



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Sierra Front Field Office
5665 Morgan Mill Rd
Carson City, NV 89701
<http://www.blm.gov/nv>

In Reply Refer To:
6850

To: State Supervisor, Nevada Fish and Wildlife Office, Reno, Nevada
(Attn: Sarah Kulpa, Botanist)

Date: December 3, 2015

From: Byrant Smith, Acting Sierra Front Field Manager

Subject: Webber's ivesia protection fence in Plumas Station Allotment

This memo is to request initiation of informal consultation on a determination of "may effect, not likely to adversely affect" for Webber's ivesia (*Ivesia webberi*) associated with the Plumas Station Grazing Allotment in Lassen County, California.

The Bureau of Land Management (BLM) is proposing to construct a barbed wire fence enclosure around approximately 44 acres of public land to protect Webber's ivesia and its critical habitat from impacts due to livestock grazing. The 44 acres is inclusive of occupied and unoccupied critical habitat. The enclosure fencing will also preserve and protect natural processes which maintain and replenish the critical habitat over time.

Webber's ivesia occurs within the Allotment and 13 acres in the southwest corner of the Allotment have been designated as critical habitat.

A Biological Assessment is attached. If you have any questions regarding this request, please contact Dean Tonenna, Botanist, at (775) 885-6189.

Biological Assessment
for
Webber's Ivesia and Critical Habitat for Webber's Ivesia

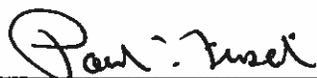
Webber's ivesia protective fence enclosure,
Plumas Station Grazing Allotment

DOI, Bureau of Land Management, Great Basin Region
Carson City District
Sierra Front Field Office

December 3 2015

Prepared by:
Dean Tonenna, Botanist, Sierra Front Field Office

Approved by:



Byrant Smith, Acting Field Manager
Sierra Front Field Office

12-7-2015

Date

Acting for

Introduction

The Bureau of Land Management (BLM) Sierra Front Field Office is proposing to construct a protective fence around recently designated critical habitat for Webber's ivesia (*Ivesia webberi*). A Categorical Exclusion was approved in June, 2015, pending Section 7 consultation with the U.S. Fish and Wildlife Service (USFWS) for construction of the fence.

Webber's ivesia (*Ivesia webberi*) is an endemic plant species federally-listed as threatened under the Endangered Species Act of 1973 as amended, (ESA) (USFWS, 2014a) and could be impacted by the proposed action. The species is found within the Plumas Station Grazing Allotment and approximately 13 acres of the Allotment have been designated as critical habitat for this species (USFWS, 2014b). The critical habitat is located in the southwest corner of the Allotment as well as on adjacent land managed by the California Department of Fish and Wildlife (Map 1). This assessment will address the potential effects of the proposed action on Webber's ivesia and on critical habitat for Webber's ivesia.

The Plumas Station Grazing Allotment is located approximately 20 miles north of Reno, Nevada. The Allotment straddles the California-Nevada border and encompasses approximately 22,111 acres (Map 1). The Allotment permit currently authorizes 51 cattle from April 1 until September 30 each year, for a total of 307 animal month units (AUMs).

Purpose and Need

The purpose of the proposed action is to construct a protective fence around the Webber's ivesia critical habitat to protect the habitat and species from impacts due to livestock grazing. Future range improvement projects are planned within the Allotment which are designed to distribute livestock throughout the Allotment to continue to meet or make significant progress toward attainment of objectives found in the Carson City Field Office Consolidated Resource Management Plan (CRMP; BLM 2001a) and in the Standards for Rangeland Health & Guidelines for Grazing Management, Sierra Front- Northwestern Great Basin Area (BLM 1997). Management of livestock grazing comes through permittee compliance with the provisions of a term livestock grazing permit issued under the authority of 43 CFR Subpart 4100, that provides the parameters and guidelines for livestock use of the range resources on the Allotment.

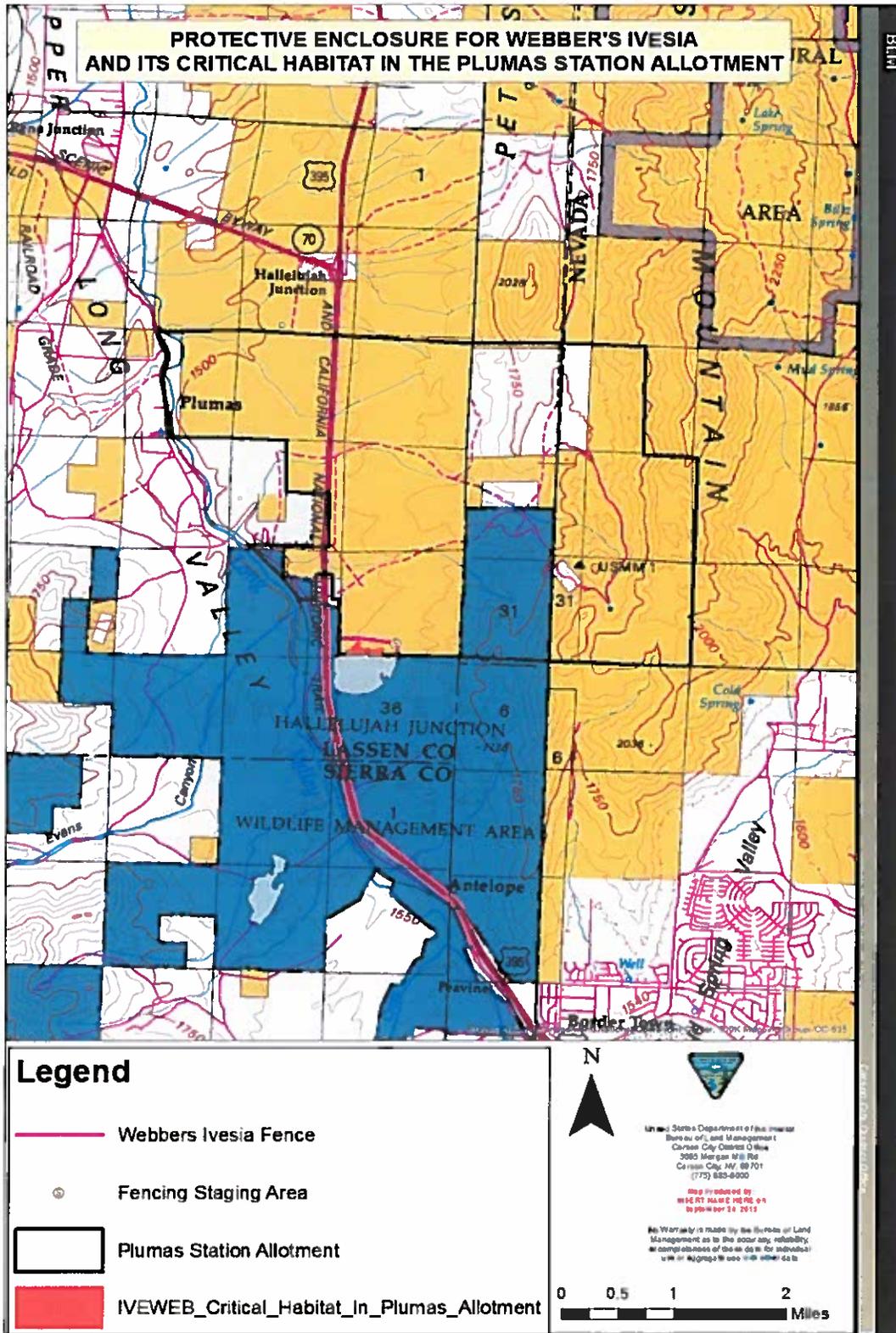
The need for the Proposed Action is to protect the Webber's ivesia and its critical habitat from grazing impacts while at the same time providing for appropriate livestock grazing on public lands in accordance with all applicable laws (such as, but not limited to, the Taylor Grazing Act and the Federal Land and Policy and Management Act) and regulations, including but not limited to 43 CFR 4130.1(a) (2005) which states, "Grazing permits or leases authorize use on the public lands and other BLM-administered lands that are designated in land use plans as available for livestock grazing," while achieving or making progress towards achieving applicable land health standards and conforming with applicable guidelines for livestock management. The applicable land health standards and guidelines for livestock grazing on the Allotment are those that apply to the "Sierra Front-Northwestern Great Basin Area" of Nevada BLM-managed lands, which

were developed pursuant to 43 CFR 4180.2(b) (2005), and were approved by the Secretary of the Interior on February 12, 1997.

Proposed Action

Webber's Ivesia Enclosure Fencing - To address critical habitat for Webber's ivesia the BLM proposes to construct enclosure fencing around approximately 44 acres of public land in the Allotment to protect Webber's ivesia and its critical habitat from impacts due to livestock grazing. The 44 acres is inclusive of the 13 acres of critical habitat and serves as a buffer that will protect the critical habitat from impacts from fence construction and will also preserve and protect natural processes which maintain and replenish the critical habitat over time. The fence will be built north and east of Webber's ivesia critical habitat. The fence will be connected to existing fencing such that the Webber's ivesia critical habitat found within the Allotment will be completely bounded on all sides by a protective fence (Map 1). It is important to note that the Webber's ivesia enclosure fencing is not considered a range improvement project because it does not improve livestock operations within the Allotment; it simply protects Webber's ivesia and its critical habitat by preventing livestock from entering the habitat.

The fence would be a four-wire fence (antelope). The bottom wire would be smooth, the rest barbed, and would be constructed according to BLM specifications (Appendix A. 4-Wire Fence) and would include locked gates to allow for authorized entry of maintenance vehicles. The fencing would be constructed by BLM staff or contracted crew during the dormant season for the plant which is August to February. All construction would avoid impacts to occupied habitat within the designated critical habitat. A mechanized post-pounder with wheels would drive steel t-posts into the ground. Crews on foot would string and secure the wire to the posts. Avoidance areas will be flagged and a staging area will be identified and flagged in advance of construction.



Map 1. Location map for Webber's ivesia enclosure in Plumas Station Grazing Allotment

Webber's Ivesia

Affected Environment

Webber's ivesia is a low-growing perennial forb that is semi-prostrate and can vary in size from a foot in diameter to four inches in diameter for mature plants. The plant has a grey-green foliar color, with red stems and yellow flowers. The plant grows early in the spring and flowers from April to June. Following flowering and seed dispersal, the plant enters a dormant stage for the remainder of the year. Webber's ivesia is known to occur in sites with sparse vegetation, having shallow, rocky clay soils and is found on mid-elevation flats, benches or terraces between 4,475 and 6,237 feet in elevation. In Nevada the species occurs in Douglas and Washoe Counties. In California the plant species is found in Lassen, Plumas and Sierra counties. There are a total of 17 known occurrences in Nevada and California. In California, Webber's ivesia is found within the southwest corner of the Plumas Station Allotment, located more specifically within the southwest quarter of Section 30, T22N, R17E (Map 1) (USFWS, 2014b).

The USFWS, in 2002, designated the Webber's ivesia as a candidate species due to threats from urban development, motorized vehicle expansion (authorized and unauthorized) throughout the habitat, recreation use, displacement by invasive non-native species, wildfire, grazing and trampling from domestic livestock and wild horses. All identified threats resulted in impacts to the species and to its habitat. Continued loss of habitat, along with the inadequacy of existing regulatory mechanisms to address these impacts led to the decision to list Webber's ivesia as a threatened species and to designate critical habitat for the species. On June 3, 2014, Webber's ivesia was provided protection under the Endangered Species Act of 1973 as amended, (ESA) as a threatened species by the USFWS. In addition, 2,170 acres was designated as critical habitat for the plant species (USFWS, 2014a, 2014b).

Monitoring of this occurrence of Webber's ivesia, in the Plumas Station Allotment, was first conducted in 2014. The occurrence of the Webber's ivesia within the Allotment does not show evidence of severe disturbances such as livestock trampling, cross-country travel by OHVs and dumping, all of which are commonly seen in other areas where Webber's ivesia is found on public lands (USFWS, 2014). However, proposed range improvement projects are designed to better distribute livestock throughout the Allotment; therefore the BLM is proposing to completely enclose the critical habitat associated with this occurrence with a rangeland fence (see below). The fencing would protect the Webber's ivesia and critical habitat for Webber's ivesia from further grazing impacts as well as other threats and impacts to the species and its critical habitat.

Environmental Consequences of the Proposed Action

Webber's ivesia Enclosure Fencing - There would be no negative effects to the Webber's ivesia or to critical habitat for Webber's ivesia from the proposed enclosure fencing because the fencing would be constructed during the dormant season for the plant which is August to February. Also the fencing is, on average, 136 meters from the critical habitat. The closest lobe of habitat is 38 meters away from the proposed fence. The distance provides a protective buffer

from any potential impacts due to fence construction. The fencing would be a four-wire Antelope Type B fence. The lower wire would be smooth, the rest barbed and would be constructed according to BLM specifications (Appendix A: BLM Fencing Specifications) and would include locked gates to allow for authorized entry of maintenance vehicles. All construction would avoid impacts to occupied habitat within the designated critical habitat. A mechanized post-pounder with wheels would drive steel t-posts into the ground. Crews on foot would string and secure the wire to the posts. Avoidance areas will be flagged and a staging area will be identified and flagged in advance of construction.

Monitoring and Surveys – A team of BLM staff would yearly monitor Webber's ivesia within the proposed enclosure to document plant demographics, survey for invasive noxious weeds and note the condition of the fence, repairing any observed damage. There are no plans to treat invasive noxious weeds under this BA because currently there are no known noxious weeds found in the critical habitat within the Allotment. We estimate a team size of 3-5 staff over a period of 1 day to complete the yearly monitoring and surveys during the flowering season. Monitoring would consist of reading 3, 1-square meter frames to collect information on cover, nested frequency and density of plant species within the occupied habitat. The entire critical habitat would be surveyed for noxious weeds with staff covering the entire area with a spacing of 5 meters between each staff person. The entire perimeter of the fencing would be walked to inspect the condition of the existing and proposed fencing. During the monitoring and survey work, it is likely that Webber's ivesia plants could be unintentionally stepped upon but the impacts would be for a short duration and the plant would quickly recover from the impact. Pollinator visits to Webber's ivesia would likely be disrupted during monitoring but only for a short duration and pollinators would return once the monitoring is concluded. There are no known impacts to critical habitat for Webber's ivesia that might result from survey and monitoring activities.

Cumulative Impacts

The proposed action would only minimally contribute to the cumulative impacts from these other uses on the Webber's ivesia because the proposed enclosure fencing is expected to prevent grazing impacts to the species or to its critical habitat. There would be no negative effects to the Webber's ivesia or its critical habitat from the proposed Webber's ivesia enclosure fencing construction.

Determination of Effects for the Webber's ivesia

After analyzing all of the potential impacts from the proposed action, it was concluded that the proposed action **May Affect, but is Not Likely to Adversely Affect (NLAA)** the Webber's ivesia and its critical habitat.

References

Bureau of Land Management. 2007. RAC Standards and Guidelines for Rangeland Health Sierra Front-Northwestern Great Basin Area.
http://www.blm.gov/nv/st/en/res/resource_advisory/sierra_front-

[northwestern/standards and guideline.html](#)

_____. 2001a. Consolidated Resource Management Plan, Carson City Field Office. Carson City, Nevada. May.

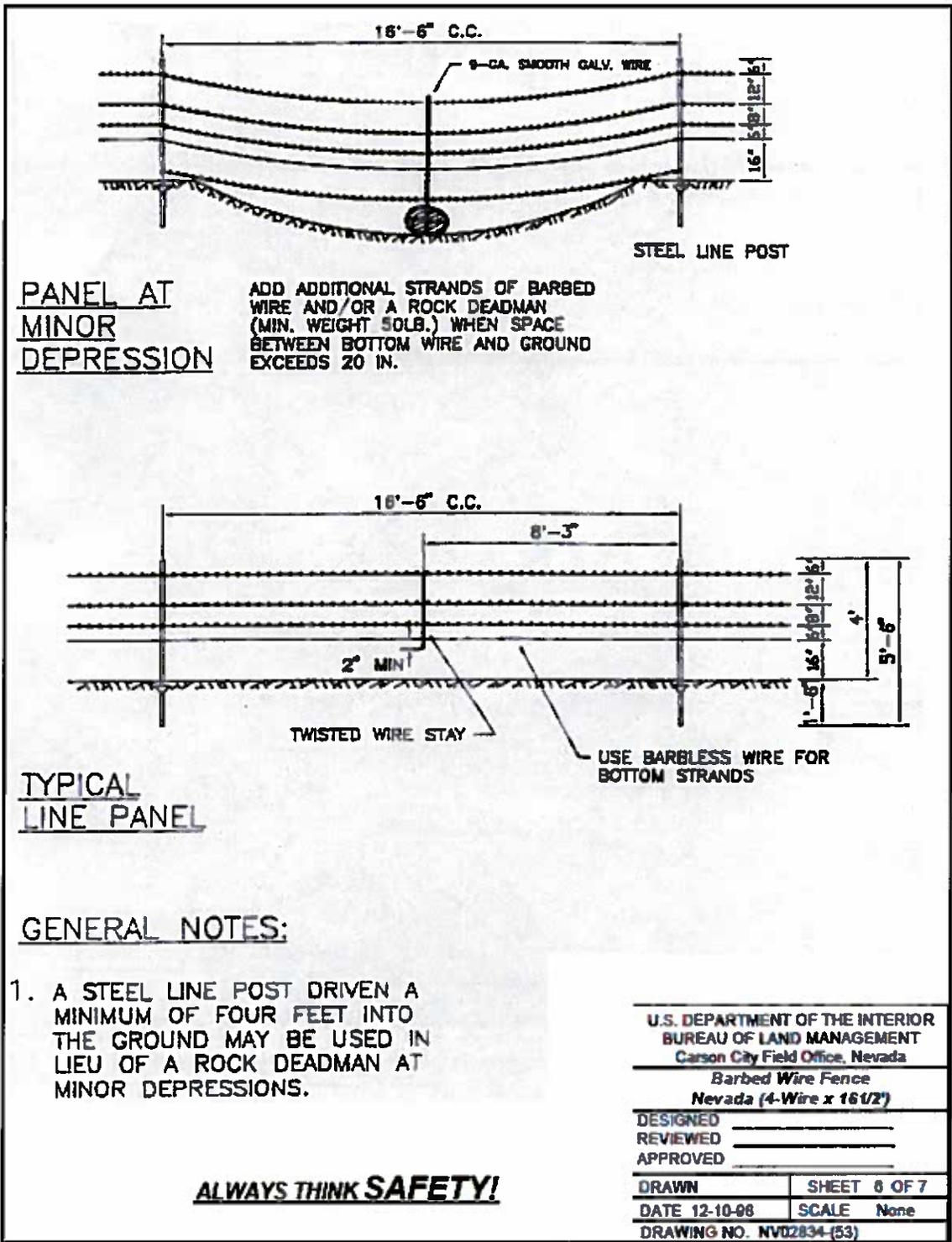
_____. 2001b. Final Southern Washoe County Urban Interface Plan Amendment, Carson City Field Office. Carson City, Nevada.
http://www.blm.gov/pgdata/etc/medialib/blm/nv/field_offices/carson_city_field/planning_environmental/southern_washoe_urban.Par.26725.File.dat/Final%20Southern%20Washoe%20RMP%20Amendment%202001.pdf

U.S. Fish and Wildlife Service. 2014a. Endangered and threatened wildlife and plants; Threatened Species Status for *Ivesia webberi*. Federal Register 79:31878-31883.

_____. 2014b. Endangered and threatened wildlife and plants; Designation of Critical Habitat for *Ivesia webberi*. Federal Register 79:32126-32155.

_____. 2014. Species Report for *Ivesia webberi* (Webber's ivesia). Nevada Fish and Wildlife Office, Reno, Nevada. Dated January 8, 2014. 49pp.

Appendix A. 4-Wire
Fence





United States Department of the Interior

Pacific Southwest Region
FISH AND WILDLIFE SERVICE

Reno Fish and Wildlife Office
1340 Financial Blvd., Suite 234
Reno, Nevada 89502
Ph: (775) 861-6300 ~ Fax: (775) 861-6301



RECEIVED

FEB 02 2016

BUREAU OF LAND MANAGEMENT

Boyer 2/3/16
Brian B 2/3/16
Paul F 2/3/16
January 14, 2016
File No. 2016-I-0167
Deant

Memorandum

To: Field Manager, Sierra Front Field Office, Bureau of Land Management, Carson City, Nevada (Attn: D. Tonenna)

From: Field Supervisor, Nevada Fish and Wildlife Office, Reno, Nevada

Subject: Informal Consultation for Enclosure Fence Construction for *Ivesia webberi* and its Critical Habitat in the Plumas Station Grazing Allotment, Lassen County, California

We have reviewed your memorandum and Biological Assessment (BA) received December 16, 2015, regarding the proposed enclosure fence construction for *Ivesia webberi* (Webber's ivesia) in the Plumas Station Grazing Allotment (Allotment) located in Lassen County, California. The Allotment is located approximately 20 miles (mi) (32 kilometers (km)) north of Reno, Nevada and straddles the California-Nevada border, encompassing approximately 22,111 acres (ac) (8,948 hectares (ha)). The Allotment permit currently authorizes 51 cattle from April 1 to September 30 each year, for a total of 307 animal unit months. The Bureau of Land Management (BLM) is proposing to construct a protective fence around *I. webberi* and the species' critical habitat to remove impacts to the species from livestock grazing. You have requested our concurrence with your may affect, not likely to adversely affect determination for the threatened *I. webberi* and the species' critical habitat.

Proposed Action

The BLM is proposing to construct an enclosure fence around approximately 44 ac (18 ha) of BLM lands in the Allotment that would protect *Ivesia webberi* individuals and 13 ac (5.3 ha) of the species critical habitat on these lands. The fence will prevent livestock from impacting *I. webberi* individuals and the species critical habitat. The fence will be built north and east of *I. webberi* individuals and critical habitat. The fence will be connected to an existing fence that separates BLM and State of California lands, thus all *I. webberi* individuals and critical habitat within the Allotment on BLM lands will be bound on all sides by a protective fence.

The fence will be a four-wire antelope fence, with a smooth bottom wire and three barbed wires that will be constructed to BLM specifications. Locked gates will be installed to allow for authorized entry of maintenance vehicles. The fence will be constructed by BLM staff or a contracted crew during the dormant season for *Ivesia webberi*, which is from August to February. A mechanized post-pounder with wheels would drive steel t-posts into the ground. Crews on foot would string and secure the wire to the posts. Avoidance areas will be flagged and a staging area outside of critical habitat will be identified and flagged in advance of construction.

Monitoring will be conducted annually, over one day by three to five BLM employees, to document *Ivesia webberi* demographics, noxious weed occurrences, and fence condition during the flowering period for the species. Meter frames will be used to collect cover, nested frequency, and plant density data within the occupied habitat. The entire critical habitat will be surveyed for noxious weeds with BLM staff covering the entire area with a spacing of 16 ft (5 m) between each staff person. Currently, there are no known noxious weeds in areas occupied by *I. webberi* or its critical habitat within the project area. The entire perimeter of the fence will be walked to inspect its condition.

Effects to *Ivesia webberi* and its Critical Habitat

The proposed project includes the following measures to avoid/minimize impacts to *Ivesia webberi* and its critical habitat: 1) No livestock grazing will occur within the fenced portion of *I. webberi* critical habitat; 2) fence construction will occur during the plant's dormant season (August to February); 3) the fence will enclose 44 ac (18 ha) which is inclusive of the 13 ac (5.3 ha) of *I. webberi* critical habitat and serves as a buffer that will protect the critical habitat from impacts due to fence construction; 4) avoidance areas will be flagged; 5) a staging area for vehicles and materials will be located outside of critical habitat and identified and flagged in advance of construction; 6) crews will be on foot to string and secure wire to fence posts; and 7) if any *I. webberi* is stepped upon inadvertently, such as during the annual monitoring, any trampling that would occur is for a short duration (a few seconds). Individual plants that could be stepped upon in this manner would be expected to quickly recover, as this species is considered to be resistant to these sorts of minimal impacts.

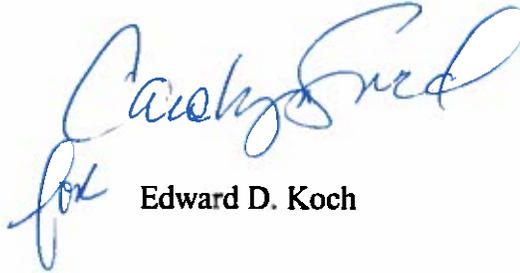
Based on the information provided in the BA and electronic mail correspondence with Mr. Dean Tonenna of your staff on December 30, 2015 and January 11, 2016, the Service concurs that the proposed project is not likely to adversely affect *Ivesia webberi* or its critical habitat.

This response constitutes informal consultation under regulations promulgated in 50 CFR § 402, which established procedures governing interagency consultation under section 7 of the ESA. If the proposed action as described is changed or if new biological information becomes available

Field Manager

File No. 2016-I-0167

concerning listed or candidate species which may be affected by the project, your agency should reinitiate consultation with the Service. If you have any questions, please contact me or Sarah Kulpa at (775) 861-6300.



for Edward D. Koch