Region 3 Mexican Spotted Owl Pre-implementation Compliance Review Checklist "MSO Pre-implementation Checklist"

The purpose of this document is to ensure that all <u>vegetation management projects in MSO habitat</u> with signed NEPA decisions are compliant with the appropriate MSO recovery plan(s) before implementing treatments.

This document should be prepared and reviewed interdisciplinary specialists who have knowledge of the project area, MSO habitat and recovery needs, and the treatments to be implemented. At minimum, this will normally require the project lead, such as a forester and/or fuels specialist, a certified silviculturist, and qualified biologist. <u>Include this checklist in the project record and post with public project files.</u>

Project Name:	Rim Country (Wildcat Timber Sale)		
USFS Forest and District:	**Apache-Sitgreaves NFs, Black Mesa RD**		
Recovery Plan (RP) implementing *(1995, 2012, or both):*	2012		
Which Ecological Management Unit(s) (EMU) is/are present in the treatment areas?	**UGM**		
Reviewed by qualified biologist (Name, Title):	**Natasha Douglas, Wildlife Biologist**	Prepared by Project Lead (Name, Title):	**Rachael Seale, Silviculture Forester**
Date Project Reviewed:	**10/02/2024**		
Reviewer Signature:	Natasha Douglas (Wildlife Biologist)	JOEL SAARANEN Digitally signed by JOEL SAARANEN Date: 2024.10.24 17:14:55 -07'00' (District Ranger)	

Project Type (check all that apply):			
☒ **Thinning (*i.e.*, tree cutting)**	☐ **Mastication**	☐ **Prescribed burning** ☐ *includes pile burning*	☐ **Other** _____

Project Description: *(Project type, prescription summary, acres, relevant information regarding actions in MSO habitat, etc.)* *Please attach a map to this document.*	Total acres: 1,486 Treatment objectives: • Thin trees densities to reduce high severity fire conditions, increase growth and vigor, and hasten development of wildlife habitat desired characteristics. Methods: In PAC (88 acres in Unit 8), use intermediate thinning to reduce density of trees 5 to 18" DBH. Reduce excess stocking in young and mid-aged trees and trees with undesirable characteristics (unless used for snag recruitment or wildlife habitat). Retain mid-aged and matures trees. Post treatment density should average 120 BA. Retain key habitat elements (Large trees, snags, large logs, hardwoods).Tress greater than 18" DBH (including snags), nor any Gambel oak will not be removed. In recovery foraging/dispersal habitat (Unit 14): Use free thinning to reduce density in trees from 9 to 23.9" DBH and meet stocking target of 70-90 BA. Retain key habitat elements (large trees, snags, large logs, hardwoods). Focus on managing/retaining the mid-aged, and mature/old leave trees in the stand. Retain all ponderosa pine trees greater than 24 in DBH and all Gambel oak.

	Prescription in remaining cutting units is similar to that of the treatments in unit 14. Stewardship work items include the removal of logging activity fuels such as landing pile slash and precommercial thinning. Maintain PCEs for MSO critical habitat related to forest structure and prey base (see below- pg.5). Follow Rim Country wildlife design features for MSO: WL001, 002, 003, 004, 006, 007, 008, 009, 010, 011, 014, 016, 026, 031, 032
Estimated Implementation Timeline	Sale prep completed by November 2024. Advertise and award by April 2025.

Project Documents			
NEPA Decision Project Name	NEPA Decision Document Type (DM, DN, ROD)	Responsible Line Officer	Decision Date
4FRI Rim Country Project	**ROD**	**Judith Palmer, Forest Supervisor (former)**	**9/19/2022**
ESA Consultation Number	Consultation Document Type (Concurrence, BO)	USFWS Office	Date
AESO/SE 02EAAZ00-2018-F-1160 2022-0013274-S7-001	BO	Arizona Ecological Field Services Office- Phoenix	3/4/2022

Review – Habitat and Management Areas (see definitions and terms below) (*If the project is located within MSO habitat refer to and follow the Step-by-Step MSO Habitat Treatment and Implementation Guidance*)	**Yes/No**
1. Is protected habitat (PACs or steep slopes) and/or restricted habitat identified? Including target/threshold habitat (1995 RP)? Or, is PAC and recovery habitat, including recovery nest/roost habitat, identified (2012 RP)? **If *No*, then inform the local Line Officer and contact the Regional Threatened and Endangered Program Manager to determine how to proceed.**	**Yes**
2. Is project within MSO PAC Core?	**Yes, but there are no cutting units within PACs or cores**
3. Is project within MSO PACs outside of Core?	**Yes, 66 acres (unit 8) in Wildcat Spring PAC**
4. Is project within MSO Critical Habitat?	**Yes**
5. Is project within MSO Recovery **(2012 RP)**, Protected (Outside of PACs) **(1995 RP)**, or Restricted Habitat **(1995 RP)**?	**Yes, Recovery (2012)**
6. Is project within MSO Recovery Nest/Roost (NR) **(2012 RP)** or Target/Threshold Habitat **(1995 RP)**?	**No**
7. Is the project within MSO Recovery Foraging/Dispersal **(2012 RP)** or Restricted Non-Target Threshold Habitat **(1995 RP)**?	**Yes, Recovery Foraging/ Dispersal (2012)**

Remarks on Habitat Determinations	
Please add a short statement about the vegetation in the project area to provide context to MSO habitat in this EMU (*e.g.,* the vegetation is pure ponderosa or PJ; the EMU does not include pine-Gambel oak; etc.).	**The habitat type within the project area is ponderosa pine/alligator juniper/Gambel oak.**
If the answer is Yes, for any questions 1-7 in Review - Habitat and Management Areas, it is your responsibility to ensure that treatments are consistent with the direction in the Region 3 MSO Management Strategy, the MSO Recovery Plan, the NEPA, and/or the ESA Section 7 consultation. [Initial here after reviewed.]	[ND]

Review – Survey/Monitoring	**Yes/No/NA**	**Completed or Scheduled Survey Dates**
1. Were MSO surveys completed to protocol (or are they scheduled to be prior to project implementation)?	**Yes**	**2023, 2024**
2. If the survey information for the project/treatment area is more than 5 years old, have you conducted or planned another year of inventory survey prior to implementation of treatment?	**NA**	**Resurvey in 2029 if implementation ongoing**
3. If approaching the 5-year mark, do you have plans during the current Fiscal Year to complete the additional year survey prior to implementation?	**NA**	**See above**
If FS completed two years of pre-implementation surveys and 5 years have not elapsed, project can proceed.		
If answer to any is *No*, then inform the local Line Officer and contact the Regional Threatened and Endangered Program Manager to determine how to proceed.		
What is the planned path forward?	**NA**	
Estimated timeframe to complete surveys?	NA	

Appendix: Definitions and Terms

The section below provides information to help define the terms used in the tables above. For additional information please refer to the parent documents.

MSO 2012 Recovery Plan (USDI Fish and Wildlife Service 2012)

- Protected Habitats: Protected habitat encompasses the area that within a Protected Activity Center (PAC). A PAC is a 600-acre area designated around MSO owl nest/roost sites. Within the PAC, designate a 100-acre core area around nest or primary roost areas.

- Recovery Habitats: Currently unoccupied suitable MSO habitat occurring in pine-oak (depending on EMU), mixed conifer, and riparian forests and/or rocky canyons. Owls may use these habitats ls for nesting, roosting, foraging, dispersal, and/or other life history needs.

- Forested Recovery Habitat: Forested habitat occurring in mixed-conifer and pine-oak (depending on EMU) forests outside of PAC's.
    - **Recovery Nest/Roost Habitat**: Forested stands identified as meeting or exceeding owl nest/roost conditions (See Tables C.2 & C.3 of MSO Recovery Plan).
    - **Recovery Foraging/Non-breeding Habitat (Foraging/Dispersal)**: Forested stands managed to provide foraging, dispersal, wintering, or other habitat needs.

- Riparian Recovery Habitat: Riparian forests are plant communities affected by surface and subsurface hydrologic features of perennial or intermittent water bodies. Riparian forests are: 1) distinctively different tree and shrub species than the adjacent areas; and/or, 2) tree species similar to adjacent areas but exhibiting more vigorous or robust growth forms.

MSO 1995 Recovery Plan (USDI Fish and Wildlife Service 1995)

- Protected Habitats:
    - Protected Activity Centers (PAC): a minimum of 600-acre area around MSO nest/roost sites that incorporates the best nest/roost habitat. Within the PAC, designate a 100-acre area (core area) around nest or primary roost areas.
    - All areas in mixed conifer and pine-oak types with slope >40% where timber harvest has not occurred in the past 20 years outside of PAC's.

- Restricted Habitats: Currently unoccupied suitable MSO habitat occurring in pine-oak (depending on EMU), mixed conifer, and riparian forests. Owls may use these habitats for nesting, roosting, foraging, dispersal, and/or other life history needs.
    - Restricted Target/Threshold Habitat: Habitat outside of PACs where nesting structure currently exists or can be managed to be met in the future (Table III.B.).
    - Restricted Non-Target/Threshold Habitat: Habitat outside of PAC's that is currently not in nesting structure or less likely to be met in the foreseeable future. Forested stands managed to provide foraging, dispersal, wintering, or other habitat needs.

Critical Habitat (USDI Fish and Wildlife Service 2004)

Critical Habitat is specific geographic areas that are essential for the conservation of a threatened or endangered species and that may require special management considerations. Designated critical habitat only exists in areas defined as MSO habitat in the 1995 Recovery Plan and its 2012 revision.

Primary constituent elements (PCE's): PCE's are essential to the conservation of the owl and include those physical and biological features that support nesting, roosting, and foraging. Primary constituent elements (PCE's) are only found within designated specific geographic areas of critical habitat. The primary constituent elements identified provide a qualitative description of those physical and biological features necessary to ensure the conservation of the owl. Consultation with the FWS will provide the most up-to-date quantitative estimates.

- PCEs related to forest structure:
    1. A range of tree species, including mixed conifer, pine-oak, and riparian forest types, composed of different tree sizes reflecting different ages of trees, 30 percent to 45 percent of which are large trees with a trunk diameter of 12 inches (0.3 meters) or more when measured at 4.5 feet (1.4 meters) from the ground;
    2. A shade canopy created by the tree branches covering 40 percent or more of the ground; and
    3. large dead trees (snags) with a trunk diameter of at least 12 inches (0.3 meters) when measured at 4.5 feet (1.4 meters) from the ground.

- PCEs related to prey base:
    1. High volumes of fallen trees and other woody debris;
    2. A wide range of tree and plant species, including hardwoods; and
    3. Adequate levels of residual plant cover to maintain fruits, seeds, and allow plant regeneration.

- PCEs related to canyon habitat (one or more of the following):
    1. presence of water (often providing cooler and often higher humidity than the surrounding areas.
    2. clumps or stringers of mixed conifer, pine-oak, pinyon-juniper, and/or riparian vegetation.
    3. canyon wall containing crevices, ledges, or caves.
    4. high percent of ground litter and woody debris.

Literature Cited

USDI Fish and Wildlife Service. 1995. Recovery plan for the Mexican spotted ow. Vol. 1. Albuquerque, New Mexico. 172pp. Available at https://www.fws.gov/southwest/es/arizona/Documents/RecoveryPlans/MexicanSpottedOwl.pdf

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___. 2004. Final designation of critical habitat for the Mexican spotted ow. Final Rule. Fed. Regist. 69 (168): 53182- 53298. Available at https://www.govinfo.gov/content/pkg/FR-2004-08-31/pdf/04-19501.pdf#page=2