

# Appendix P - Conservation Measures for Fire, Fuel, and Air Quality

## Conservation Measures for Fire Management Activities

### Wildland Fire Suppression (FS)

The following Conservation Measures will be implemented during fire suppression operations, unless firefighter or public safety, or the protection of property, improvements, or natural resources, render them infeasible during a particular operation. Each Conservation Measure has been given an alphanumeric designation for organizational purposes (*e.g.*, FS-1). Necessary modifications of the Conservation Measures or impacts to Federally protected species and habitat during fire suppression operations will be documented by the Resource Advisor, and coordinated with the USFWS.

- FS-1** Protect known locations of habitat occupied by Federally listed species. Minimum Impact Suppression Tactics (M.I.S.T.) will be followed in all areas with known Federally protected species or habitat [Appendix U, *Interagency Standards for Fire and Aviation Operations 2003*, or updates].
- FS-2** Resource Advisors will be designated to coordinate natural resource concerns, including Federally protected species. They will also serve as a field contact representative (FCR) responsible for coordination with the USFWS. Duties will include identifying protective measures endorsed by the Field Office Manager, and delivering these measures to the Incident Commander; surveying prospective campsites, aircraft landing and fueling sites; and performing other duties necessary to ensure adverse effects to Federally protected species and their habitats are minimized. On-the-ground monitors will be designated and used when fire suppression activities occur within identified occupied or suitable habitat for Federally protected species.
- FS-3** All personnel on the fire (firefighters and support personnel) will be briefed and educated by Resource Advisors or designated supervisors about listed species and the importance of minimizing impacts to individuals and their habitats. All personnel will be informed of the conservation measures designed to minimize or eliminate take of the species present. This information is best identified in the incident objectives.
- FS-4** Permanent road construction will not be permitted during fire suppression activities in habitat occupied by Federally protected species. Construction of temporary roads is approved only if necessary for safety or the protection of property or resources, including Federally protected species habitat. Temporary road construction should be coordinated with the USFWS, through the Resource Advisor.

- FS-5** Crew camps, equipment staging areas, and aircraft landing and fueling areas should be located outside of listed species habitats, and preferably in locations that are disturbed. If camps must be located in listed species habitat, the Resource Advisor will be consulted to ensure habitat damage and other effects to listed species are minimized and documented. The Resource Advisor should also consider the potential for indirect effects to listed species or their habitat from the siting of camps and staging areas (*e.g.*, if an area is within the water flow pattern, there may be indirect effects to aquatic habitat or species located off-site).
- FS-6** All fire management protocols to protect Federally protected species will be coordinated with local fire suppression agencies that conduct fire suppression on BLM-administered lands to ensure that the agency knows how to minimize impacts to Federally protected species in the area.
- FS-7** The effectiveness of fire suppression activities and Conservation Measures for Federally protected species should be evaluated after a fire, when practical, and the results shared with the USFWS and AGFD. Revise future fire suppression plans and tactical applications as needed and as practical.

## Fuels Treatments (prescribed burning and other fuels management) (FT)

The following Conservation Measures are mandatory when implementing wildland fire use, prescribed fires, and the proposed vegetation treatments (mechanical, chemical, biological):

- FT-1** Biologists will be involved in the development of prescribed burn plans and vegetation treatment plans to minimize effects to Federally protected species and their habitats within, adjacent to, and downstream from proposed project sites. Biologists will consider the protection of seasonal and spatial needs of Federally protected species (*e.g.*, avoiding or protecting important use areas or structures and maintaining adequate patches of key habitat components) during project planning and implementation.
- FT-2** M.I.S.T. will be followed in all areas with known Federally protected species or habitats.
- FT-3** Pre-project surveys and clearances (biological evaluations/assessments) for Federally protected species will be required for each project site before implementation. All applicable Conservation Measures will be applied to areas with unsurveyed suitable habitat for Federally protected species, until a survey has been conducted by qualified personnel to clear the area for the treatment activity.
- FT-4** Use of motorized vehicles during prescribed burns or other fuels treatment activities in suitable or occupied habitat will be restricted, to the extent feasible, to existing roads, trails, washes, and temporary fuelbreaks or site-access routes. If off-road travel is deemed necessary, any cross-country travel paths will be surveyed prior to use and will be closed and rehabilitated after the prescribed burn or fuels treatment project is completed.
- FT-5** As part of the mandatory fire briefing held prior to prescribed burning, all personnel (firefighters and support personnel) will be briefed and educated by Resource Advisors or designated supervisors about listed species and the importance of minimizing impacts to individuals and their habitats. All personnel will be informed of the Conservation Measures designed to minimize or eliminate take of the species present.

## Rehabilitation and Restoration (RR)

- RR-1** When rehabilitating important areas for Federally listed species that have been damaged by fire or other fuels treatments, the biologist will give careful consideration to minimizing short-term and long-term impacts. Someone who is familiar with fire impacts and the needs of the affected species will contribute to rehabilitation plan development. Appropriate timing of rehabilitation and spatial needs of Federally listed species will be addressed in rehabilitation plans.
- RR-2** Seed from regionally native or sterile alien (non-native) species of grasses and herbaceous vegetation will be used in areas where reseeding is necessary following ground disturbance to stabilize soils and prevent erosion by both wind and water.
- RR-3** Sediment traps or other erosion control methods will be used to reduce or eliminate influx of ash and sediment into aquatic systems.
- RR-4** Use of motorized vehicles during rehabilitation or restoration activities in suitable or occupied habitat will be restricted, to the extent feasible, to existing roads, trails, or washes, and to temporary access roads or fuelbreaks created to enable the fire suppression, prescribed burn, or fuels treatment activities to occur. If off-road travel is deemed necessary, any cross-country travel paths will be surveyed prior to use and will be closed and rehabilitated after rehabilitation or restoration activities are completed.
- RR-5** All temporary roads, vehicle tracks, skid trails, and off-road vehicle (ORV) trails resulting from fire suppression and the proposed fire management activities will be rehabilitated (water bars, etc.), and will be closed or made impassible for future use.
- RR-6** Burned area emergency rehabilitation (BAER) activities and long-term restoration activities should be monitored, and the results provided to the USFWS and AGFD. Section 7 consultation for BAER activities will be conducted independently, if necessary.
- RR-7 (Recommended)** Develop public education plans that discourage or restrict fires and fire-prone recreation uses during high fire-risk periods. Develop brochures, signs, and other interpretive materials to educate recreationists about the ecological role of fires, and the potential dangers of accidental fires.

## Conservation Measures for Fire Management Activities in Riparian and Aquatic Habitats (RA)

### Wildland Fire Suppression and Rehabilitation

The following Conservation Measures will be implemented during fire suppression operations in riparian, wetland, or aquatic habitats, unless firefighter or public safety, or the protection of property, improvements, or natural resources, render them infeasible during a particular operation. Necessary modifications of the Conservation Measures or impacts to Federally protected species and habitat during fire suppression operations will be documented by the Resource Advisor, and coordinated with the USFWS. The BLM's 1987 policy statement on riparian area management defines a riparian area as "an area of land directly influenced by permanent water. It has visible vegetation or physical characteristics

reflective of permanent water influence. Lakeshores and streambanks are typical riparian areas. Excluded are such sites as ephemeral streams or washes that do not exhibit the presence of vegetation dependent upon free water in the soil.”

- RA-1** During wildfire suppression, apply M.I.S.T. within riparian areas. Fire suppression actions in riparian areas should be prioritized to minimize damage to stands of native vegetation from wildfire or suppression operations. To the extent possible, retain large, downed woody materials and snags that are not a hazard to firefighters.
- RA-2** Fire suppression and rehabilitation in riparian corridors will be coordinated with the Resource Advisor or qualified biologist approved by BLM.
- RA-3** Site-specific implementation plans that include project areas with Federally protected aquatic or riparian-obligate species will specify fire management objectives and wildland fire suppression guidance, taking into account the special concerns related to these species.
- RA-4** In riparian areas, use natural barriers or openings in riparian vegetation where possible as the easiest, safest method to manage a riparian wildfire. Where possible and practical, use wet firebreaks in sandy overflow channels rather than constructing firelines by hand or with heavy equipment.
- RA-5** Construction or development of a crossing for motorized vehicles across a perennial stream will not be permitted, unless an established road already exists or where dry, intermittent sections occur.
- RA-6** Avoid the use of fire retardants or chemical foams in riparian habitats or within 300 feet of aquatic habitats, particularly sites occupied by Federally protected species. Apply operational guidelines as stated in the *Interagency Standards for Fire and Fire Aviation Operations 2003 (or updates)*, “Environmental Guidelines for Delivery of Retardant or Foam Near Waterways,” Chapter 8 (pp. 8-13 through 8-15).
- RA-8** When using water from sources supporting Federally protected species, care must be taken to ensure adverse impacts to these species are minimized or prevented. Unused water from fire abatement activities will not be dumped in sites occupied by Federally protected aquatic species to avoid introducing non-native species, diseases, or parasites.
- RA-9** If water is drafted from a stock tank or other body of water for fire suppression, it will not be refilled with water from another tank, lakes, or other water sources that may support non-native fishes, bullfrogs, crayfish, or salamanders.
- RA-10** Use of containment systems for portable pumps to avoid fuel spills in riparian or aquatic systems will be required.

## Fuels Treatments (prescribed fire; mechanical, chemical, and biological treatments)

The following Conservation Measures are mandatory when implementing wildland fire use, prescribed fires, and the proposed vegetation treatments (mechanical, chemical, biological) within riparian, wetland, or aquatic habitats.

- RA-12** All Conservation Measures for wildland fire suppression (**RA-1 to RA-11, Section 2.1**) also apply to fuels treatment activities (prescribed fire; mechanical, chemical, and biological treatments) in riparian, wetland, and aquatic habitats.
- RA-13** Fire management treatments within or adjacent to riparian and aquatic habitats will be designed to provide long-term benefits to aquatic and riparian resources by reducing threats associated with dewatering and surface disturbance, or by improving the condition of the watershed and enhancing watershed function.
- RA-14** For priority fire/fuels management areas (*e.g.*, WUIs) with Federally protected species or designated critical habitat downstream, BLM biologists and other resource specialists, as appropriate, in coordination with USFWS and AGFD, will determine:
- A) The number of acres and the number of projects or phases of projects to occur within one watershed per year.
  - B) An appropriately-sized buffer adjacent to perennial streams in order to minimize soil and ash from entering the stream.
  - C) Where livestock grazing occurs in areas that have been burned, specialists will determine when grazing can be resumed. Such deferments from grazing will only occur when necessary to protect streams from increased ash or sediment flow into streams<sup>1</sup>.

If agreement cannot be reached or treatment will not meet fuel reduction objectives, BLM will re-initiate consultation. Our authority to make these types of changes is in the regulations at 43 CFR 4110.3-3(b).

## Species Specific Conservation Measures

In addition to the general Conservation Measures listed in **Sections 1.0** and **2.0**, the following species-specific Conservation Measures will be applied during wildfire suppression to the extent possible, and will be required during fuels treatment activities (wildland fire use, prescribed fire, vegetation treatments). Necessary modifications of the Conservation Measures or impacts to Federally protected species and habitat during fire suppression operations will be documented by the Resource Advisor, and coordinated with the USFWS.

### *Birds*

California brown pelican (FE)

**BP-1** Implement the Conservation Measures for Fire Management Activities in Riparian and Aquatic Habitats.

Southwestern willow flycatcher (FE)

**WF-1** Implement the Conservation Measures for Fire Management Activities in Riparian and Aquatic Habitats.

- WF-2** Except where fires are active in occupied habitat, minimize unnecessary low-level helicopter flights during the breeding season (April 1 – September 30). Approach bucket dip sites at a 90-degree direction to rivers to minimize flight time over the river corridor and occupied riparian habitats. Locate landing sites for helicopters at least ¼ mile from occupied sites to avoid impacts to willow flycatchers and their habitat.
- WF-3** Minimize use of chainsaws or bulldozers to construct firelines through occupied or suitable habitat except where necessary to reduce the overall acreage of occupied habitat or other important habitat areas that would otherwise be burned.
- WF-4** Implement activities to reduce hazardous fuels or improve riparian habitats (prescribed burning or vegetation treatments) within occupied or unsurveyed suitable habitat for southwestern willow flycatchers only during the non-breeding season (October 1 to March 31).
- WF-5** Avoid developing access roads that would result in fragmentation or a reduction in habitat quality. Close and rehabilitate all roads that were necessary for project implementation (see **RR-5**).
- WF-6** Prescribed burning will only be allowed within ½ mile of occupied or unsurveyed suitable habitat when weather conditions allow smoke to disperse away from the habitat when birds may be present (breeding season of April 1 – September 30).
- WF-7** Vegetation treatment projects adjacent to occupied or unsurveyed suitable habitat will only be conducted when willow flycatchers are not present (October 1 – March 31).

#### Bald eagle (FT)

- BE-1** No human activity within ½ mile of known bald eagle nest sites between December 1 and June 30.
- BE-2** No tree cutting within ¼ mile of known nest trees.
- BE-3** No human activity within ¼ mile of known bald eagle winter roost areas between October 15 and April 15.
- BE-4** No tree cutting within the area immediately around winter roost sites as determined by BLM biologists.
- BE-5** No helicopter or aircraft activity or aerial retardant application within ½ mile of bald eagle nest sites between December 1 and June 30 or winter roost sites between October 15 and April 15.
- BE-6** Conduct prescribed burn activities outside of nesting season in a manner to ensure nest and winter roost sites are more than ½ mile from downwind smoke effects.
- BE-7** Provide reasonable protective measures so fire prescription or fuels treatment will not consume dominant, large trees as identified by the Resource Advisor or qualified biologist approved by BLM within ½ mile of known nests and roosts of bald eagles. Pre-treatment efforts should provide reasonable protection of identified nesting and roosting trees (see Conservation Measure FT-4).

## Yellow-billed cuckoo (FC)

**YC-1** Implement the Conservation Measures for Fire Management Activities in Riparian and Aquatic Habitats.

*Fish*

The following Conservation Measure will be implemented for all Federally protected fish species that may be affected by the Proposed Action during fire suppression to the extent possible, and are mandatory for wildland fire use, prescribed fire, and vegetation treatment activities:

**FI-1** BLM will cooperate with other agencies to develop emergency protocols to decrease the impacts of fire suppression and fuels treatment activities on Federally listed fish species. Emergency protocols will include appropriate agency contacts, a list of facilities that can hold fish, sources of equipment needed (e.g., sampling gear, trucks) and how to address human health and safety issues.

In addition to implementing **FI-1**, the following species-specific Conservation Measures will also apply:

## Desert pupfish (FE, CH)

**DP-1** Implement the Conservation Measures for Fire Management Activities in Riparian and Aquatic Habitats for occupied reaches and critical habitat.

**DP-2** Conduct prescribed burns such that no more than one-half of the watershed of each desert pupfish site is burned in a two-year period (excluding buffers to the streams and/or spring habitats) and repeat treatments at greater than two-year intervals.

**DP-3** Monitor, where practical, for fish kill immediately following the first runoff event after prescribed fires in watersheds containing desert pupfish.

**DP-4** When considering which creek crossings to use for fire management activities, avoid crossings that are known to be occupied by desert pupfish.

## Gila topminnow (FE)

**GT-1** Implement the Conservation Measures for Fire Management Activities in Riparian and Aquatic Habitats.

**GT-2** Conduct prescribed burns such that no more than one-half of the watershed of each gila topminnow natural or reintroduction site is burned in a two-year period (excluding buffers to the streams and/or spring habitats) and repeat treatments at greater than two-year intervals.

**GT-3** Monitor for fish kill, where practical, immediately following the first runoff event after prescribed fires in the watersheds containing gila topminnows.

**GT-4** When considering which creek crossings to use for fire management activities, avoid crossings that are known to be occupied by Gila topminnow, when possible.

**GT-5** Develop mitigation plans in coordination with the USFWS for each fuels management project (prescribed fire vegetation treatments) that may adversely affect the gila topminnow. Mitigation

plans for prescribed fire will limit to the extent practicable the possibility that fire would spread to riparian habitats. Mitigation plans will be approved by the USFWS.

- GT-6** Cooperate with the USFWS and AGFD to identify site-specific measures, such as prescribed fires in grassland vegetation types to improve watershed conditions (*e.g.*, in the Cienega Creek watershed), to protect populations of gila topminnow from other resource program impacts.

Gila chub (PE, Proposed CH)

- GC-1** Implement the Conservation Measures for Fire Management Activities in Riparian and Aquatic Habitats for occupied reaches and proposed critical habitat.
- GC-2** When considering which creek crossings to use for fire management activities, avoid crossings that are known to be occupied by Gila chub, when possible.
- GC-3** Cooperate with the USFWS and AGFD to identify site-specific measures, such as prescribed fires in grassland vegetation types to improve watershed conditions (*e.g.*, in the Cienega Creek watershed), to protect populations of gila chub from other resource program impacts.

#### *Flowering Plants*

The following Conservation Measures for known locations and unsurveyed habitat of all Federally protected plant species within the planning area will be implemented during fire suppression to the extent possible, and are mandatory for wildland fire use, prescribed fire, and vegetation treatment activities:

- PL-1** Known locations and potential habitat for plant populations will be mapped to facilitate planning for wildland fire use, prescribed fires, and vegetation treatments, and to ensure protection of these populations during fire suppression.
- PL-2** BLM will coordinate with FWS to delineate buffer areas around plant populations prior to prescribed fire and vegetation treatment activities. BLM will coordinate with USFWS during any emergency response and wildland fire use activities to ensure protection of plant populations from fire and fire suppression activities.
- PL-3** During fire suppression, wildland fire use, and prescribed fire in habitat occupied by Federally protected plant species, no staging of equipment or personnel will be permitted within 100 meters of identified individuals or populations, nor will off-road vehicles be allowed within the 100-meter buffer area, unless necessary for firefighter or public safety or the protection of property, improvements, or other resources (see **FS-7**). One of the primary threats to many of these plant species is trampling/crushing from personnel and vehicles.
- PL-4** No prescribed burning will be implemented within 100 meters of identified locations or unsurveyed suitable habitat for Federally protected and sensitive plant populations unless specifically designed to maintain or improve the existing population.

There are no additional species-specific conservation measures for the following Federally protected plant species: **Pima Pineapple Cactus** (*Coryphantha scheeri* var. *robustispina*), **Siler Pincushion Cactus** (*Pediocactus sileri*), **Acuña Cactus** (*Echinomastus erectocentrus* var. *acunensis*), **Fickeisen Plains Cactus** (*Pediocactus peeblesianus* var. *fickeiseniae*).

<sup>1</sup>The Interagency Burned Area Emergency Stabilization and Rehabilitation Handbook, Exhibit 4-2, BLM supplemental guidance, page 5 of 9 (<http://fire.r9.fws.gov/ifcc/ESR/handbook/4PolicyGuidance.htm>) establishes the following policy for livestock exclusion following burns:

Exclusion of livestock is critical for the recovery of burned vegetation or establishment and maintenance of new seedings and use of these areas should not be permitted until the vegetation recovers or is established. Both re-vegetated and, burned but not re-vegetated areas, will be closed to livestock grazing for at least two growing seasons following the season in which the wildfire occurred to promote recovery of burned perennial plants and/or facilitate the establishment of seeded species. Livestock permittees must be informed of the closure early during the plan preparation process, and livestock closures will be made a condition or term on the grazing license or permit through the issuance of grazing decision (see 43 CFR 4160). Livestock closures for less than two growing seasons may be justified on a case-by-case basis based on sound resource data and experience. Livestock management following seedling establishment and/ or burned area recovery should maintain both non-native and/or native species to meet land use (including Standards for Rangeland Health and Guidelines for Grazing Management) or activity plan objectives.