

An intergovernmental MOU for fisher conservation was signed in 2016 by Federal and State agencies in Oregon (DOI et al. 2016, entire) to facilitate and coordinate fisher conservation activities among the parties, with an expiration date of April 2021. While we are not aware of how the MOU might influence specific projects (~~directly affect~~ actual work on the ground), we consider the facilitation and coordination of fisher conservation activities and the projects that follow a benefit.

Multiple interagency MOUs are also in place in California with the intention to coordinate and collaborate on actions that may reduce wildfire risk across multiple ownerships; actions that reduce wildfire may also reduce the risk of habitat loss for multiple species including the fisher. Since the publication of the 2019 Revised Proposed Rule, an interagency MOU (titled “Forest Fuels Reduction and Species Conservation in California”) was signed on February 7, 2020, and amended on February 12, 2020, by the USFS, the State, SPI, small timber companies, industrial timber companies, and the National Fish and Wildlife Foundation to facilitate coordinated actions that may contribute to fuels reduction efforts and species conservation across the various land ownerships between now and December 2024 (USFS et al. 2020, entire). An addendum was signed on February 12, 2020, adding additional industrial timber companies and small timber companies. This MOU supersedes multiple previous MOUs for NSO and CSO (USFS 2020, pp. 1, 13-14) from 2017 and 2019. Fisher-specific conservation measures are included in this MOU, in addition to conservation measures for the California and northern spotted owls. The measures promote fisher occupancy and habitat through increased resilience and resistance of habitat from multiple disturbances, including uncharacteristic wildfire. More specifically, participants will implement activities consistent with the conservation needs of the fisher including retention of known natal dens, retention or recruitment

Commented [OK1]: This doesn't tell us anything about what this conservation measure does. The parenthetical that it doesn't direct any actual work on the ground was deleted – it may be pessimistic, but we need to be accurate – if this doesn't contain any measures on the ground, then we should so state. It doesn't do us any good to rely on conservation measures if they don't do any actual conservation.

Commented [PA2R1]: Elizabeth

Commented [WE3R1]: This is tough... they don't contain specific treatments, acres, locations, etc... they only document efforts that will be made to support fisher conservation. Worked with Angela to come up with text to attempt to address comment.

Commented [OK4]: Still unclear what facilitation will actually do on the ground to alleviate the fuels issue. Need to make sure that we are accurately describing what these MOUs actually do – not a sugarcoating of feel good measures.

Commented [PA5R4]: Elizabeth

Commented [WE6R4]: The MOUs are not very specific. Added a sentence to address comment as best I can with what info is available in the MOU.

Commented [GG7R4]: Please see the last paragraph on MOU for the two on-the-ground projects we know have been implemented under the MOUs.

Commented [OK8]: This termination date is also important – if you are considering measures to benefit fishers in the foreseeable future.

Commented [PA9R8]: Elizabeth

Commented [WE10R8]: Agree. Related to this many of the other MOUs/cost shares expire a lot sooner. I didn't realize they had expiration dates nor that they would expire so soon. This is an important piece that we don't address and probably should. See end of section for a sentence to address this...tweak as needed.

Commented [OK11]: Think this reference should also include the Addendum that includes the smaller timber companies, as theirs is the one that actually contains the measures described, which again, do not appear related to fuels reduction although they may benefit fisher habitat.

Commented [PA12R11]: Elizabeth

Commented [WE13R11]: The 2020 MOU supersedes the 2019 NSO agreement that contained many smaller landowners. The measures from the addendum to the 2020 MOU adding the small landowners back in are included ... [1]

Commented [OK14]: I'm not sure what these are – perhaps I'm just missing it, but as I look at the referenced MOU – there is coordination of information among the ... [2]

Commented [PA15R14]: Elizabeth

Commented [WE16R14]: Added sentence to address this and previous comment.

of hardwoods and structurally diverse forests, retention of shrubs and smaller trees in areas with sparse overstory cover, and avoid poisoning potential prey species. While the MOU is not specific to what fuels reduction measures will take place on the ground, the MOU will increase the effectiveness of fuels management by considering data and information and coordinating efforts for entire landscapes across multiple ownerships (USFS et al. 2020, p. 3).

There are additional MOUs in California within the range of the NCSO DPS for wildfire and fuels management, but with that have no specific conservation measures for fisher but that include other species that use habitats similar to those used by fisher (i.e. northern and California spotted owls). An MOU was signed in 2015 by multiple conservation groups, the California Department of Forestry and Fire Protection, two Federal agencies, and two prescribed fire councils (USFS 2015). The MOU is titled “Cooperating for the purpose of increasing the use of fire to meet ecological and other management objectives and expires on October 7, 2020. The purpose of this MOU is to document the cooperation between the parties to increase the use of fire to meet ecological and other management objectives.

Peripheral to the 2017 MOU for California spotted owl (that has been superseded by the 2020 MOU discussed above), A challenge cost share agreement was signed in 2017 by the National Fish and Wildlife Foundation, and the USFS, Pacific Southwest Region, Regional Office (USFS 2017); the cost share agreement expires June 29, 2022. The agreement is titled “Pacific Southwest Fuels Management Strategic Investment Partnership.” The purpose of this agreement is to document the cooperation between the parties to implement a hazardous fuels management program that reduces the risk of severe wildfire, protects ecological values, and reduces the change of damage to public and private improvements.

Finally, an MOU was signed in 2019 by small timber companies, industrial timber companies, CalFire, the National Fish and Wildlife Foundation, and the USFS, Pacific Southwest Region, Regional Office (USFS 2019). The MOU is titled “Forest Fuels reduction and species conservation in California” with a focus on the California spotted owl and expires on December 31, 2020. The MOU approximately covers the area occupied by the Stirling subpopulation of fishers in the NCSO. The purpose of the MOU, similar to others mentioned, is to coordinate and share information on fuels reductions actions across larger landscapes to provide species conservation. We cannot find language indicating that this MOU was superseded by the 2020 MOU (discussed above) but many of the same landowners are part of both MOUs and much of the intent is the same.

All of these MOUs and the cost share agreement provide collaboration between federal partners and non-governmental organizations to coordinate and fund fuel reduction projects within the NCSO DPS, which when implemented could reduce the impact of large-scale high severity fire. So far, we are aware of two fuel reduction projects that have been funded as part of the MOUs within the NCSO DPS, one on the Lassen National Forest and one on the Six Rivers National Forest. Finally, many of the MOUs expire in the near term; however, we anticipate, based on past track records to renew and update the MOUs, continuing for collaboration, and because many of the same partners occur on multiple MOUs, partnerships resulting in conservation of fisher habitat will continue.

Commented [WE17]: New citation. Not added to ref folder...pending OK of addition.

Commented [WE18]: New text to try to address near term expiration of agreements.

The 2020 MOU supersedes the 2019 NSO agreement that contained many smaller landowners. The measures from the addendum to the 2020 MOU adding the small landowners back in are included two sentences down.. There is one other 2019 MOU that is for CSO that also contains smaller landowners, covering Stirling area. Added that MOU to paragraph below.

I'm not sure what these are – perhaps I'm just missing it, but as I look at the referenced MOU – there is coordination of information among these parties regarding forest fuels management actions, and information that may contribute to conservation – but coordinating information is not the same as measures on the ground. The USFS will implement applicable conservation measures as identified in its forest plans or conservation strategies, but similar provisions are not included for the other parties. The ADDendum to the MOU, which adds the other timber companies, does include specific measures that those CFLs will perform – but not clear as noted above that these are fuels reduction measures.