliminate/minimize effects. Review recreational facilities as ongoing actions.	Effective September 1997	In progress. Most units report that reviews in progress, some completed
7. Strengthen monitoring and commitment to insure PACFISH is properly implemented; includes increased emphasis and scheduling of watershed analysis	Effective September 1997	Several IIT task team tasks involved. See enclosure 1, above.

Action Item (#s correspond to Opinion Appendix 1)	Timeframe	Implementation check
8. Treat watersheds within range of the two steelhead ESUs as key watersheds and designated critical habitat	Effective September 1997	Yes. All units report this is occurring.
9. Adopt these items (1-8, above) for an indefinite period pending adoption of new, long-term programmatic direction	Effective September 1997. Duration of these items as part of the interim approach depends on when consultation on LRMPs must be reinitiated (refer to Opinion, p.59-60)	