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5 - Endangered, Threatened and Sensitive Species

Goal 5.1 – Recover Federally Listed Threatened and Endangered species

Goal 5.1.1 – Retain or develop Indiana bat roosting and foraging habitat; protect all known Indiana bat hibernacula.

Objective 5.1.1a – If additional Indiana bat hibernacula are discovered on NFS land, install bat-friendly gates to prevent unauthorized entry.

Goal 5.1.2 and Objective 5.1.2a – (Moved under Goal 5.2 due to de-listing of Bald Eagle; see Note 1 on page 2-24).¹

Goal 5.1.3 – Cooperate in efforts to reintroduce the American burying beetle.

Goal 5.1.4 – Actively manage known populations of running buffalo clover to maintain appropriate habitat conditions.

Objective 5.1.4a – Maintain partial to filtered sunlight over and adjacent to occupied running buffalo clover habitat.

Objective 5.1.4b – Conduct annual monitoring of known running buffalo clover populations and adjacent areas to identify potential risks or management needs.

Goal 5.2 – Conserve Regional Forester Sensitive Species

Promote conservation activities that protect, restore, or enhance habitat for Regional Forester sensitive species.

Goal 5.2.1 – Protect bald eagle communal night roosts, daytime concentration sites, and occupied breeding territories.¹

Objective 5.2.1a – Conduct a minimum of three annual winter searches to locate any previously unknown communal night roosts or bald eagle concentrations.¹

Standards / Guidelines for Threatened, Endangered, and Sensitive Species (See also Appendix D.)

Federally Listed Species

Indiana Bat Hibernacula

SFW-TES-1: Deter human access to areas surrounding known hibernacula by closing or relocating trails that lead to, or pass within, easy viewing distance of hibernacula.

SFW-TES-2: Establish a one-quarter mile buffer around all known hibernacula. Within this one-quarter mile buffer:

- Prohibit new trail and road construction.
- Do not conduct prescribed burning during the fall swarming period (generally mid-August to mid-October) or during the hibernation period (September 15 through April 15).

¹ Goal and Objective for Bald eagle changed 10/16/2008 by Administrative Correction # 3.

- Do not conduct prescribed burning during the fall swarming period (generally mid-August to mid-October) or during the hibernation period (September 15 through April 15).
- Do not permit surface occupancy for exploration or development of Federally owned minerals.
- Implement vegetation management only to maintain or improve Indiana bat roosting, swarming, or foraging habitat.

GFW-TES-3: Establish a one quarter-mile forested buffer around all mine openings that are known Indiana bat fall swarming sites, but where actual Indiana bat hibernation has not been established. Reduce or eliminate human disturbances within the buffer. Implement vegetation management only to maintain or improve Indiana bat roosting, swarming, or foraging habitat.

SFW-TES-4: Develop prescribed burning plans that specify weather conditions that would prevent smoke dispersal into known hibernacula.

SFW-TES-5: Before backfilling any mine openings, such as portal entrances or subsidence depressions with developed openings, conduct surveys for potential bat presence during the fall swarming period (generally mid-August to mid-October).

GFW-TES-6: Conduct pre-gating and post-gating mist net surveys at mines where bat-friendly gates are installed.

Indiana Bat Roosting and Foraging Habitat

SFW-TES-7: When even-aged regeneration methods are used, retain forested flight corridors within and between early successional habitat patches. These flight corridors may include forested corridors along ephemeral, intermittent, and perennial streams (see GFW-ARR-2); and where present, clumps of snags and trees of varying size classes in the early successional habitat. When present, leave larger-sized trees on the edges of early successional patches for future maternity roosts.

SFW-TES-8: Within hardwood cutting units with uneven-aged vegetation management prescriptions, maintain an average of at least 60 percent canopy cover.

GFW-TES-9: Retain all shagbark and shellbark hickory trees \geq 6 inches dbh, unless removal is necessary to protect human safety or to avoid adverse impacts to steep slopes, erodible soils, floodplains or wetlands.

SFW-TES-10: During the non-hibernation season (April 15th-September 15th), do not cut, unless they are a safety hazard:

- Trees of any species 6 inches dbh or more that are hollow, have major splits, or have broken tops that provide maternity habitat.

SFW-TES-11: Schedule any summer prescribed burning after August 15 to reduce potential effects on Indiana bat reproduction.

SFW-TES-12: With all hardwood timber harvests, retain a minimum of 12 live trees per acre (averaged over the cutting unit) of any species that are six inches or more dbh with large areas of loose bark, unless they pose a safety hazard.

In addition to these, retain live preferred roost trees, when present, to provide a supply of future roost trees (i.e., large, overmature trees). See Appendix D for list of tree species preferred as roost trees by Indiana bats. See Table 2-3 for preferred tree sizes. Consult with U. S. Fish and Wildlife Service regarding exceptions that may be needed to minimize adverse effects to other resources or human health and safety.

Table 2 - 1. Indiana Bat Preferred Roost Tree Size Class.

Indiana Bat Preferred Roost Tree Size Class	Number of live trees to retain (number per acre averaged across the cutting unit)
>20 in (dbh)	3*
>11 in (dbh) and < 20 in (dbh)	6

*If there are few or no live Indiana bat roost trees > 20 inches dbh in the stand, retain three live trees >16 inches dbh and < 20 inches dbh per acre (averaged across the cutting unit). If there are no live trees > 16 inches dbh, retain nine additional live trees > 11 inches dbh and < 16 inches dbh per acre (averaged across the cutting unit).

SFW-TES-13: Prohibit the cutting of standing dead trees for firewood.

GFW-TES-14: Provide water sources that promote aquatic insect production and provide drinking sources for Indiana bats along suitable flight paths, especially in upland areas, and off/away from recreation sites, and designated trails and roads.

Bald Eagle Management

SFW-TES-15 - 20: Moved to SFW- TES-37 – 42 due to delisting of Bald Eagle; see Note 1 on page 2-24. ²

American Burying Beetle (ABB)

GFW-TES-21: Discourage use of bug zappers by campers in dispersed and developed recreation sites within 10 air miles of known occupied ABB habitat.

GFW-TES-22: Limit ground compaction to the minimum area possible during major earth disturbing activities (including, but not limited to new road and trail construction, mineral resource exploration and development, or new facilities) that occur in suitable ABB habitat within 10 air miles of known occupied ABB habitat.

² Changed 10/16/2008 by Administrative Correction # 3

GFW-TES-22: Limit ground compaction to the minimum area possible during major earth disturbing activities (including, but not limited to new road and trail construction, mineral resource exploration and development, or new facilities) that occur in suitable ABB habitat within 10 air miles of known occupied ABB habitat.

GFW-TES-23: During the ABB activity period, use bait-away methods prior to and during the implementation of major earth disturbing activities that occur in known occupied ABB habitat.

GFW-TES-24: In occupied ABB habitat, design new roads with the minimum safe width necessary for planned use of the road.

GFW-TES-25: Within 10 air miles of known occupied ABB habitat, keep ground disturbance to a minimum during the reconstruction and maintenance of existing roads. Limit width of road, ditches, and surface materials to the minimum necessary for the planned use.

GFW-TES-26: Restrict the use of insecticides within known occupied ABB habitat.

Running Buffalo Clover (RBC)

SFW-TES-27: Implement measures to protect RBC populations during prescribed fire activities. These may include, but are not limited to wetting down the occupied area, raking off fuels from the occupied area, or constructing firelines around the occupied area.

SFW-TES-28: Avoid mechanical construction of firelines in known occupied RBC habitat. Mechanical fireline construction adjacent to known RBC populations must maintain appropriate light conditions in known occupied habitat.

GFW-TES-29: Restrict the application of herbicides within 25 feet of known RBC populations.

SFW-TES-30: Protect and maintain known RBC populations during road and trail construction, reconstruction, and maintenance by locating ground disturbance outside the occupied habitat. The appropriate light conditions must be maintained in the occupied habitat during such activities.

GFW-TES-31: Conduct surveys for running buffalo clover in suitable habitat prior to implementing ground or canopy disturbing activities.

Regional Forester Sensitive Species

SFW-TES-32 Protect and improve occupied Regional Forester sensitive species habitat.

SFW-TES-33: Do not conduct vegetation management within a 50-foot radius of rock shelters, or within 50 feet of the base and 50 feet of the top (measured horizontally) of naturally occurring, large rock faces or outcrops, unless designed to enhance the site characteristics for a Federally listed species or a known population of Regional Forester sensitive species. Large rock faces or outcrops are defined as rock outcrop areas 15 feet or more in height and 100 feet or more in length. These rock outcrop habitats are not limited to solid “cliffs” and may include discontinuous rock faces, if the outcrop area is predominantly rock faces.

SFW-TES-34: Avoid vegetation management within 50 feet of the base and 50 feet of the top of smaller rock faces (approximately 15 feet or more in height and less than 100 feet in length).

SFW-TES-35: Do not permit collection of Regional Forester sensitive plant or animal species, except for scientific or educational purposes. Require a permit for such collecting.

GFW-TES-36: Localized removal of vegetation to reduce woody encroachment (e.g., mowing, brush removal in the understory, selective thinning of the overstory, or grazing) may be used to maintain or improve habitat for Regional Forester sensitive species.

Bald Eagle Management

SFW-TES-37: Focus winter bald eagle searches in areas that eagles are known to frequent or where concentrated food sources occur near NFS land. Conduct searches during early-, mid-, and late-winter. Follow search criteria outlined in the Northern States Bald Eagle Recovery Plan.

SFW-TES-38: Protect any bald eagle communal night roosts and concentrations (including nests) discovered during winter surveys or during any additional field surveys of proposed project areas, following guidelines outlined in the Northern States Bald Eagle Recovery Plan.

SFW-TES-39: Report discovery of bald eagle nests immediately to the U. S. Fish and Wildlife Service (Reynoldsburg Field Office) and the Ohio Department of Natural Resources, Division of Wildlife.

SFW-TES-40: Protect super-canopy trees, or other identified congregation roost trees, along major river corridors and lakes in addition to following Forest-wide riparian standards and guidelines.

SFW-TES-41: Allow no prescribed fire within one-half mile of occupied bald eagle sites. Consider all bald eagle communal night roosts, daytime concentration sites, or occupied breeding territories as occupied sites. To prevent smoke inversion from occurring at occupied bald eagle sites, and to minimize smoke drifting toward them from prescribed fires outside the one-half mile radius of occupied sites, require burn plans to take account of wind direction, speed, and mixing height as well as transport winds.

SFW-TES-42: If the bald eagle is found nesting on the Wayne National Forest, monitor populations according to the recovery plan. At such time as the bald eagle is de-listed, use the de-listing monitoring plan.

Note 1: On August 8, 2007 the U.S. Fish and Wildlife Service, removed (delisted) the bald eagle (*Haliaeetus leucocephalus*) in the lower 48 States of the United States from the Federal List of Endangered and Threatened Wildlife due to the successful recovery of the species. The bald eagle continues to be protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. These Acts require some measures to continue to prevent bald eagle "take" resulting from human activities. The bald eagle will be on the Regional Forester's Sensitive Species list for at least the next five years (FSM 2670, R9 RO Supplement 2600-2000-1). Because of this, the protections in the 2006 Forest Plan will remain, but be moved from the Threatened and Endangered Species section to the Regional Forester Sensitive Species section of the Plan. (Wayne NF, 2006 Forest Plan Administrative Correction # 3, 9/29/2008)

Goal	Objective	Monitoring Questions	Monitoring Frequency	Evaluation Frequency	Precision/Reliability
5.1.1 – Retain or develop Indiana bat roosting and foraging habitat; protect all known Indiana bat hibernacula.	5.1.1a – If additional Indiana bat hibernacula are discovered on NFS land, install bat-friendly gates to prevent unauthorized entry.	How many acres of potentially suitable Indiana bat habitat were protected or improved?	Annually	Every 5 years	B
		How many bat-friendly gates were installed on known Indiana bat hibernacula?	Annually	Every 5 years	B
5.1.2 – Moved to 5.2.1; See Note 1 page 2-24 ¹					
5.1.3 – Cooperate in efforts to reintroduce the American burying beetle.		What cooperative efforts were accomplished to achieve the reintroduction of the American burying beetle?	Annually	Every 5 years	B
5.1.4 – Actively manage known populations of running buffalo clover to maintain appropriate habitat conditions.	5.1.4b – Conduct annual monitoring of known running buffalo clover populations and adjacent areas to identify potential risks or management needs.	Where there any changes to known running buffalo clover populations and were any potential risks identified and mitigated?	Annually	Every 5 years	B
5.2.1 – Protect bald eagle communal night roosts, daytime concentration sites, and occupied breeding territories. ¹	5.2.1a – Conduct a minimum of three annual winter searches to locate any previously unknown communal night roosts or bald eagle concentrations.	How many mid-winter bald eagle searches were conducted?	Annually	Every 5 years	A
		How many bald eagles were observed?	Annually	Every 5 years	A
6.1 – Provide forest vegetation characteristics, from understory layers to the tree canopy, that meet the habitat needs of desired native and non-native plant and animal species.	6.1a - Use all available silvicultural treatments, including pre-commercial and commercial thinning, prescribed fire, shelterwood harvests, and improvement cutting to promote the maintenance and restoration of the oak-hickory ecosystem.	How many acres are being treated with varying management actions that will likely result in the maintenance and restoration of the oak-hickory ecosystem?	Annually	Every 5 years	B
	6.1b - Use commercial timber sales and stewardship contracts to accomplish wildlife habitat objectives.	How many acres are being treated through commercial timber sale operations and / or stewardship contracts that will likely meet the objectives of improving wildlife habitat?	Annually	Every 5 years	B
6.2 – Reintroduce fire into fire-adapted ecosystems to conserve biodiversity and promote ecosystem structure and function closer to the historic range of variability.	6.2a – Use prescribed fire to conserve fire-adapted plant and animal biodiversity and to maintain and restore mixed oak and native pine ecosystems.	How many acres are being treated with prescribed fires that will likely conserve fire-adapted plant and animal biodiversity, and to maintain and restore mixed oak and native pine?	Annually	Every 5 years	B

¹ Goal 5.1.2 Changed on 10/16/2008 by Administrative Correction # 3

management areas were formulated, in part, to provide habitat conditions beneficial for the Indiana bat and American burying beetle.

The River Corridor and Timbre Ridge Lake management areas were developed, in part, with the bald eagle in mind and should provide long-term direct benefits to this species as it expands its range in Ohio. The purpose of the River Corridor Management Area is to retain, restore, and enhance the inherent ecological processes and functions associated with riverine systems on the Forest. The desired future condition of the Timbre Ridge Lake Management Area is excellent water quality in the 100-acre lake where a self-sustaining bass-bluegill fishery is encouraged. A landscape of wooded character surrounds the lake and provides feeding opportunities as well as suitable roosting or nesting habitat for the bald eagle.

Together, these and all other management areas provide well-distributed and diverse habitat for native and desired non-native plants and animals, including Federally listed species.

Species List

The U.S. Fish and Wildlife Service has identified ~~nine~~ eight¹ Federally listed species as occurring on or near the Wayne National Forest:

Species	Status
American burying beetle (<i>Nicrophorus americanus</i>)	Endangered
Bald eagle (<i>Haliaeetus leucocephalus</i>)	Delisted 8/8/07 ¹
Fanshell (<i>Cyprogenia stegaria</i>)	Endangered
Indiana bat (<i>Myotis sodalis</i>)	Endangered
Northern monkshood (<i>Aconitum noveboracense</i>)	Threatened
Pink mucket pearly mussel (<i>Lampsilis abrupta</i>)	Endangered
Running buffalo clover (<i>Trifolium stoloniferum</i>)	Endangered
Small whorled pogonia (<i>Isotria medeoloides</i>)	Threatened
Virginia spiraea (<i>Spiraea virginiana</i>)	Threatened

¹ Updated on 10/16/08 by Forest Plan Administrative Correction # 3 to reflect the delisting of the Bald eagle on 8/8/2007.

Format of the Conservation Plan

The Conservation Plan provides managers with a concise package of information about the protection and conservation of Federally listed species that occur on or near the Wayne National Forest. Forest-wide goals, objectives, standards and guidelines directly applicable to the recovery and conservation of listed species that are found in Chapter 2 of the 2006 Forest plan are summarized in this Conservation Plan.

Administrative and educational requirements carried over from the 1988 Forest Plan, as amended, have been included, as have the requirements for monitoring that were identified in the Biological Opinion for the 2006 Forest Plan. This Conservation Plan is arranged into two sections:

- Section I displays direction and guidance that is applicable to all ~~nine~~¹ eight Federally listed species;
- Section II outlines the direction and guidance specific for the Indiana bat, bald eagle¹, American burying beetle, and running buffalo clover. These are species that occur in the WNF, or are likely to be reintroduced to the WNF in the near future.

Implementation of the Conservation Plan

In order to be exempt from the prohibitions of Section 9 of the Endangered Species Act, the WNF must comply with all standards and guidelines and monitoring outlined in the following sections of this Conservation Plan.

Responsibilities for implementation of the Conservation Plan rest primarily with WNF personnel. Some work, however, will be done cooperatively with the USFWS, Ohio Division of Wildlife, or other conservation partners.

Conservation Accomplishments

All management accomplishments related to the conservation, protection, and recovery of Federally listed species will be disclosed in the annual WNF monitoring and evaluation report.

Conservation Direction and Guidance for all Federally Listed Species

Administrative & Technical Information

Consult with the USFWS to ensure activities planned and implemented on the WNF are in accordance with the Endangered Species Act.

To ensure that the exemption of incidental take is appropriately documented, the USFWS will implement a tiered programmatic consultation approach. As individual projects are proposed under the 2006

¹ Revised on 10/16/2008 per Administrative Correction # 3

Bald Eagle

See Regional Forester’s Sensitive Species, page D-18.²

~~Additional resource management direction and guidance found in the 2006 Forest Plan and should be considered during project planning and implementation, as needed, to promote recovery of this species.~~

~~Administrative & Technical Information~~

~~By June 1 of each year, provide an annual report to the USFWS and the Ohio Division of Wildlife, which includes the following:~~

- ~~• Results of any winter searches for communal bald eagle night roosts and concentrations, including mid-winter bald eagle surveys conducted in cooperation with the USFWS and the Ohio Division of Wildlife;~~
- ~~• Discovery of any bald eagle nesting territories on the WNF. If no surveys have been conducted and no territories discovered on the WNF during an annual reporting period, an annual report should be submitted with a statement to this effect;~~
- ~~• Documented cases of a prescribed fire that behaved contrary to predicted movement patterns and which resulted in a confirmed adverse impact to bald eagles.~~

~~For any prescribed fire that could potentially impact bald eagles, provide the USFWS with the opportunity to review burn plans with the WNF Fire Management Officer prior to the burn plan’s approval.~~

~~Protection of Individuals~~

~~**Goal 5.1.2**—Protect bald eagle communal night roosts, daytime concentration sites, and occupied breeding territories.~~

~~**SFW-TES-16**—Protect any bald eagle communal night roosts and concentrations (including nests) discovered during winter surveys or during any additional field surveys or proposed project areas, following guidelines outlined in the Northern States Bald Eagle Recovery Plan.~~

~~**SFW-TES-17**—Report discovery of bald eagle nests immediately to the USFWS and the Ohio Department of Natural Resources, Division of Wildlife.~~

~~**SFW-TES-19**—Allow no prescribed fire within one half mile of occupied bald eagle sites. Consider all bald eagle communal night roosts, daytime concentration sites, or occupied breeding territories as occupied sites. To prevent smoke inversion from occurring at occupied bald eagle sites, and to minimize smoke drifting toward them from prescribed fires outside the~~

² Updated per Forest Plan Administrative Correction # 3, 10/16/08

~~one half mile radius of occupied sites, require burn plans to take into account of wind direction, speed, and mixing height as well as transport winds.~~

~~**Appendix H, Stipulation 12**—Protect known nests and roosts as described in the Bald Eagle Recovery Plan, or as directed by the USFWS.~~

Habitat Protection & Improvement

~~**SFW-TES-18**—Protect supercanopy trees, or other identified congregation roost trees, along major river corridors and lakes in addition to following Forest wide riparian area standards and guidelines.~~

~~**Appendix H, Stipulation 12**—Protect all supercanopy trees or other identified congregation roost trees for bald eagles along major river corridors and lakes.~~

Education & Awareness

~~Provide field training for new employees so they will be able to recognize bald eagle signs at night roosts, even when eagles are absent.~~

Inventory, Analysis & Monitoring

~~**Objective 5.1.2a**—Conduct a minimum of three annual winter searches to locate any previously unknown communal night roosts or bald eagle concentrations.~~

~~**SFW-TES-15**—Focus winter bald eagle searches in areas that eagles are known to frequent or where concentrated food sources occur near NFS land. Conduct searches during early, mid, and late winter. Follow search criteria outlined in the Northern States Bald Eagle Recovery Plan.~~

~~**SFW-TES-20**—If the bald eagle is found nesting on the Wayne National Forest, monitor populations according to the recovery plan. At such time as the bald eagle is de-listed, use the de-listing monitoring plan.~~

~~In addition to these Forest wide objectives and standards, monitor and report annually and evaluate every five years the answers to the following monitoring questions, as required in Chapter 4 of the Forest Plan:~~

- ~~•—How many winter bald eagle searches were conducted?~~
- ~~•—How many bald eagles were observed?~~

Bald Eagle

On August 8, 2007 the U.S. Fish and Wildlife Service, removed (delisted) the bald eagle (*Haliaeetus leucocephalus*) in the lower 48 States of the United States from the Federal List of Endangered and Threatened Wildlife due to the successful recovery of the species. The bald eagle continues to be protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. These Acts require some measures to continue to prevent bald eagle "take" resulting from human activities. The bald eagle will be on the Regional Forester's Sensitive Species list for at least the next five years (FSM 2670, R9 RO Supplement 2600-2000-1). Because of this, the protections in the 2006 Forest Plan will remain, but be moved from the Threatened and Endangered Species section to the Regional Forester Sensitive Species section of the Plan.

Additional resource management direction and guidance found in the 2006 Forest Plan and should be considered during project planning and implementation, as needed, to promote recovery of this species.

Administrative & Technical Information

By June 1 of each year, provide an annual report to the USFWS and the Ohio Division of Wildlife, which includes the following:

- Results of any winter searches for communal bald eagle night roosts and concentrations, including mid-winter bald eagle surveys conducted in cooperation with the USFWS and the Ohio Division of Wildlife;
- Discovery of any bald eagle nesting territories on the WNF. If no surveys have been conducted and no territories discovered on the WNF during an annual reporting period, an annual report should be submitted with a statement to this effect;
- Documented cases of a prescribed fire that behaved contrary to predicted movement patterns and which resulted in a confirmed adverse impact to bald eagles.

For any prescribed fire that could potentially impact bald eagles, provide the USFWS with the opportunity to review burn plans with the WNF Fire Management Officer prior to the burn plan's approval.

Protection of Individuals

Goal 5.2.1 – Protect bald eagle communal night roosts, daytime concentration sites, and occupied breeding territories.

SFW-TES-38 – Protect any bald eagle communal night roosts and concentrations (including nests) discovered during winter surveys or during any additional field surveys or proposed project areas, following guidelines outlined in the Northern States Bald Eagle Recovery Plan.

SFW-TES-39 – Report discovery of bald eagle nests immediately to the USFWS and the Ohio Department of Natural Resources, Division of Wildlife.

SFW-TES-41 – Allow no prescribed fire within one-half mile of occupied bald eagle sites. Consider all bald eagle communal night roosts, daytime concentration sites, or occupied breeding territories as occupied sites. To prevent smoke inversion from occurring at occupied bald eagle sites, and to minimize smoke drifting toward them from prescribed fires outside the one-half mile radius of occupied sites, require burn plans to take into account of wind direction, speed, and mixing height as well as transport winds.

Appendix H, Stipulation 13 – Protect known nests and roosts as described in the Bald Eagle Recovery Plan, or as directed by the USFWS.

Habitat Protection & Improvement

SFW-TES-40 – Protect supercanopy trees, or other identified congregation roost trees, along major river corridors and lakes in addition to following Forest-wide riparian area standards and guidelines.

Appendix H, Stipulation 13 – Protect all supercanopy trees or other identified congregation roost trees for bald eagles along major river corridors and lakes.

Education & Awareness

Provide field training for new employees so they will be able to recognize bald eagle signs at night roosts, even when eagles are absent.

Inventory, Analysis & Monitoring

Objective 5.2.1a – Conduct a minimum of three annual winter searches to locate any previously unknown communal night roosts or bald eagle concentrations.

SFW-TES-37 – Focus winter bald eagle searches in areas that eagles are known to frequent or where concentrated food sources occur near NFS land. Conduct searches during early-, mid-, and late-winter. Follow search criteria outlined in the Northern States Bald Eagle Recovery Plan.

SFW-TES-42 – If the bald eagle is found nesting on the Wayne National Forest, monitor populations according to the recovery plan. At such time as the bald eagle is de-listed, use the de-listing monitoring plan.

In addition to these Forest-wide objectives and standards, monitor and report annually and evaluate every five years the answers to the following monitoring questions, as required in Chapter 4 of the Forest Plan:

- How many winter bald eagle searches were conducted?
- How many bald eagles were observed?

Stipulation #12

Controlled Surface Use – Known Locations of Federally Listed Species

No cutting of snags (trees with less than 10% live canopy), shagbark or shellbark hickories, or trees that are hollow and/or have major splits or broken tops, except during the bat hibernation season (September 15 to April 15). If such trees are a safety hazard, they may be cut anytime they pose an imminent threat to human safety, but if cut in the nonhibernation season the Forest Service biologist must be notified in advance. This stipulation applies only to trees over six inches in diameter.

Prior to any surface disturbing activities a Forest Service biologist will conduct an assessment for potential American burying beetle habitat and occurrence. Occupancy restrictions will be determined at the time of the evaluation.

Stipulation #13

Controlled Surface Use – Known Locations of Regional Forester Sensitive Species.

Controlled surface use may include setbacks or restrictions from portions of the lease to ensure protection of habitat for regional sensitive species. At the time of any new proposed lease developments, the responsible line officer shall determine the need for any setbacks or restrictions, or the need for timing-related stipulation in accordance with the aquatic and terrestrial wildlife and botanical resources standards and guidelines.

Protect all supercanopy trees or other identified congregation roost trees for bald eagles along major river corridors and lakes. Protect known nests and roosts as described in the Bald Eagle Recovery Plan, or as directed by the US Fish and Wildlife Service.¹

The leaseholder and Forest Service inspector shall work together to identify locations for development and production facilities in order to protect the structural integrity of large old trees found on a portion of the tract.

Stipulation #14

Controlled Surface Use – Managed Wildlife Openings

At the time of any new proposed lease developments, the responsible line officer shall determine the extent of the surface use restrictions necessary to maintain habitat integrity for plant and animal species dependent on such habitats.

¹ Bald Eagle protection moved from Stipulation 12 to Stipulation 13 on 10/16/2008 by Administrative Correction # 3.