



**FOREST SERVICE MANUAL
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**FSM 2600 - WILDLIFE, FISH, AND SENSITIVE PLANT HABITAT MANAGEMENT
CHAPTER 2670 - THREATENED, ENDANGERED, AND SENSITIVE
PLANTS AND ANIMALS**

Interim Directive No.: 2670-2003-2

Effective Date: November 4, 2003

Duration: This interim directive expires on May 4, 2005.

Approved: CHARLES MYERS
for Tom Thompson
Deputy Chief

Date Approved: 10/24/2003

Posting Instructions: Interim directives are numbered consecutively by title and calendar year. Post by document at the end of the chapter. Retain this transmittal as the first page(s) of this document. The last interim directive was 2620-2003-1 to FSM 2620.

New Document	id_2670-2003-2	3 Pages
Superseded Document(s) (Interim Directive Number and Effective Date)	id_2670-2002-1, 05/21/2002	3 Pages

Digest:

2671.45f - Reissues without change the direction formerly issued in Interim Directive (ID) 2670-2002-1. This ID clarifies and expands policy and procedures regarding Endangered Species Act consultation with the Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) in emergency situations. This ID makes clear that human safety is the highest priority for every emergency response action, and under no circumstances should an emergency response action be delayed in order to contact FWS or NMFS for initiating emergency consultation or during an ongoing consultation. This ID is consistent with the FWS and NMFS Endangered Species Consultation Handbook direction on this topic. The ID

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Digest--Continued:

also adds cross-references to FSM 5130 for related direction on emergency responses involving wildland fire suppression. The direction in this ID and the related ID to FSM 5130 implement action item A-31 from the "Thirtymile Accident Prevention Plan" (December 2001), prepared by the National Wildfire Coordinating Group (NWCG) in response to the investigation findings and recommendations for the Thirtymile Fire.

Notice of the issuance of ID 2670-2002-1 was published in the Federal Register on May 21, 2002 (67 FR 35789).

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2671.45f - Consultation in Emergencies

Regulations at 50 CFR 402.05 regarding interagency cooperation on Endangered Species Act consultation recognize that an emergency (acts of God, disasters, casualties, national defense or security emergencies, and so on) may require expedited consultation. The U.S. Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) Consultation Handbook, Chapter 8, Emergency Consultation, outlines procedures for expedited consultation on emergency response actions, including those where human life is at stake. The Handbook may be electronically accessed at <http://endangered.fws.gov/consultations/s7hndbk/s7hndbk.htm>.

1. In preplanning for emergencies, identify listed, proposed, and sensitive species, designated and proposed critical habitats, and other habitat protection needs and procedures, to facilitate emergency response actions. Maintain updated information on listed, proposed, and sensitive species status, distribution, and critical protection measures for potential use in emergencies. For listed and proposed species, coordinate with the FWS and/or the NMFS to identify concerns and species recovery opportunities, as well as pre-emergency and emergency actions that may be needed.
2. Either before initiating an emergency response action, or as soon as possible after initiating an emergency response action, contact the FWS or NMFS when listed or proposed species, or designated or proposed critical habitats, are potentially affected. This contact initiates emergency consultation with FWS or NMFS.
 - a. Human safety is the highest priority for every emergency response action (see FSM 5130.3 for related direction on the wildland fire suppression policy and the priority for the safety of firefighters, other personnel, and the public). Under no circumstances should an emergency response action be delayed in order to contact FWS or NMFS for initiating emergency consultation or during such an ongoing consultation.
 - b. When preparing an emergency situation analysis for an ongoing emergency (including a Wildland Fire Situation Analysis), consider any recommendations offered by FWS or NMFS during emergency consultation to minimize the effects of emergency response actions on listed or proposed species or designated or proposed critical habitats. If any review by FWS or NMFS indicates a proposed emergency response action is likely to result in adverse modification of critical habitat or species jeopardy, and no means of reducing or avoiding such effects are apparent, consider overall resource and emergency management objectives, the need for response actions and their likely effects, and proceed accordingly with the emergency response action.