

## Gathering the Information for the NHI Prescription

Why do we need NHI data on the cutting notice form?

Simply put, including information about the potential impacts to rare species when preparing a cutting notice is required by state statute.

Next, we are going to review the importance of NHI data and the procedure for acquiring this information for a cutting notice.

NHI data are confidential and as such there are requirements for how they are distributed. Here are four facts to keep in mind when requesting NHI data:

First, NHI data are not subject to open records requests because they are considered sensitive data.

Second, NHI data reports provided by the DNR to certified plan writers and cooperating foresters should not be distributed to others, except the landowner.

Third, certified plan writers and cooperating foresters are under an obligation to protect NHI Data according to the same standards followed by DNR employees.

Fourth, only the DNR has the authority to determine whether TAKE will or will not be avoided for any species identified by the NHI search.

Let's take a moment to review what is TAKE.

Take is the direct destruction of a legally protected species.

DNR foresters that have to make such determinations must take specific Division of Forestry NHI training. Now, let's take a look at the procedure for conducting a search of the NHI database and how to understand the search results.

Remember, the NHI data search should be done BEFORE the cutting notice is submitted for approval and BEFORE marking begins.

Step #1. The CPW or CF submits a request to the department forester by email or letter with the following information:

- The location of the property, by public land survey township, range, section and quarter-quarter section.
- The number of acres.
- A map with the property boundary shown for irregularly shaped properties.
- The name of the landowner and a statement that they have permission from the landowner to make the request.
- The CPW's or CF's contact information, and,
- The date of the request.

Step #2. The DNR forester draws the project area in the NHI portal and enters a project title in the following format: MFL: Landowner Name (replacing "Landowner Name" with the actual landowner's name).

Step #3. If the project is not within 900 feet of a wetland or water body, the DNR forester can click that box. This will remove the aquatic species from the results. The DNR forester then clicks "Buffer Project Area" and continues to the Element Occurrence Summary.

Step #4. The DNR forester downloads the “detailed data” report and provides it to the CPW or trained CF along with a copy of Appendix 15 from the Forest Tax Law Handbook. This can be done via email or hardcopy.

What should the NHI data report include?

- Elemental occurrences (or EOs) within one mile of the project for terrestrial species and within two miles of the project area for aquatic species.
- Each EO must be reviewed to determine whether habitat for it could exist in the project area.

All EOs listed on the NHI data report should be treated the same for the purposes of developing the cutting notice.

If potential habitat is thought to be present for the EO, then the harvest or other prescriptions should be modified as appropriate.

Information about habitat needs for species can be found at [dnr.wi.gov](http://dnr.wi.gov), keyword “ER.” This website also contains information about management and avoidance strategies. You may also contact the National Heritage Conservation program’s Forestry Liaison with questions.

The report you will receive from your local DNR forester will contain the following information:

1. The name of the EO found by the search.
2. The level of state and federal legal protection of the EO.
3. The rarity of the EO identified.
4. The date the EO was last observed. Note that you must treat each EO the same regardless of the last observation date.
5. Taxonomic group the EO belongs to.

After you receive the information from your local DNR forester, then you’ll need to input this information in the cutting notice form. Be sure to specify the following:

- Date of the NHI search.
- If there are no results from the NHI search, then indicate “No elemental occurrences (EOs) identified by the portal search.”
- If there ARE results from the NHI portal search, then document any measures that will be taken to protect the species identified.
- The prescriptions will reflect the need to avoid species, where needed
- Actual species names should be left off of the cutting notice

Step #5. The CPW or CF returns the hardcopy detailed report (where applicable) with the cutting notice and deletes the electronic copy of the report.

Step #6. The DNR forester retains a record of the lookup date and results with the cutting notice.

The request is now complete. Tally the number of requests annually for possible reporting needs.

In summary:

- Include information about the potential impacts to rare species when preparing a cutting notice, which is required by state statute.
- NHI data are not subject to open records requests and should generally not be distributed to others, except the landowner.

- A NHI data search should be conducted prior to the cutting notice form being submitted and before marking begins.
- Only the DNR has the authority to determine whether TAKE will or will not be avoided for any species identified by the NHI search.