



United States Department of the Interior

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BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240



Instruction Memorandum No. 80-
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To: SD's - Colorado, Nevada, and Utah; and
Director, Eastern States Office

From: Associate Director

Subject: Unsuitability Criterion 14 Guidelines for the Southern
Appalachian (Alabama Subregion only) and Uinta-Southwestern
Utah Coal Production Regions

This instruction memorandum establishes a list of "migratory bird species of high Federal interest on a regional and national level" and the definition of "high priority habitat" for these species for the above-indicated coal production regions. The species list and habitat definition were prepared jointly by the Fish and Wildlife Service and the Bureau, in accordance with Unsuitability Criterion 14 of the Final Rulemaking on Coal Management; Federally Owned Coal (43 CFR 3461.1(n)(1)). Any questions on this information should be directed to Jim Young (FTS 343-7911) or Jim Ruos (FTS 254-3207) of the Service or Denise Meridith (FTS 343-6188) or Don Brabson (FTS 343-4537) of the Bureau.

The species list and habitat definition are to be utilized during activity planning for potential 1981 coal lease sales for these regions. They are germane to the unsuitability criteria application on delineated tracts. The results of the application of this migratory bird criterion are to be documented in the site-specific analyses on delineated tracts and the regional coal lease sale environmental impact statements.

The species listed in Enclosure 1 and 2 are the species from the Alabama subregion and Uinta-Southwestern Utah region, respectively, applicable to this criterion. These lists represent the high Federal interest migratory birds on a regional and national level from the national perspective. It can be modified from a regional perspective, as considered appropriate through the respective Regional Coal Team, in consultation with the Fish and Wildlife Service. The Service's ex-officio Regional Coal Team member is the appropriate contact for discussion of regional modification of the species list. All recommendations for modification must be submitted to the Bureau's Director for an ultimate decision.

High priority habitat is an area containing one or more limited environmental factors needed to support a population of at least one of the listed species. All high priority habitat must meet the following criteria:

- 1) It must be used regularly (though use can be confined to one season during the year) by one or more of the listed species.
- 2) Its availability for uses such as feeding, reproduction, nesting, molting and/or wintering must be either (a) limited, or (b) supportive of concentrations, of a listed species in the indicated coal region or subregion.
- 3) It must contain a combination of natural or manmade factors (e.g. riparian vegetation, reservoirs, cliff sites, tall building, etc.) that provide an essential quantity or quality of one or more of the habitat requirements of a listed species: food, water, cover, or space.

Examples of high priority habitat may include:

- Yellow-crowned night heron rookeries
- Osprey concentrations areas
- Black swift colonies

It should be noted that in order to assess an area as being unsuitable for all or certain stipulated methods of coal mining, both the "high Federal interest" and the "high priority habitat" aspects of this criterion must be met. That is any unsuitable area must support species listed on Enclosure 1 or 2 and contain habitat of these species which meets all three of the above-indicated habitat criteria.

Although this species list and habitat definition were developed in consultation with the Fish and Wildlife Service, this does not relieve the Bureau of its responsibilities to consult with the Service, pursuant to 43 CFR 3461.3-2. Concerning the subject criterion, this consultation is mandatory if the exception is applied or if the enclosed species list is modified.

2 Enclosures

Encl. 1 - Migratory Birds of High Federal Interest
Alabama Subregion

Encl. 2 - Migratory Birds of High Federal Interest
Uinta-Southwestern Utah Coal Production Region

Migratory Birds of High Federal Interest
Alabama Subregion

Cooper's hawk
Swainson warbler
Bachman's pine-woods sparrow
Bachman's warbler
Green heron
Yellow-crowned night heron
Wood duck
Bewick's wren



Migratory Birds of High Federal Interest
Uinta-Southwestern Utah Coal Production Region

Bald eagle
Golden eagle
Peregrine
Prairie falcon
Ferruginous hawk
Merlin
Cooper's hawk
Osprey
Spotted owl
Burrowing owl
Flammulated owl

Pileated woodpecker
Williamson's sapsucker
Lewis' woodpecker
Great blue heron
Long-billed curlew
Band-tailed pigeon
Sandhill crane
Black swift
Western bluebird
Scott's oriole
Grace's warbler

