
APPENDIX 14—CONSERVATION MEASURES

The following conservation measures for all Threatened and Endangered (T&E) and Special Status Species will be applied.

1. The Rawlins Field Office (RFO) biologists will conduct surveys (following established protocol), or assume species presence, for all likely affected T&E and Special Status Species habitat or potential habitat before authorizing surface disturbing activities. Proposed projects will be designed and locations selected to minimize disturbances to species and habitat, and if avoidance is not possible, informal consultation with the U.S. Fish and Wildlife Service (USFWS) will be initiated. To reduce impacts on these species, projects will not be authorized during critical time periods. Early coordination with the USFWS to benefit the species will be conducted on a case-by-case basis.
2. Areas with high erosion potential or rugged topography (i.e., steep [$>25\%$] slopes, stabilized sand dunes, flood plains, erosive and sandy soils) will be avoided where possible, or specialized mitigation measures will be applied on a case-by-case basis to benefit T&E and Special Status Species.
3. Roads that have the potential to impact T&E and Special Status Species and are not required for routine operation and maintenance of developed and abandoned projects will be reclaimed as directed by the Bureau of Land Management (BLM). As necessary, these roads will be permanently blocked, recontoured, reclaimed, and revegetated to benefit habitat for T&E and Special Status Species.
4. Construction activities within potential or known habitat for T&E and Special Status Species will be minimized through construction site management by use of previously disturbed areas, use of existing rights-of-way (ROW), and designation of limited equipment/materials storage yards and staging areas to benefit habitat for T&E and Special Status Species.
5. To ensure protection of migratory birds and wildlife, reserve, workover, and flare pits and other locations potentially hazardous to wildlife will be adequately protected by netting and/or fencing, as directed by BLM, to prevent wildlife access.
6. To avoid collisions and electrocution of raptors and other avifauna, any power line construction will follow the recommendations of the Avian Power Line Interaction Committee. On a case-by-case basis, power lines will be placed underground or in locations that avoid impacts to T&E and Special Status Species.
7. All production facilities, including compressor and water disposal facilities, will be muffled and maintained so that the noise level at significant habitat sites for T&E and Special Status Species (e.g., bald eagle nests, habitat for species that rely on aural cues for successful breeding) will not exceed 49 decibels.
8. The RFO policy for restricting off-highway vehicles (OHV) to existing/designated roads and vehicle routes or instituting closures, if required, will be implemented to protect plant populations and wildlife habitat.
9. Construction activities within 500 feet of open water and/or 100 feet of intermittent or ephemeral channels in potential or known habitat for T&E and Special Status Species will be avoided.

Stream crossings for roads and pipelines will be constructed during the period of lowest flow (i.e., late summer or fall) and perpendicular to flow. No surface water, or shallow groundwater in connection with surface waters, will be used for proposed projects. Proper erosion control techniques, such as water bars, netting, rip-rap, and mulch, will be implemented.

10. Pesticide applications and biological control agents will be allowed within known T&E habitat on a case-by-case basis. Where possible, biological control of pests will be used rather than chemical control. Pesticides will be used within ¼ mile of habitat only in cases where insect or weed outbreaks have the potential to degrade an area's ecological health. Where it is necessary to use pesticides within ¼ mile of habitat, the pesticides will be applied by hand. Outside the ¼-mile buffer, aerial application of pesticides will be carefully planned to prevent drift. BLM will work with the Animal and Plant Health Inspection Service (APHIS) and USFWS to select a pesticide and a method of application that will most effectively manage the infestation and least affect the species.
11. Riparian habitats will be maintained, improved, or restored to provide wildlife habitat, improve water quality, and enhance forage conditions. In planting or seeding vegetation in areas identified as T&E or Special Status Species habitat, only native species will be selected.
12. In the event that a T&E Species is found, killed, or injured during project activities, or a dead individual is encountered, the USFWS Wyoming Field Office (307-772-2374) and the USFWS Law Enforcement Office (307-261-6365) will be notified within 24 hours of discovery.
13. BLM will participate in development of species-specific recovery plans in coordination with USFWS and other agencies. Populations and habitat on BLM-administered lands will be monitored to determine whether recovery objectives are being met.
14. BLM-administered public lands that contain identified habitat for T&E Species will not be exchanged or sold unless this benefits a species.
15. If prairie dog towns or complexes suitable as black-footed ferret habitat are present at the proposed project level, attempts will be made to locate all project components at least 50 meters (up to 200 meters pursuant to the Federal Land Policy and Management Act of 1976 [FLPMA]) from these towns or complexes to avoid direct impact on towns.
16. All white-tailed prairie dog towns or complexes greater than 200 acres in size, and all black-tailed prairie dog towns or complexes greater than 80 acres, will be avoided. If avoidance is not possible, these areas will be assessed and mapped at the proposed project level. Associated burrow densities of potentially affected towns will be determined, and when habitat is present, a black-footed ferret survey will be conducted, pursuant to USFS and BLM approved techniques.
17. USFWS fact sheets will be posted in common areas and circulated in a memorandum among all BLM employees and service providers. Fact sheets will show the black-footed ferret and its sign and will describe morphology, tracks, scat, skull, habitat characteristics, behavior, current status, and causes of decline.
18. Operators, contractors, and project proponents will be shown how to identify a black-footed ferret and its sign and will be provided with information about its habitat requirements, natural history, status, and threats; the possible impacts of project development activities; and ways to minimize these impacts. Employees will not have pets on work sites within potential or known ferret habitat because canine distemper can be transmitted to black-footed ferrets

19. If any black-footed ferrets or their sign are found, or if surveys find a black-footed ferret or its sign, all previously authorized project-related activities (actions or any future application that might directly, indirectly, or cumulatively affect the colony/complex) ongoing in such towns or complexes will be suspended immediately and Section 7 consultation reinitiated with USFWS.
20. Observations of black-footed ferrets, their sign, or carcasses in the project area, and the location of the suspected observation, however obtained, will be reported within 24 hours to the appropriate BLM wildlife biologist and the field supervisor of the USFWS office in Cheyenne, Wyoming (307-772- 2374). Observations will provide a description, including what was seen, time, the date, the exact location, and the observer's name and telephone number. Carcasses or other suspected ferret remains will be collected by BLM or USFS employees and deposited with the USFS Wyoming Field Office.
21. Surface disturbing and disruptive activities will be intensively managed to maintain or enhance identified potential (within 300 feet of the identified 100-year flood plain) or known habitat for the Preble's meadow jumping mouse. Intensive management may vary from year to year and includes use of inventory, proper distance restrictions, and seasonal or timing restrictions.
22. In habitat suitable for the Preble's meadow jumping mouse, prescribed fire will be designed to burn no more than 25 percent of the Preble's meadow jumping mouse habitat within each linear mile stretch of habitat. The percentage of habitat actually burned in each linear mile will be reported to USFWS. Because of the unpredictability of fire, this measure will be considered to have been achieved if no more than one of every four fires exceeds the 25 percent limit in size. If more than two of the first eight fires in Preble's meadow jumping mouse habitat exceed 25 percent of the suitable habitat, BLM will consult with the USFWS to revise this standard.
23. After burns in suitable habitat within the range of the Preble's meadow jumping mouse, onsite surveys will be conducted to determine whether vegetation has recovered.
24. Surface disturbing and other activities within identified or known breeding habitat (within 300 feet of the identified 100-year flood plain) for the Preble's meadow jumping mouse will not be allowed between May 15 and August 15 for the protection of the mouse.
25. Surface disturbing and other activities within an identified hibernaculum area for the Preble's meadow jumping mouse will be intensively managed between August 16 and May 14 for the protection of the mouse. Intensive management may vary from year to year and includes use of inventory and proper distance restrictions.
26. Surface disturbing activities that may affect bald eagle habitat will be intensively managed in all Raptor Concentration Areas (RCAs) to reduce physical disturbance of bald eagle habitat and disturbance of the birds. This will entail a case-by-case examination of proposals to determine potential effects and appropriate mitigation to minimize adverse effects on bald eagles and their habitat. Intensive management may vary from year to year and includes use of inventory, proper distance restrictions, and seasonal or timing restrictions.
27. RCAs will be open to oil and gas leasing, and a plan of operations (BLM 3809) will be required for disturbances, regardless of the number of acres that will be disturbed, for the protection of bald eagles.
28. BLM-administered lands that are within 1 mile of an integral part of bald eagle habitats, including nests, communal winter roosts, and foraging/concentration areas, will not be exchanged or sold.

29. Surface disturbance or disruptive activities will be prohibited within 1 mile of a bald eagle nest between February 1 and July 15 for the protection of nesting areas.
30. Minimal human activities and habitat alterations, as defined in Appendix II and Appendix Table F-2 of the Programmatic Statewide Bald Eagle Biological Assessment, that might disturb bald eagles will be restricted within suitable habitats that occur within bald eagle buffer zones. Deviations may be permitted after consultation with the USFWS. Buffer zones and applicable restrictions are as follows:

Zone 1 (within ½ mile of the nest February 1 to August 15) is intended to protect active and alternative nests. For active nests, minimal human activity levels are allowed during the period of first occupancy to 2 weeks after fledging.

Zone 2 (within ½ to 1 mile of the nest February 1 to August 15) is intended to protect bald eagle primary use areas and permits light human activity levels.

Zone 3 is designated to protect foraging/concentration areas year-round. This zone would include one of two larger areas, depending on habitat type:

- i. 2.5 miles extending in all directions from the nest
- ii. ½ mile from the streambanks of all streams within 2.5 miles of the nest.

Site-specific habitat types and foraging areas will be evaluated to determine which Zone 3 buffer applies. Zone delineation depends on habitat types. Exceptions may be made after consultation with USFWS.

31. Surface disturbing or disruptive activities will be prohibited within 2 miles of the communal roost between February 1 and July 15 for the protection of communal roost areas. A communal roost is defined as an area, usually less than 10 acres in size, that contains, or has contained, ≥ 6 bald eagles on any given night. When required, BLM will develop a site management plan (in cooperation with USFWS) to identify potential impacts on active bald eagle nests and/or communal roost sites.
32. Surface disturbing or disruptive activities will be prohibited within 1 mile of bald eagle communal winter roost site between November 1 and April 1 for the protection of wintering bald eagles.
33. No ground disturbing activities will be permitted within ½ mile of active bald eagle communal winter roost sites year-round. This buffer zone restriction may be adjusted on the basis of site-specific information through coordination with, including written concurrence of, the USFWS Wyoming Field Office.
34. Well locations, roads, and ancillary facilities, and other surface structures requiring a repeated human presence, will not be allowed within 1,200 feet of active bald eagle nests. The distance may vary depending on factors such as nest activity, natural topographic barriers, and line-of-sight distance.
35. Appropriately timed surveys in bald eagle habitats will be conducted before any authorization of activities and subsequent performance of activities that might disturb bald eagles or their habitats. A qualified biologist will be approved by BLM to conduct such bald eagle surveys. All nest surveys should be conducted using standard procedures that minimize the potential for adverse

effects on nesting raptors. If species occurrence is verified, the proponent of the activity might be required to modify operational plans, at the discretion of the authorized officer, including instituting appropriate measures for minimization of effects on the bald eagle and its habitat.

36. BLM will monitor and, when and where necessary, restrict authorized or casual use activities that could adversely affect bald eagles or their habitat, including, but not limited to, recreational mining and oil and gas activities. Monitoring results should be considered in the design and implementation of future projects.
37. Each year, BLM will verify the status (active versus inactive) of known bald eagle nests, communal winter roosts, and concentration areas on lands administered by BLM within the Resource Management Plan (RMP) area. To maintain inventory information, BLM will coordinate annually with USFWS, the Wyoming Game and Fish Department (WGFD), and other appropriate entities to determine the status of known and new bald eagle nests, communal winter roosts, and other concentration areas. Known bald eagle nests, communal winter roosts, and concentration areas will be assumed to be active if status has not been verified.
38. To monitor the impacts of site-specific projects authorized under the RMP that are likely to adversely affect bald eagles, BLM will prepare a report describing the progress of each such site-specific project, including implementation of the associated reasonable and prudent measures and impacts on the bald eagle (50 Code of Federal Regulations [CFR] §402.14[i][3]). The report, which will be submitted annually to the USFWS Wyoming Field Office, by January 1, beginning after the first full year of implementation of the Proposed Action, will list and describe (a) adverse effects resulting from the activities of each site-specific project, (b) when and if any level of anticipated incidental take is approached (as allowed by separate Incidental Take Statements from site-specific formal consultation), (c) when and if the level of anticipated take (as allowed by separate Incidental Take Statements from site-specific formal consultations) is exceeded, and (d) results of annual periodic monitoring that evaluates the effectiveness of the reasonable and prudent measures. The report will include such items as (a) assessment of whether implementation of each site-specific project is consistent with that described in the Biological Assessment, (b) compliance with terms and conditions, and (c) documentation of sightings of bald eagles during the activities of each site-specific project.
39. Surface disturbing activities will be avoided within 500 feet of perennial waters and wetland/riparian areas for protection of western yellow-billed cuckoo and identified habitat.
40. Boat and raft landing areas will not be developed, and outfitting camps will not be permitted, in western yellow-billed cuckoo habitat.
41. Surface disturbing or disruptive activities will be prohibited within ½ mile of identified habitat between April 15 and August 15 for the protection of nesting western yellow-billed cuckoos.
42. For the protection of the Wyoming toad and its identified habitat, surface disturbing activities will be avoided in the following areas: (a) identified 100-year flood plains; (b) areas within 500 feet of perennial waters, springs, wells, and wetlands; and (c) areas within 100 feet of the inner gorge of ephemeral channels.
43. For the protection of the western boreal toad and its identified habitat, surface disturbing activities will be avoided in the following areas above 7,500 feet: (a) identified 100-year flood plains; (b) areas within 500 feet of perennial waters, springs, wells, and wetlands; and (c) areas within 100 feet of the inner gorge of ephemeral channels.

44. When developing or improving water sources in the North Platte River system, BLM will consider development designs such as water wells and guzzlers rather than surface impoundments to minimize impacts on surface water hydrology resulting from attenuation of flood peaks and evaporative loss.
45. When developing or improving water sources in the Colorado River system, BLM will consider development designs such as water wells and guzzlers rather than surface impoundments to minimize impacts on surface water hydrology resulting from attenuation of flood peaks and evaporative loss.
46. Known habitat for the blowout penstemon plant will be open to oil and gas leasing with a no surface occupancy (NSO) stipulation.
47. Surface disturbing activities will be intensively managed within identified populations to maintain or enhance habitat for the plant. Intensive management may vary from year to year and includes use of proper distance restrictions, seasonal or timing restrictions, rehabilitation standards, and use of best management practices for livestock grazing, rotational grazing, or fencing, as identified in permit authorizations.
48. Identified habitat for the blowout penstemon plant will be closed to new locatable mineral entry and mineral material sales. Withdrawals will be pursued.
49. Habitat that contains known populations of the blowout penstemon plant will be designated as an Area of Critical Environmental Concern and managed as an endangered plant habitat area.
50. Known habitat for the Colorado butterfly plant will be open to oil and gas leasing with an NSO stipulation. Construction of surface disturbing activities will be prohibited where the NSO is applicable.
51. Grazing will be intensively managed within known habitat containing Colorado butterfly plant populations from July through August to allow plants to bloom and go to seed.
52. Recreational site development will not be authorized in known Colorado butterfly plant habitat.
53. Mineral supplements, hay, or other feeds for livestock will be placed at least ½ mile from known occupied Colorado butterfly plant habitat.
54. Projects that alter the natural hydrology, change the vegetation of riparian ecosystem, or may cause direct ground disturbance will be redesigned to ensure that adverse effects on the plant do not occur.
55. Known habitat for the Ute ladies'-tresses plant will be open to oil and gas leasing with an NSO stipulation. Construction of surface disturbing activities will be prohibited where the NSO is applicable.
56. Grazing will be intensively managed within identified populations from July through September to allow plants to bloom and go to seed.
57. Recreational site development will not be authorized in known Ute ladies'-tresses plant habitat.

58. Mineral supplements, straw, or other feeds for livestock will be placed at least ½ mile from known occupied Ute ladies'-tresses habitat.
59. Projects that alter the natural hydrology, change the vegetation of riparian ecosystem, or cause direct ground disturbance will be redesigned to ensure that adverse effects on the plant do not occur.