



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

MANUAL TRANSMITTAL SHEET

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Subject

6500 - WILDLIFE AND FISHERIES MANAGEMENT

1. Explanation of Material Transmitted: This release updates the subject Manual Section by incorporating a policy statement that more fully addresses the Bureau's wildlife and fisheries program and updates program goals and objectives to better track with "Fish and Wildlife 2000."
2. Reports Required: None.
3. Material Superseded: Material superseded is listed under "REMOVE" below. No other directives are superseded.
4. Filing Instructions: File as directed below.

REMOVE:

All of 6500 (Rel. 6-76)

(Total: 8 sheets)

INSERT:

6500

(Total: 13 sheets)

Assistant Director, Land  
and Renewable Resources

## 6500 - WILDLIFE AND FISHERIES MANAGEMENT

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.01 Purpose. The purpose of this section is to provide guidance for the wildlife and fisheries program. Program authorities are summarized, key policies identified, and program goals and objectives outlined.

.02 Objectives. The objective of this section is to outline the basic approach and program objectives for managing fish and wildlife resources on the public lands for the social and economic well-being of all Americans.

.03 Authority. An overview of the legislative and Executive direction for the Bureau's wildlife program is set forth below.

A. Legislation (see Appendix 1 for detailed description of the legislation and Executive Orders listed below).

1. Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3101, 94 Stat. 2371, P.L. 96-487).

2. Bald Eagle Protection Act of 1940 (16 U.S.C. 668; 54 Stat. 250; as amended, P.L. 86-70, 73 Stat. 143 (1959), P.L. 87-884, 76 Stat. 1246 (1962), and P.L. 92-535, 86 Stat. 1064 (1972)).

3. Clean Air Act of 1970 (42 U.S.C. 1857-58a).

4. Coastal Zone Management Act of 1972 (16 U.S.C. 1451-64). As amended, P.L. 94-370, 90 Stat. 1013 (1976).

5. Emergency Wetlands Resource Act of 1986

6. Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.; 87 Stat. 884; P.L. 93-205, as amended; P.L. 94-359, 90 Stat. 913 (1974); P.L. 95-212, 91 Stat. 1493 (1977); and P.L. 95-632, 92 Stat. 3751 (1978); P.L. 96-159 (1979)).

7. Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.; 90 Stat. 2743; P.L. 94-579).

8. Federal Water Pollution Control Act (Clean Water Act) of 1977 (33 U.S.C. 1251 et seq.; 91 Stat. 1566-1611; P.L. 95-217).

9. Water Quality Act of 1987 (Amendments to Federal Water Pollution Control Act of 1977).

10. Fish and Wildlife Coordination Act of 1958 (16 U.S.C. 661 et seq.; 72 Stat. 563).

11. Fish and Wildlife Improvement Act of 1978 (92 Stat. 3110; P.L. 95-616).

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12. Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801-1802, 1811-1813, 1821-1825, 1851-1862, 1882; 90 Stat. 331; P.L. 94-265).

13. Food Security Act of 1985 (Farm Bill).

14. Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-62, 1371-84, and 1401-07, as amended by the Fisheries Conservation and Management Act of 1976, P.L. 94-265, 90 Stat. 331).

15. Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1401-44 and 16 U.S.C. 1431-34; 86 Stat. 1052).

16. Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-711; 40 Stat. 775, as amended, 49 Stat. 1556 (1936), 74 Stat. 866 (1960), 88 Stat. 190 (1974), 92 Stat. 3111-3112 (1978)).

17. National Environmental Policy Act of 1969 (42 U.S.C. 4321-47; 83 Stat. 852; P.L. 91-190).

18. Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.).

19. Sikes Act of 1960 (16 U.S.C. 670a-f; 74 Stat. 1052, as amended, P.L. 93-452 and 88 Stat. 1369 (1974), P.L. 95-420, and 92 Stat. 921 (1978)).

20. Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.; P.L. 95-87).

21. Taylor Grazing Act of 1934 (as amended, 43 U.S.C. 315; 48 Stat. 1269 (1970)).

22. Joint Resolution Regarding Tule Elk, January 1986 (16 U.S.C. 673; 90 Stat. 1189).

22. Wild Free-Roaming Horse and Burro Act of 1971 (16 U.S.C. 1331-40, 85 Stat. 649).

B. Executive Orders (EO's).

1. EO 12342 of January 1982.

2. EO 11990 of May 1977 (Wetlands).

3. EO 11988 of May 1977 (Floodplain Management).

4. EO 11989 of May 1977 (Off-Road Vehicles (ORV's)).

5. EO 11987 of May 1977 (Exotic Organisms).

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.04 Responsibility.

A. Director and Deputy Director are responsible for overall protection and enhancement of wildlife and fisheries resources on public lands and waters administered by the Bureau and its interaction with other programs.

B. Assistant Director, Land and Renewable Resources is responsible for the development, implementation, coordination and integration of wildlife and fisheries policies and procedures. The Assistant Director provides policy and program interpretations, direction, leadership, and line management to assure consistency of field implementation of policies and procedures to enhance, protect, maintain, or develop wildlife and fisheries resources on the public lands and waters administered by the Bureau.

C. Chief, Division of Wildlife and Fisheries is responsible for:

1. Developing fish and wildlife habitat management policy, procedures, and technical guidance.
  2. Ensuring that fish and wildlife protection procedures are incorporated into all Bureau programs.
  3. Evaluating the effectiveness of fish and wildlife habitat protection and management procedures and programs.
  4. Developing guidance for the preparation of habitat management or other appropriate plans to protect, maintain, and restore wildlife and fisheries habitats to the desired condition.
  5. Systematically reviewing rules, regulations, procedures, and proposed legislation to establish and update the Bureau's efforts to protect and manage fish and wildlife resources on public lands and values administered by the Bureau.
- D. Other Division and Office Chiefs are responsible for ensuring the incorporation of fish and wildlife habitat protection policy and procedures into their program areas.
- E. Service Center Director is responsible for assisting in the development and coordination of fish and wildlife related inventories and providing other appropriate technical expertise, assistance, and/or support within purview of Service Center operations and responsibilities.
- F. State Directors are responsible for implementing fish and wildlife habitat management programs on the public lands and waters within their area of jurisdiction in line with BLM policy; establishing State objectives, programs, and procedures and evaluating resulting accomplishments; maintaining liaison with other Federal and State agencies and conservation organizations; providing training and technical and operational assistance to field biologists and managers, and developing and periodically updating a strategic plan for the wildlife and fisheries program in their respective States.

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G. District Managers are responsible for implementing the fish and wildlife program within their Districts. They:

1. Establish priorities for fish and wildlife habitat management planning.
2. Prepare annual work plans for fish and wildlife and implement approved plans.
3. Ensure that fish and wildlife protection features are incorporated into other District programs and activities, including but not limited to:
  - a. Livestock grazing.
  - b. Energy and mineral development.
  - c. Fire management.
  - d. Forest management.
  - e. Wilderness review.
  - f. Rights-of-way permitting actions.
  - g. Special area designation.

.05 References.

- A. Animal Damage Control. (See BLM Manual Section 6830.)
- B. Annual Work Plan. (See BLM Manual Section 1681.)
- C. Exotic Wildlife. (See BLM MS 6820.)
- D. Habitat Management Plans. (See BLM MS 6780.)
- E. Sensitive Species. (See BLM MS 6840, Glossary of Terms.)
- F. Threatened and Endangered Species. (See BLM MS 6840.)
- G. Wetland-Riparian Areas. (See BLM MS 6740.)
- H. Wildlife Inventory and Monitoring Programs. (See BLM MS 6600.)
- I. Aquatic Resource Management. (See BLM MS 6720.)
- J. Supplemental Planning Guidance. (See BLM MS 1622.)

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.06 Policy. The general policies below are supplemented by more specific policies in BLM Manual Sections 1622 and 6501-6880. It is BLM policy to manage habitat with emphasis on ecosystems to ensure self-sustaining populations and a natural abundance and diversity of wildlife, fish, and plant resources on the public lands. To carry out this responsibility, the BLM will:

A. Prepare and maintain on a continuing basis, an inventory of the wildlife and fish resources, plant communities, and threatened, endangered, and candidate (special status) species on the public lands.

B. Ensure full consideration of the wildlife, fish, and special status species in land use plans and other BLM activities.

C. Use strategic planning to establish long range goals and objectives for the wildlife, fish, and special status species and identify management activities needed to achieve those goals and objectives.

D. Develop and implement habitat management plans identified during the planning process.

E. Ensure that all activity plans (HMPs, AMPs, etc.) include site specific objectives for wildlife, fish, and special status species and the actions necessary to achieve those objectives.

F. Monitor ongoing management actions and determine if habitat management objectives are being met.

G. Carry out habitat management activities identified during the planning process and in NEPA documents.

H. Maintain the continued effectiveness of habitat improvements.

I. Maintain a staff of professional employees with the formal training and expertise necessary to achieve the objectives of the program.

J. Ensure a level of communications and coordination necessary to provide effective cooperation between BLM, private groups, and local, State and Federal agencies concerned with management of the wildlife, fish, and special status species on the public lands.

K. Support or carry out research necessary to ensure availability of data and techniques necessary for proper and efficient management of the wildlife, fish, and special status species.

L. Develop and maintain wildlife and fisheries automated records and systems with a balance of standardization and flexibility to improve the efficiency and manageability of the program and resources.

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.07 Background.

A. The Bureau of Land Management is responsible for the balanced management of the public lands and resources and their various values so that they are considered in a combination that will best serve the needs of the American people. Management is based upon the principles of multiple-use and sustained yield, a combination of uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources. These resources include fish and wildlife as well as recreation, range, forest, minerals, watershed, wilderness and natural, scenic, scientific, educational, and cultural values.

B. For purposes of this program, wildlife includes all species of aquatic and marine (excluding fish), avian, and terrestrial animals, both native and exotic, normally found in a wild state on public lands and waters administered by the Bureau. Feral horses and burros are excluded. Wildlife habitat includes all elements of a wild animal's environment which the animal needs to normally and naturally complete its life cycle, i.e., to maintain a healthy life and perpetuate its population through normal reproduction; these elements are usually described as food, cover, water and living space, and in the amounts, qualities, and locations which the animal requires to complete its life cycle.

C. The BLM, as the manager of the public land, has a broad responsibility to the public to maintain or improve the habitat for wildlife. But, except in special cases, the responsibility for managing the wildlife itself traditionally rests with the individual States. There are exceptions. Marine mammals, migratory birds, and the federally listed threatened and endangered (T/E) species have become, at least in part, the responsibility of the Federal Government.

D. The States set seasons, bag limits, and license fees for harvesting game birds, mammals, and fish. They also conduct on-the-ground management and research for a variety of wildlife, including nongame species and species that are threatened and endangered. The Bureau conducts habitat inventories, monitoring, protection, restoration, and development activities on public lands working with the State and other cooperators.

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E. The Bureau works closely with the States and others to maintain the fish and wildlife resources at such levels that provide an enjoyable experience for the people who use the Nation's fish and wildlife. In an economic sense, fish and wildlife produce both primary and secondary benefits. The primary benefits accrue to the hunters, fishermen, and nonconsumptive users who combine effort, skill, their own equipment, and occasionally the services of a guide and outfitter to produce valuable recreation experiences. The secondary benefits from fish and wildlife accrue to the communities whose businesses sell equipment, transportation, food, and lodging to hunters, fishermen, and wildlife viewers who visit the communities in pursuit of their recreation. Such secondary benefits also include nonmonetary values associated with healthy, diverse ecosystems and their value as research, study, or educational areas.

F. The Bureau's wildlife and fisheries program is divided into three major components: Wildlife Habitat Management, Fisheries Habitat Management, and Threatened/Endangered (T/E) Species Management. Specific goals and objectives for each component are found in .1 of this Manual Section.

.08 Multiple Use Coordination.

A. Internal Coordination.

1. One of the key ways that fish and wildlife resources are managed on the public lands is by working in a cooperative and interdisciplinary manner with other BLM programs to ensure that the needs of these resources are considered in the preparation of resource management plans and implementation of on-the-ground development activities. This cooperation is vital since the amount of habitat affected by the collective activities of other BLM programs is extensive. For example, livestock is grazed on 174 million acres, there are approximately 8 million acres of commercial forest land, and minerals and energy are either produced or potentially could be produced on millions of public land acres not specifically withdrawn from such use.

2. The BLM is directed by FLPMA to manage the public lands in a manner that will best meet present and future needs of the Nation. (See Sec. 103(C).) Often, resource development activities and use activities can be designed and implemented with little long-term negative impact. In some instances, positive benefits to fish and wildlife are produced, while other actions may be negative in their impacts. Thus, it is to the mutual benefit of BLM programs to ensure strong cooperative efforts. Accurate, up-to-date fish and wildlife species and habitat information plays a key role in this respect.

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3. There are many ways that fish and wildlife resources are managed in concert with other uses. For example, habitat management can be accomplished by including appropriate wildlife objectives in allotment management plans (FLPMA Sec. 103(k)(3), and other activity plans and associated actions. Stipulations can be provided in all use authorizations (leases, grants, licenses, and permits) and in all Bureau-approved actions (roads, trails, ORV events, etc.) to protect and, as appropriate, enhance habitat and mitigate adverse impacts. Such cooperative efforts are, by necessity, a two-way street between programs. These require that each program be aware of its responsibilities to safeguard wherever feasible fish and wildlife in its on-the-ground program activities.

B. External Coordination.

1. Fish and wildlife habitat management, as practiced by BLM, is a three-step process of fact-finding, planning, and action. None of these steps can be effective without the cooperation of others. BLM must depend on the public, on private organizations, on other State and Federal agencies, and upon scientists from colleges and universities to contribute detailed knowledge and skills to its resource management efforts. Thus, meaningful cooperative relationships with other agencies and organizations are essential.

2. By striving to maintain positive working relationships with agencies and groups outside BLM, more opportunities are created for broad public involvement that, in turn, fosters awareness, support, assistance and participation in cooperative programs that enhance fish and wildlife habitats. Further, increased support and cooperation will increase the effectiveness of the Bureau, enhance the Bureau's image as a responsive manager of public land resources, and improve staff morale.

.09 Research.

A. General. Field employees at all levels are encouraged to submit, for consideration, fish and wildlife habitat research projects in order to gain needed technical knowledge and use of the ecosystem concepts in the management of fish and wildlife resources. Employees are also urged to monitor research programs of the Forest Service, Fish and Wildlife Service, and others to obtain research information and results applicable to management of fish and wildlife resources on public lands. Joint research efforts with the States, other Federal agencies, universities, and others are to be encouraged whenever possible.

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B. Cooperative Research. In general, research is not undertaken directly by the Bureau, but conducted cooperatively with other Federal agencies, State wildlife agencies, and colleges and universities. Habitat-oriented fish and/or wildlife research, designed to answer specific problems, may be proposed by either Bureau employees or outside research organizations. Proposals are initiated according to policy, procedures, and management principles set forth in BLM Manual Section 1741. Private organizations may also submit research projects in accordance with BLM Manual Section 1514 or the applicable Office of Management and Budget (OMB) Circular (either A-102 or A-110). Research work undertaken with the State and others must be consistent with any existing cooperative agreements and, if applicable, BLM Manual Section 1500 and OMB circulars.

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.1 Program Guidance for the Wildlife and Fisheries Program.

.11 General. In 1987, the Director approved "Fish and Wildlife 2000," a strategic plan for the Bureau's wildlife and fisheries program. This is the first time in the history of the Bureau that a long-term plan including program goals and objectives have been developed and then approved by Bureau leadership. "Fish and Wildlife 2000" will help ensure a consensus between managers and biologists as to the future program within each State and District. It also will provide a well thought-out blueprint for the future program at the field level, as well as a ready reference and tool for all to use in communicating with others as to what the program is and where we are headed.

.12 Wildlife Program Goals and Objectives. In developing and implementing fish and wildlife strategic plans, States should be guided by the policy statements in this Manual Section and the following goals and objectives for specific habitat:

A. Goal 1 - Overall Habitat Management Program.

1. General. Ensure optimum populations and a natural abundance and diversity of wildlife resources on public lands by restoring, maintaining, and enhancing habitat conditions through management plans and actions integrated with other uses of public lands, through coordination with other programs, the States, by management initiatives, and through direct habitat improvement projects.

2. Objectives.

a. Implement decisions made in approved land use plans that benefit wildlife resources.

b. Cooperate with appropriate agencies, organizations, adjacent landowners, and other Federal land users at the local level to develop coordinated approaches for managing and improving wildlife habitats on the public lands.

c. Restore, maintain, and improve wildlife habitat conditions on lands administered by BLM through the implementation of activity plans.

d. Increase the amount and quality of habitat available by completing projects that will eliminate major limiting factors identified during the Bureau planning process or through subsequent management activities.

e. Identify and encourage opportunities to improve the quality and quantity of wildlife habitat through acquiring essential areas identified through the Bureau's planning process utilizing the land tenure adjustment (exchange) program.

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f. Maintain or increase habitat productivity in those areas identified through the Bureau planning process as valuable in supporting species important to State and local economies.

g. Achieve maximum benefits for dollars spent for habitat management and improvement through investment analysis and through coordinated, cooperative management efforts with other agencies, organizations, adjacent landowners, and Federal land users.

h. Develop incentives to encourage continued private investment in habitat improvements on public lands so that adjacent landowners and users of the public land will recognize and share the benefits of ecologically sound habitat management on public land and adjoining private property.

i. Implement Sikes Act stamp/fee programs with State wildlife agencies as opportunities arise.

j. Secure access to public lands with wildlife resources having significant economic or social values according to a plan and schedule jointly formulated by State Offices and State wildlife agencies.

k. Enhance public understanding of wildlife and their relationships to habitat, including development of public information packages that show examples and benefits of BLM management.

B. Goal 2 - Big Game/Upland Game Habitat Management.

1. General. Ensure that big game/upland game species on the public lands are provided habitat of sufficient quantity and quality to sustain identifiable economic and/or social contributions to the American people.

2. Objectives.

a. Identify, using best available inventory data, important big game/upland game habitats at the BLM State, District, and Area level.

b. Complete projects that will eliminate major limiting factors identified during the Bureau planning process, and the development of HMPs and other appropriate plans, or activities resulting from management decisions.

c. Develop statewide schedules for implementing interagency habitat management plans for key habitats of big game/upland game species on a priority basis.

d. Implement procedures for analyzing habitat investments to obtain optimum benefits for dollars spent for habitat management and improvement.

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e. Implement cooperative plans and projects with other agencies, landowners, and private organizations to maintain or enhance big game/upland game habitats.

C. Goal 3 - Waterfowl Habitat Management.

1. General. Help perpetuate a diversity and abundance of waterfowl for the Nation by managing the wetlands and other habitats on the public lands that are of importance to the maintenance of this international resource.

2. Objectives.

a. Identify and rank by importance, key waterfowl habitat areas on the public lands at the State, District, and Resource Area levels, using available inventory data.

b. For each key waterfowl habitat area identified, summarize at the State level, management needs and activities to be used as part of a national plan outlining BLM's cooperative efforts to further the North American Waterfowl Management Plan signed by the United States and Canada in 1986.

c. Implement cooperative plans and projects with other agencies, landowners, and private organizations to enhance the waterfowl resource.

d. Strengthen communication and cooperative efforts with the FWS, Ducks Unlimited, and others to better ensure their awareness and financial and other support of waterfowl habitat management initiatives on public lands.

D. Goal 4 - Raptor Habitat Management.

1. General. Provide suitable habitat conditions for birds of prey on public lands through the conservation and management of essential habitat components, including habitat for prey species, especially in areas where birds of prey concentrate during some period of the year, or in important habitats where populations are suppressed.

2. Objectives.

a. Identify key nesting, migration, and concentration areas for birds of prey on public lands.

b. Implement management programs on key habitats having highly significant raptor populations.

c. Manage raptor habitats on public land by incorporating habitat and prey management considerations in land use and activity plans.

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d. For raptor species determined to be in need of recovery and special management, collaborate with the FWS, State agencies, other concerned organizations, and landowners in management activities that contribute to the recovery of such species.

e. Maintain an awareness of the condition and trend of raptor resources on the public lands by participating in monitoring activities with other agencies and organizations.

E. Goal 5 - Riparian Area Management.

1. General. Manage riparian areas to achieve a healthy and productive condition for long-term benefits and values, in concert with the range and watershed programs.

2. Objectives.

a. Maintain and, where necessary, restore riparian areas via an interdisciplinary approach and participative effort.

b. Monitor important riparian/wetland areas under management and other areas with identified conflicting uses.

c. Implement riparian management, protection and restoration efforts so that at least 75 percent of riparian areas are in good or better ecological condition by 1997.

.13 Fisheries Habitat Management.

A. General. The streams, rivers, lakes, and reservoirs of the public lands provide spawning, rearing, and other key habitat components for many species of cold and warm water fish. Many of the cold water species, such as salmon and steelhead trout, are important for commercial, recreational, and subsistence purposes. In some areas, warm water and resident trout species also provide important benefits to society. To effectively manage fisheries resources on the public lands, the Bureau recognizes the need to: maintain a partnership with the States and private interests; identify significant habitats that are required for the restoration and enhancement of high-value species; and improve habitats for such species, giving priority to projects with the best net economic returns, unless other considerations are overriding (e.g., T/E).

B. Goal 1 - Anadromous Species.

1. General. Provide and enhance the fisheries potential of anadromous fish streams in the Pacific Coast drainages so as to further contribute to the public use and enjoyment and to the economic stability of coastal communities and to the recreational and commercial fishing industries.

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2. Objectives.

- a. Identify streams that support anadromous fish.
- b. Increase habitat productivity in streams currently utilized by anadromous fish but producing below potential.
- c. Increase the amount of habitat available for producing anadromous fish by completing fish passage projects.
- d. Develop interagency habitat management plans for coastal watersheds in California and Oregon and in Alaska on a priority basis.

C. Goal 2 - Resident Species.

1. General. Manage habitat for resident species that spend all or part of their life cycles on public lands and that are of high economic, social, or scientific value to local communities or the Nation. This includes both warm and cold water resident species, such as bass, rainbow and cutthroat trout, and fishes in the desert Southwest.

2. Objectives.

- a. Implement current land use plans for species or habitats identified as important to local communities within timeframes established by Bureau managers.
- b. Emphasize coordinated management approaches for resident fish species and their habitats, where needs have been identified through the Bureau planning process or other appropriate procedures.
- c. Maintain or enhance important resident fisheries resources by implementing habitat management or improvement projects as identified during the planning process in accordance with priorities established by management.
- d. Secure access to sport fishing waters on the public lands according to a schedule developed jointly by BLM State Offices and State fish and wildlife agencies.

.14 Threatened and Endangered Species Management. The Endangered Species Act (ESA) assigns the responsibility for managing federally listed T/E species to the Federal government. Federal agencies are directed to carry out programs for T/E species and the ecosystems upon which they depend which will bring these species and their habitats to a condition where the protective measures provided by the ESA are no longer necessary. The BLM has been assigned two major responsibilities. One is to seek means to ensure recovery of listed species on BLM lands. The other is to ensure that any Federal action authorized, funded, or carried out is not likely to jeopardize the continued existence of T/E species or result in destruction or adverse modification of critical habitat.

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- A. Goal 1 - Listed Species. (See BLM Manual Section 6840.)
- B. Goal 2 - Candidate Species. (See BLM Manual Section 6840.)
- C. Special Habitats.

- 1. General. Conserve rare, vulnerable, and representative habitats, plant communities, and ecosystems.

- 2. Objectives.

- a. Identify and monitor habitats/ecosystems/plant communities that are vulnerable to adverse changes or are considered rare.

- b. Develop and implement plans to ensure that the characteristics of rare, threatened, or representative habitat types are maintained.

- c. Collaborate with other agencies, the States, and private groups to ensure protection of the best representative habitats/ecosystem/plant communities for each area.

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A. Legislation.

1. Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3101: 94 Stat. 2371: P.L. 96-487).

a. Establishes National Conservation and National Recreation Areas in Alaska and provides for conservation and preservation of fish and wildlife and other values in these and other areas.

b. Title VIII of the Act requires that the opportunity for continued use of subsistence resources on public lands be provided. Cooperation, studies, and reports to Congress specific to subsistence are required.

c. Specific requirements for research on fish and wildlife and subsistence uses on public lands are identified in Section 812. Specific data requirements, addressing subsistence resources, for reports to Congress are identified in Section 813. Provides strong direction to actively manage fish and wildlife resources to provide for subsistence and other uses.

2. Bald Eagle Protection Act of 1940 (16 U.S.C. 668; 54 Stat. 250; as amended, P.L. 86-70, 73 Stat. 143 (1959), P.L. 87-884, 76 Stat. 1246 (1962), and P.L. 92-535, 86 Stat. 1064 (1972)).

a. Provides for the cancellation of leases, licenses, permits, or other agreements authorizing livestock grazing on Federal lands of persons convicted of violating the Act or any implementing regulation or permit.

b. Establishes penalties for taking, possessing, selling, purchasing, bartering, and certain other actions pertaining to bald and golden eagles. (The term "take" within the Act includes pursue, shoot, shoot at, wound, kill, capture, trap, collect, or otherwise willfully molest or disturb.)

3. Clean Air Act of 1970 (42 U.S.C. 1857-58a). Establishes a mechanism for control of air pollution through the maintenance of air quality standards for public health and welfare. As defined in the Act, public welfare includes wildlife, soils, water, crops, vegetation, and other components.

4. Coastal Zone Management Act of 1972 (16 U.S.C. 1451-64). As amended, P.L. 94-370, 90 Stat. 1013 (1976).

a. Encourages States, with cooperation of the Federal Government, to develop and implement management plans to preserve, develop, and, where possible, enhance resources of the Nation's coastal zone.

b. Prescribes that management plans include:

(1) An inventory and designation of areas of particular concern (e.g., areas of "essential habitat for living resources," including fish and wildlife).

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(2) Adequate consideration of national interests (e.g., "wildlife refuges," "areas of species and habitat preservation") during siting of facilities.

5. Emergency Wetlands Resource Act of 1986.

a. Extends the Wetland Loan Act and delays its repayment. Authorizes the charging of admission fees to certain units within the National Wildlife Refuge System and provides for distribution of the subject fee.

b. Provides for the development of a national wetland priority conservation plan to prioritize, on a regional basis, wetland acquisitions to be pursued.

c. Modifies the Land and Water Conservation Act of 1965 to require the Statewide Comprehensive Outdoor Recreation Plans to specifically address wetlands.

d. Directs the Fish and Wildlife Service to continue the National Wetlands Inventory.

e. Directs the Fish and Wildlife Service to evaluate the effects of Federal programs on wetlands.

6. Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.; 87 Stat. 884; P.L. 93-205, as amended; P.L. 94-359, 90 Stat. 913 (1974); P.L. 95-212, 91 Stat. 1493 (1977); and P.L. 95-632, 92 Stat. 3751 (1978); P.L. 96-159 (1979)).

a. Supersedes the Endangered Species Preservation Act of 1966 and the Endangered Species Conservation Act of 1969.

b. Requires all Federal departments and agencies to utilize their authorities to conserve species listed by the Secretary of the Interior or Secretary of Commerce as threatened or endangered.

c. Requires Federal agencies to ensure that the continued existence of listed species is not jeopardized and that designated critical habitat of listed species is not destroyed or adversely modified.

d. Requires consultation with the Fish and Wildlife Service (FWS) or National Marine Fisheries Service if it is determined that any BLM action (e.g., right-of-way grant) may affect a threatened or endangered species or its critical habitat.

e. Requires conference with FWS/NMFS if it is determined that an action is likely to jeopardize the continued existence of a proposed threatened and endangered (T/E) species or result in the extinction or adverse modification of proposed Critical Habitat.

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7. Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.; 90 Stat. 2743; P.L. 94-579).

- a. Requires the development and maintenance of land use plans based on an inventory of all public lands and their resources.
- b. Identifies "fish and wildlife development and utilization" as a principal or major land use.
- c. Requires that part of grazing fees be spent for "range betterment," including aquatic and terrestrial wildlife habitat enhancement, protection, and maintenance where livestock use occurs.
- d. Requires consideration of fish and wildlife resources before approval of land exchanges.
- e. Authorizes the Secretaries of the Interior and Agriculture to designate areas under their jurisdiction and establish time periods in which no hunting and fishing would be permitted for reasons of public safety, administration, or applicable law.
- f. Authorizes the designation of Areas of Critical Environmental Concern to protect and prevent irreparable damage to fish and wildlife, and other resources.
- g. Neither enlarges nor diminishes the responsibilities and authorities of the State for management of fish and resident wildlife.
- h. Authorizes investigations, studies, and experiments--involving the improvement, management, use, and protection of the public lands and their resources.

8. Federal Water Pollution Control Act (Clean Water Act) of 1977 (33 U.S.C. 1251 et seq.; 91 Stat. 1566-1611; P.L. 95-217).

- a. The objective of this Act is to restore and maintain "the chemical, physical, and biological integrity of the Nation's water" at a level of quality which provides protection for fish, shellfish, wildlife, and recreational use.
- b. Requires permits for certain activities in navigable waters.

9. Water Quality Act of 1987 (Amendments to Federal Water Pollution Control Act of 1977).

- a. Authorizes funding for water pollution control projects and studies of water pollution problems.

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b. Establishes standards and timetables for pollution designation and enforcement.

c. Establishes a program to manage nonpoint sources of pollution by authorizing funds to States to prepare reports and plans on waters that are not expected to meet desired water quality goals.

d. Upon Federal acceptance of reports, States are eligible for grants to implement plans to control nonpoint source pollution problems.

10. Fish and Wildlife Coordination Act of 1958 (16 U.S.C. 661 et seq.; 72 Stat. 563).

a. Directs that wildlife conservation be given equal consideration and be coordinated with other features of water resource development programs.

b. Requires that possible damage to fish and wildlife resources, from work planned in navigable waters and drainages, be assessed and that measures be adopted for preventing such losses or damages as well as for development and improvement of wildlife and fisheries resources.

11. Fish and Wildlife Improvement Act of 1978 (92 Stat. 3110; P.L. 95-616). Authorizes the Secretary to permit taking of golden eagle nests which interfere with resource development or recovery operations.

12. Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801-1802, 1811-1813, 1821-1825, 1851-1862, 1882; 90 Stat. 331; P.L. 94-265).

a. Asserts for the United States Management authority over fish and all forms of marine animals and plants (except marine mammals, birds, and migratory species) within a 197-mile conservation zone contiguous to the U.S.

b. Claims for the U.S. the authorities over anadromous fish which spawn in U.S. fresh or estuarine waters, and over certain sedentary species on areas of the Continental Shelf, extending beyond the conservation zone.

c. Requires preparation of comprehensive fishery management plans by regional fishery management councils, composed of Federal and State officials. The Secretary of Commerce has the lead in implementation of this law.

13. Food Security Act of 1985 (Farm Bill).

a. Encourages the removal of marginal lands from production and provides various incentives for wetland habitat protection and restoration while reducing Federal subsidy costs.

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b. Contains a "swamp buster" provision that withholds subsidies for agricultural products produced on agricultural land converted from wetland after December 23, 1985.

c. Provides for conservation set-asides of not less than 10 years for highly erodible lands (that may be interspersed with wetlands). Also provides for cost sharing for planting cover crops.

d. Provides for Federal Farm Home Loan debt relief in exchange for 50-year easements for conservation purposes on lands held by the borrower.

14. Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-62, 1371-84, and 1401-07, as amended by the Fisheries Conservation and Management Act of 1976, P.L. 94-265, 90 Stat. 331).

a. Establishes a moratorium on the taking, possessing, transporting, selling, and importing of marine mammals or their products, except in a few circumstances (e.g., takings incidental to commercial fisheries operations).

b. Provides the Secretary of the Interior and Secretary of Commerce principal roles for protecting species or populations of cetacea and pinnipedia (except walruses), and all other marine mammals, respectively.

15. Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1401-44 and 16 U.S.C. 1431-34; 86 Stat. 1052).

a. Authorizes the Secretary of Commerce to designate areas of the Outer Continental Shelf as "marine sanctuaries" in order to promulgate their conservation, recreation, ecological, and esthetic values. (BLM would be one of the Federal agencies consulted regarding proposed sanctuaries on the Shelf.)

b. Once a delegation is made, any permits, licenses, or other authorization issued must be certified by the Secretary of Commerce to be consistent with the Act (e.g., the action does not result in dumping of wastes which would pollute the sanctuary).

16. Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-711; 40 Stat. 775, as amended, 49 Stat. 1556 (1936), 74 Stat. 866 (1960), 88 Stat. 190 (1974), 92 Stat. 3111-3112 (1978)).

a. Establishes Federal responsibility for the protection of international migratory bird resources, implements conventions between the U.S. and other governments (Great Britain, Japan, Mexico, Russia) and gives the Secretary of the Interior (FWS) authority to regulate hunting of migratory birds.

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17. National Environmental Policy Act of 1969 (42 U.S.C. 4321-47; 83 Stat. 852; P.L. 91-190).

a. Requires Federal agencies to utilize a systematic, interdisciplinary approach to ensure the use of natural and social sciences, and environmental design arts in any planning or decisionmaking that might impact man's environment.

b. Establishes national environmental policy to, among other things, encourage productive and harmonious relationships between man and his environment and to enrich the understanding of ecological systems and natural processes important to the Nation. Fish and wildlife is obviously an important aspect of any such systems and processes.

c. Requires preparation of detailed statements on environmental impacts of proposed major Federal actions that significantly impact the quality of the human environment.

18. Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.).

a. Directs improvement of rangeland conditions in accordance with land use planning under FLPMA.

b. Directs development and maintenance of an inventory of range conditions and trends as part of FLPMA's inventory process.

c. Requires prior consultation with the FWS, wildlife agencies of the State where animals are located, individuals independent of Federal and State government recommended by the National Academy of Sciences and other individuals having scientific expertise and special knowledge of wild horses and burros, wildlife management, and animal husbandry as related to rangeland management.

d. Provides funding for rangeland improvements which includes providing habitat for wildlife.

19. Sikes Act of 1960 (16 U.S.C. 670a-f; 74 Stat. 1052, as amended, P.L. 93-452 and 88 Stat. 1369 (1974), P.L. 95-420, and 92 Stat. 921 (1978)). The basic intent of Title II was to extend the Sikes Act authority for wildlife program development from strictly military reservations to public lands administered by the Forest Service and BLM. In essence, it was a congressional mandate for BLM to ". . . plan, develop, maintain and coordinate programs for the conservation and rehabilitation of wildlife, fish and game."

a. Title I extends wildlife programs on military reservations and provides funding authorization.

b. Title II authorizes the following key elements for BLM wildlife program management:

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(1) Cooperative agreements subject to the Grants Cooperative Agreement Act, (P.L. 95-224; U.S.C. 6306 (See BLM Manual Section 1500)) and close working relationships with State wildlife agencies; (The Sikes Act as amended, provides an exemption to the requirements of the Grants and Cooperative Agreement Act if the work to be done is covered by a Habitat Management Plan (HMP) and the work will be done by the State Fish and Wildlife Agency (see BLM Manual Section 6521.1)).

(2) Preparation and implementation of joint BLM-State wildlife agency habitat management plans (HMP's).

(3) Integration of the BLM's wildlife program with the Bureau's planning system, environmental assessment, and public input and review process.

(4) Implementation of on-the-ground wildlife habitat improvement, maintenance, and protection programs.

(5) Protection and management of both Federal and State-listed threatened and endangered species.

(6) Establishment of a potential hunting and fishing stamp program for State wildlife agencies to use--if and when they deem fit.

20. Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.; P.L. 95-87).

a. Authorizes the surface mining of coal in environmentally compatible areas.

b. Establishes criteria for designation of lands unsuitable for surface mining of coal or other minerals.

c. Provides for reclamation of past orphaned surface disturbances.

d. Requires reclamation of disturbed areas.

e. Provides a mechanism for State management of the Act. (Protection and/or reestablishment of fish and wildlife habitat is one of the factors that would be considered during the design, assessment, and implementation of reclamation plans, and during designation of areas unsuitable for mining.)

21. Taylor Grazing Act of 1934 (as amended, 43 U.S.C. 315; 48 Stat. 1269 (1970)).

a. Requires the Secretary to protect, administer, regulate, and improve grazing districts created in accordance with the Act.

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b. Section 2 of the Act also requires the Secretary "to ensure the objects of such grazing districts, namely, to regulate their occupancy and use, to preserve the land and its resources from destruction or unnecessary injury, to provide for the orderly use, improvement, and development of the range."

c. Authorizes the Secretary "to continue the study of erosion and flood control and to perform such work as may be necessary to amply protect and rehabilitate such areas within grazing districts."

d. Provides for cooperation with local stockmen associations, State land officials, and State agencies engaged in conservation or propagation of wildlife which are interested in the use of grazing districts for such purposes.

e. Provides for hunting and fishing in grazing districts in accordance with applicable laws.

22. Joint Resolution Regarding Tule Elk, January 1976 (16 U.S.C. 673; 90 Stat. 1189).

a. Provides for the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Defense to cooperate with the State of California in making lands under their respective jurisdictions reasonably available for management of Tule elk.

b. Requires the Secretary of the Interior to submit a report every three years regarding the size and condition of the Tule elk herds and the nature and condition of their respective habitats.

23. Wild Free-Roaming Horse and Burro Act of 1971 (16 U.S.C. 1331-40, 85 Stat. 649).

a. Requires that management activities for wild horses and burros be carried out in consultation with State wildlife agencies in order to protect the natural ecological balance of all wildlife species inhabiting the land, particularly endangered wildlife.

b. Requires that any adjustments in forage allocations take into consideration the needs of all wildlife species.

B. Executive Orders (EO's).

1. EO 12342 of January 1982. This Executive Order permits effective predator control with environmental safeguards.

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2. EO 11990 of May 1977 (Wetlands). Directs Federal agencies to minimize the destruction, loss, and degradation of wetlands, and to preserve and enhance the beneficial values of wetlands. In administering its activities, agencies must evaluate the effects of the proposed actions on the survival and quality of wetlands. All federally initiated, financed, or permitted construction projects in wetlands must include all practical measures to minimize adverse impacts. All leases, rights-of-way, easements, and disposals involving Federal wetlands must contain restrictions to uses by the grantee which are consistent with Federal, State, and local wetland regulations.

3. EO 11988 of May 1977 (Floodplain Management). Directs each Federal agency to evaluate the potential effects of its actions on floodplains and to ensure that its planning programs and budget requests take flood hazards and floodplain management into account. Federal agencies are to take actions to reduce the risk of flood loss, to minimize the impacts of floods, and to restore and preserve the natural and beneficial values of floodplains.

4. EO 11989 of May 1977 (Off-Road Vehicles (ORV's)). This order directs heads of Federal agencies to close areas to ORV use whenever it is determined that use of ORV's is or will cause considerable adverse impact on soil, vegetation, wildlife, wildlife habitat, or certain other resources on the public lands. Agencies are also authorized to adopt the policy that portions of the public lands shall be closed to ORV's except for designated open areas and trails.

5. EO 11987 of May 1977 (Exotic Organisms). Directs Executive agencies, to the extent permitted by law, to restrict the introduction and/or importation and funding of exotic species into natural ecosystems on lands they administer. It also encourages States, local governments, and private citizens to prevent introduction of exotic species.