

North Fairfax Drive, Room 420, Arlington, Virginia 22203, or the Chief of the Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, Maryland 20910.

**FOR FURTHER INFORMATION CONTACT:** Rick Sayers, Chief, Branch of Consultation and Habitat Conservation Planning (Telephone 703/358-2106, Facsimile 703/358-1735).

**SUPPLEMENTARY INFORMATION:**

**Background**

In response to recent damaging wildland fires, the Departments of the Interior and Agriculture have developed the National Fire Plan, which, among other things, calls for a substantial increase in the number of forested acres treated annually to reduce hazardous fuels. With this effort comes an increased workload related to compliance with various environmental laws and regulations such as the Endangered Species Act of 1973, as amended (ESA).

Under section 7(a)(2) of the ESA, each Federal agency must, in consultation with the Services, ensure that any action it funds, authorizes, or carries out will not jeopardize the continued existence of listed species or adversely modify designated critical habitat. Thus land management agencies must complete section 7 consultation in accordance with procedures identified at 50 CFR part 402 for each fuels treatment project they propose prior to implementation. It is essential that these consultations be carried out as quickly and efficiently as possible to promote the timely implementation of preventative actions that will help to ensure public safety.

This is one of the goals of the President's recently announced Healthy Forest Initiative, which will implement core components of the National Fire Plan. As part of this initiative the Services have developed the subject guidance document to assist in streamlining the section 7 consultation process for hazardous fuels treatment projects. This guidance is founded on the principle that by engaging in early planning and coordination the Services and action agencies can identify and address potential conflicts between fuels treatment projects and listed species conservation during the project design phase while there is the maximum flexibility to modify projects. Incorporating listed species' needs into the project design process, typically in the form of the development of design criteria, is one of the most effective

methods of streamlining the section 7 consultation process.

The guidance provides options for both fire management agencies and the Services and is designed to contain sufficient flexibility to meet the individual needs of varied circumstances across the landscape. While the guidance presents no new or additional requirements, it takes several streamlining techniques that have been successfully used in different areas of the country and under different circumstances, such as the development of design criteria or "screens," the batching of similar projects, and the use of programmatic consultations, and offers ways they can be used individually or in combination to effectively streamline the section 7 consultation process. All procedures identified in the guidance document are consistent with the requirements of section 7(a)(2) of the Act and its implementing regulations (50 CFR part 402).

Finally, despite the best of intentions, at times the section 7 consultation process has been unduly slowed by disputes among consulting agencies. In an effort to reduce the potential for such delays, the guidance provides a dispute resolution process. This process involves elevation procedures designed to provide timely resolution to such disputes.

The Services are publishing this notice in order to advise other agencies and the public of the existence of the subject guidance and encourage its use.

**Authority:** The authority for this action is the Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*).

Dated: October 8, 2002.

**William T. Hogarth,**  
*Assistant Administrator for Fisheries,*  
*National Marine Fisheries Service.*

Dated: October 11, 2002.

**Steve Williams,**  
*Director, Fish and Wildlife Service.*  
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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**Endangered and Threatened Wildlife and Plants; Guidance on Evaluating the Net Benefit of Hazardous Fuels Treatment Projects**

**AGENCIES:** Fish and Wildlife Service (USFWS), Interior; National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Commerce.

**ACTION:** Notice of availability.

**SUMMARY:** The Fish and Wildlife Service and National Marine Fisheries Service (Services) announce the availability of guidance on evaluating the net benefit of projects that reduce hazardous fuels. The guidance recommends that managers evaluate the net benefits of such projects during the consultation process conducted under section 7 of the Endangered Species Act of 1973, as amended (Act). While reducing hazardous fuels may have short- or long-term adverse effects on some species, the long-term net benefit can be substantial and sustaining to the species. This guidance will help ensure consistency in the approach the Services use to analyze the risks and benefits of implementing projects to reduce hazardous fuels.

**ADDRESSES:** Electronic copies of this guidance may be obtained from the USFWS World Wide Web Consultation Home Page at: <http://endangered.fws.gov/consultations/forestplan.html>. Written copies of this guidance may be obtained from the Chief of the Division of Consultation, Habitat Conservation Planning, Recovery, and State Grants, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, Virginia 22203, or the Chief of the Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, Maryland 20910.

**FOR FURTHER INFORMATION CONTACT:** Rick Sayers, Chief, Branch of Consultation and Habitat Conservation Planning (Telephone 703/358-2106, Facsimile 703/358-1735).

**SUPPLEMENTARY INFORMATION:**

**Background**

In response to recent damaging wildland fires, the Departments of the

Interior and Agriculture have developed the National Fire Plan, which, among other things, calls for a substantial increase in the number of forested acres treated annually to reduce hazardous fuels. As part of this effort, agencies must consult with the Services, in accordance with section 7 of the Act and comply with other applicable requirements of various environmental laws and regulations.

Under section 7(a)(2) of the Act, each Federal agency must, in consultation with the Services, ensure that any action it funds, authorizes, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or adversely modify designated critical habitat. Therefore, Federal land management agencies must complete section 7 consultation in accordance with procedures identified at 50 CFR part 402 before implementing any project to reduce hazardous fuels. It is essential that these consultations be carried out as quickly and efficiently as possible to promote the timely implementation of preventative actions that will help to ensure public safety.

Preventative actions that will help ensure public safety are among the goals of the President's recently announced Healthy Forest Initiative, which will implement core components of the National Fire Plan. As part of the Healthy Forest Initiative, the Services have developed a guidance document to ensure consistency in the approach the Services use to analyze the risks and benefits of implementing actions to reduce hazardous fuels during the section 7 consultation process.

Some projects may have short-term adverse effects on some endangered and threatened listed species; however, at the same time, these projects present opportunities for significant long-term benefits to those species and their habitats. The guidance document encourages the Services to evaluate and balance the long-term benefits of fuels reduction projects, including the benefits of restoring the natural fire regimes and native vegetation, as well as the long-term risks of catastrophic wildfire, against any short- or long-term adverse effects.

All procedures identified in the guidance document are consistent with the requirements of section 7(a)(2) of the Act and its implementing regulations (50 CFR part 402).

The Services are publishing this notice in order to advise other agencies and the public of the availability of the guidance document and to encourage its use.

**Authority:** The authority for this action is the Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*).

Dated: December 20, 2002.

**William T. Hogarth,**

*Assistant Administrator for Fisheries,  
National Marine Fisheries Service.*

Dated: December 27, 2002.

**Steve Williams,**

*Director, Fish and Wildlife Service.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

**[AZ-070-033-1232-EA, SRP-070-03-01  
and SRP-070-03-02]**

#### **Notice of Temporary Closure of Selected Public Lands in La Paz County, Arizona, During the Operation of the 2003 Parker 250 and Parker 425 Desert Races**

**AGENCY:** Bureau of Land Management.

**ACTION:** Temporary Closure of Selected Public Lands in La Paz County, Arizona, during the operation of the 2003 Parker 250 and Parker 425 Desert Races.

**SUMMARY:** The Bureau of Land Management (BLM) Lake Havasu Field Office announces the temporary closure of selected public lands under its administration in La Paz County, Arizona. This action is being taken to help ensure public safety and prevent unnecessary environmental degradation during the officially permitted running of the 2003 Parker 250 and Parker 425 Desert Races. This closure is effective during the Parker 250 Race from 6 p.m. MST on January 3, 2003 and ending at 8 p.m. MST on January 5, 2003; in addition, the closure is effective for the Parker 425 Race, beginning at 10 a.m. (MST) February 6, 2003 and ending at midnight (MST) on February 8, 2003.

All public lands, including county maintained roads and highways located on public lands, that are located within two miles of the designated racecourse are subject to this temporary closure. Official maps maintained by the BLM's Lake Havasu Field Office define the designated racecourse.

The following acts are prohibited during the temporary closure:

1. Driving or being present on designated racecourse. This restriction does not apply to race participants, race officials and emergency vehicles.
2. Vehicle parking or stopping in areas affected by the closure, except where such is specifically allowed (designated spectator areas).

3. Camping in any area, except in the designated spectator areas.

4. Discharge of firearms.

5. Possession or use of any fireworks.

6. Cutting or collecting firewood of any kind, including dead and down wood or other vegetative material.

7. Operating any vehicle (except for registered race vehicles), including off-highway vehicles, which is not registered and equipped for street and highway operation.

8. Operating any vehicle in the area of the closure at a speed of more than 35 mph. This does not apply to registered race vehicles during the race, while on the designated racecourse.

9. Parking any vehicle in violation of posted restrictions.

10. Parking any vehicle in a manner that obstructs or impedes normal traffic movement.

11. Driving any vehicle around or past any "road closed" sign or traffic control barrier.

12. Failing to obey any person authorized to direct traffic, including law enforcement officers and designated race officials.

13. Failing to observe Spectator Area quiet hours of 10 PM to 6 AM.

14. Failing to keep campsite or race viewing site free of trash and litter.

15. Allowing any pet or other animal to be unrestrained by a leash of not more than 6 feet in length.

The above restrictions do not apply to emergency vehicles and vehicles owned by the United States, the State of Arizona, or La Paz County. Authority for closure of public lands is found in 43 CFR 8340, subpart 8341; 43 CFR 8360, subpart 8364.1; and 43 CFR 2930. Persons who violate this closure order are subject to arrest and, upon conviction, may be fined not more than \$100,000 and/or imprisoned for not more than 12 months (18 U.S.C. 3571(b)(5)).

**FOR FURTHER INFORMATION CONTACT:**

Bryan Pittman, District Law Enforcement Ranger, BLM Lake Havasu Field Office, 2610 Sweetwater Avenue, Lake Havasu City, Arizona 86406, (928) 505-1200.

**SUPPLEMENTARY INFORMATION:** The racecourse is as described in general terms as follows: Beginning at the eastern boundary of the Colorado River Indian Tribe Reservation in Osborne Wash, it runs east along Shea Road, then east along the Parker-Swansea Road to the Central Arizona Project Canal, then north along the CAP Canal, to and along the maintained county road that runs from the east end of Shea Road to Mineral Wash, then southeast along the maintained county road that runs to