

UNITED STATES DEPARTMENT OF THE INTERIOR - BUREAU OF LAND MANAGEMENT
WILDLIFE CLEARANCE EVALUATION AND CONSULTATION FORM
LANDER FIELD OFFICE

To: Wildlife Biologist
From: Debbie Larsen, Land Law Examiner
Subject: Request for Wildlife Clearance and Evaluation

Company Name and/or Project Name: Fremont County Commissioners

Legal Location T. 33 N., R. 89 W., sec. 17, 18;

T. 33 N., R. 90 W., sec. 13, 14, 22, 23, 27. (See attached map)

Description of Proposed Action: Fremont County has applied for right-of-way for that portion of BLM administered lands from the Gas Hills Highway (136) to the Natrona County line. The road has been in use since the 1950's and was part of the Gas Hills mining activity. AML has been using the road more recently for reclamation activities. There are areas on each end of the road that were previously covered under other ROW's and that part not under a ROW was used as mine plan activities.

The road is to be brought into county and BLM standards. There are additional areas needed as part of the permanent ROW for culverts, and drainage ditches. The county has requested 23 additional temporary work areas of 9.74 acres +/-, for a period of 4 years. Total length of the road is 7.57 miles of which 4.77 are on BLM administered lands and a permanent width of 100' with some wider areas for maintenance. See attached description and maps.

For a complete description of the proposed action, please see: R050-2016-0010 EA

GIS Shapefile Storage Location M:\GISdata\planning\Incoming\Dry Creek Road\gis_2dwg (1)
Original Location which may have recently been moved.

USGS Quad: **Gas Hills**

County: **Fremont; Connected Actions would be within Natrona County**

Response: Data Review and Determination of Impact on Wildlife Habitat and Special Status Species
To: Initiating Officer

This memo will become an appendix to the Environmental Documentation for this project. This proposal and relative data have been analyzed as to the impact of the proposed action.

**Coordination with Wyoming Game and Fish Department IS recommended during scoping. Additional coordination IS NOT needed due to unusual or excessive negative effects on big game, sage-grouse, riparian areas, fisheries, other priority species or potentially controversial actions.

Threatened, Endangered, and Proposed Species Clearance Form

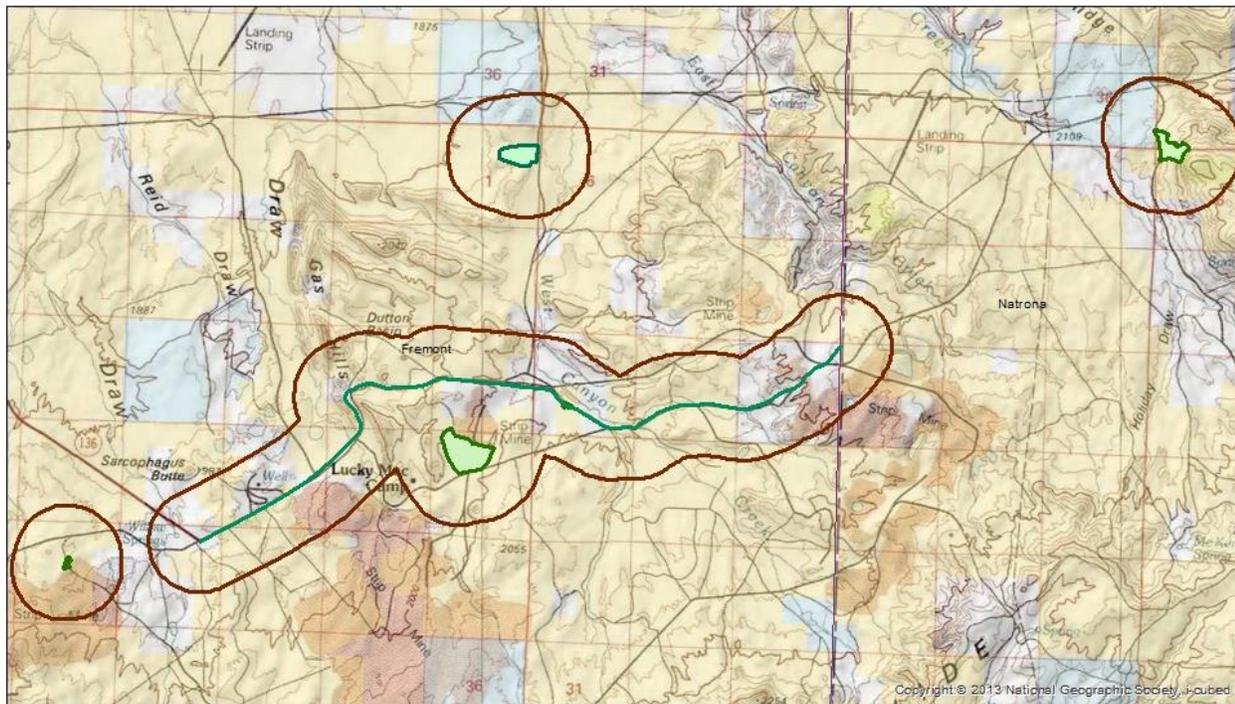
Analysis Comments: This project is proposed within a Designated Development Area. This analysis considers multiple components of the entire project including interrelated, interdependent and connected actions and cumulative effects.

These proposed and related activities would include:

- Reconstructing an existing compacted road corridor currently in use (6 miles) to BLM road standards
- 1.5 miles road re-route and construction of an existing compacted route that was historically used for mine access
- Road widening to 24 feet, with a 100-foot right of way, to include some vegetation removal
- Road narrowing to 24 feet
- Road grading
- Installation of culverts and ditches as needed
- Traffic control
- Permanent signs
- Road maintenance long-term
- Incorporating Dry Creek Road into the Fremont County road transportation system
- Road right-of-way
- Road easement across privately owned lands
- Access to existing mine infrastructure, and existing quarries
- Reclamation of the Rattlesnake and Pathfinder Quarries, and stock pile sites
- Re-contouring
- Re-establish drainages and erosion control features
- Re-vegetation, including seeding
- Removing old materials
- Application of recycled topsoil from sites within the project area
- Installation of berms and waddles
- Free use of material from existing permitted quarries (borrow sites)
- Free use of materials from an existing reclaimed clay pit, limited to 2 acres
- Staging equipment and material on existing disturbed sites
- Hauling of material and equipment
- Use of ground based mechanical equipment

These actions would be implemented over the course of two to four years, depending on weather.

For the purposes of analysis, a ½ mile buffer was delineated around all of these proposed and related/connected areas, therein referred to as the action area. Consideration was given to all species and their habitats within this ½ mile action area, as described below.



- Half-Mile Action Area for Analysis
- Dry_Drunk_Road_ReRoute
- Dry_Drunk_Road_Stop/Stop_Locations
- Reintroduce_Quarry_digitalized
- RammedSnake_Quarry_Footprint_09NPdigrize_AREA
- Umisco_Clay_site_for_AWLU_Rattlesnake_PU_material
- WY_Surface_Management_Agency
- Bureau of Land Management
- Private
- State

**Half-mile Action Area for Analysis of
Special Status Species, Terrestrial Wildlife & Fisheries**

WYW168232 and WYW168232-01



NOTE TO MAP USERS
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The USFWS IPaC lists the threatened, endangered and proposed species list by county (see table below). Analysis is required only for those species listed for the county of interest. According to the IPaC species list, no analysis is required for black-footed ferret (*Mustela nigripes*) as it is not federally listed for Fremont or Natrona counties; therefore it is dropped from further consideration. Yellow-billed cuckoo (*Coccyzus americanu*) is listed for Fremont County, but the Lander Field Office is outside its range and distribution and is not carried forward in this analysis.

USFWS Listing by County, IPaC January 26, 2016

Threatened, Endangered or Proposed Species	USFWS Listing By County		
	Fremont	Natrona	Carbon
interior least tern (<i>Sternula antillarum</i>)	yes	yes	yes
piping plover (<i>Charadrius melodus</i>)	yes	yes	yes
whooping crane (<i>Grus americana</i>)	yes	yes	yes
Western prairie -fringed orchid (<i>Platanthera praeclara</i>)	yes	yes	yes
Pallid sturgeon (<i>Scaphirhynchus albus</i>)	yes	yes	yes
Ute ladies' tresses orchid (<i>Spiranthes diluvialis</i>)	yes	yes	yes
yellow-billed cuckoo (<i>Coccyzus americanu</i>)	yes	no	no
blowout penstemon (<i>Penstemon haydenii</i>)	no	yes	yes
desert yellowhead (<i>Yermo xanthocephalus</i>)	yes	no	no

black-footed ferret (<i>Mustela nigripes</i>)	no	no	no
Canada lynx (<i>Lynx canadensis</i>)	yes	no	yes
gray wolf (<i>Canis lupis</i>)	yes	no	no
grizzly bear (<i>Ursus arctos horribilis</i>)	yes	no	no
whitebark pine (<i>Pinus albicaulis</i>)	yes	no	no

The analysis for federally listed threatened, endangered and proposed species completed by Tim Vosburg in 2011 analysis was evaluated for its relevance to the proposed action and all connected, interdependent and interrelated actions and cumulative effects. It was determined, based on the ½ mile action area analysis boundary, that there were minor changes to 2011 proposed action that remained within the ½ mile action area. These changes were not important enough to invalidate the previous analysis. Thus, the species and effects described in that 2011 analysis are still relevant and applicable to the project and all its related parts as described. The following documentation tiers to that 2011 analysis.

Since there are no direct or indirect effects, there are no cumulative effects. The 2011 Biological Determination of effects for those species is adequate for all the proposed, interrelated, interdependent, and connected actions relevant to this project. No additional analysis for federally listed threatened, endangered and proposed species is needed.

ENDANGERED, THREATENED, OR PROPOSED SPECIES	HABITAT DESCRIPTION	PROJECT BIOLOGICAL DETERMINATION OF EFFECT	CONSULTATION REQUIRED	JUSTIFICATION FOR EFFECTS DETERMINATION
Canada lynx (<i>Lynx canadensis</i>) (Threatened)	Mesic coniferous forests with dense horizontal cover to support abundant snowshoe hare populations.	NE	NO	No suitable habitat present OUTSIDE SPECIES' RANGE
Critical Habitat for Canada Lynx (<i>Lynx canadensis</i>)	Currently, only critical habitat is in northwestern portion of Fremont County near Dubois, WY.	NE	NO	Project is not within or in the vicinity of designated critical habitat for Canada lynx
Grizzly Bear (<i>Ursus arctos horribilis</i>) (Threatened)	Extensive forest cover interspersed with grasslands and meadows.	NE	NO	No suitable habitat present OUTSIDE SPECIES' RANGE
Blowout Penstemon (<i>Penstemon haydenii</i>) (Endangered)	Sparsely vegetated, early successional shifting sand with crater-like blowout depressions created by wind erosion. 5800-7500 ft. elevation.	NE	NO	No suitable habitat present OUTSIDE SPECIES' RANGE
Ute ladies'-tresses orchid (<i>Spiranthes diluvialis</i>) (Threatened)	Moist, subirrigated or seasonally flooded soils in valley bottoms, gravel bars, old oxbows or floodplains bordering springs, lakes, rivers or perennial streams. 720-7000 ft. elevation.	NE	NO	No suitable habitat present OUTSIDE SPECIES' RANGE
Desert yellowhead (<i>Yermo xanthocephalus</i>) (Threatened)	Grows in sparsely vegetated desert cushion plant communities with scattered on whitish sandstones and clays of the Miocene-age Split Rock Formation within shallow deflation hollows and low slopes at 6700-7100 feet.	NE	NO	No suitable habitat present OUTSIDE SPECIES' RANGE
Critical Habitat for Desert yellowhead (<i>Yermo xanthocephalus</i>)	Currently, only critical habitat in is the Cedar Rim area of southern Fremont County.	NE	NO	Project is not within or in the vicinity of designated critical habitat for <i>Yermo xanthocephalus</i>
PLATTE RIVER SPECIES & DEPLETIONS Whooping Crane (<i>Grus americana</i>)–	Downstream riparian and riverine habitat of the Platte River System	NE	NO	Action will not deplete water from the Platte River System

Endangered Interior Least Tern (<i>Sternula antillarum</i>) – Endangered Piping Plover (<i>Charadrius melodus</i>)– Threatened Pallid Sturgeon (<i>Scaphirhynchus albus</i>)– Endangered Western Prairie Fringed Orchid(<i>Platanthera praeclara</i>) – Threatened		NE		No suitable habitat present OUTSIDE SPECIES' RANGE
Critical Habitat for: Whooping Crane		NE		Project is not within or in the vicinity of designated critical habitat for whooping crane
Gray wolf (<i>Canis lupis</i>) (Non-essential, experimental population)	Habitats with abundant ungulate prey, secluded (i.e. forested) denning and rendezvous sites, and low levels of human activity.	NE	NO	No suitable habitat present OUTSIDE SPECIES' RANGE

**NE means, NO EFFECT.

There are no other federally listed threatened, endangered or proposed species that have suitable habitat within the action area. There would NO EFFECT on any other federally listed threatened, endangered or proposed species. There would be NO EFFECT to federally designated critical habitat for threatened or endangered species. No further analysis is needed. Section 7 consultation requirements are complete.

Initiation of FORMAL and INFORMAL Section 7 consultation with U. S. Fish and Wildlife Service **IS NOT necessary.



Wildlife Biologist

February 19, 2016

Date

BLM SENSITIVE SPECIES and SPECIES, HABITATS/AREAS OF CONCERN

The 2011 analysis conducted by Tim Vosburg was assessed for its relevance to BLM Sensitive species and habitats/areas of concern and the project proposed action as it was presented today. For the majority of species, the 2011 analysis is still consistent and relevant. New species information was obtained on January 16, 2016. Where new information was available, those species were re-evaluated. Updates from the 2011 analysis, based on this new information, are highlighted in the table below in yellow.

The existing condition of the ½ mile action area shows a lot of disturbance from past mining activity that occurred as recently as 10 years ago. The area is heavily roaded with non-system routes used to access mine infrastructure, reclamation sites, well pads, etc. For the majority of the species described below, the conditions of breeding, foraging and year-round habitats are of poor quality due to these historic disturbances.

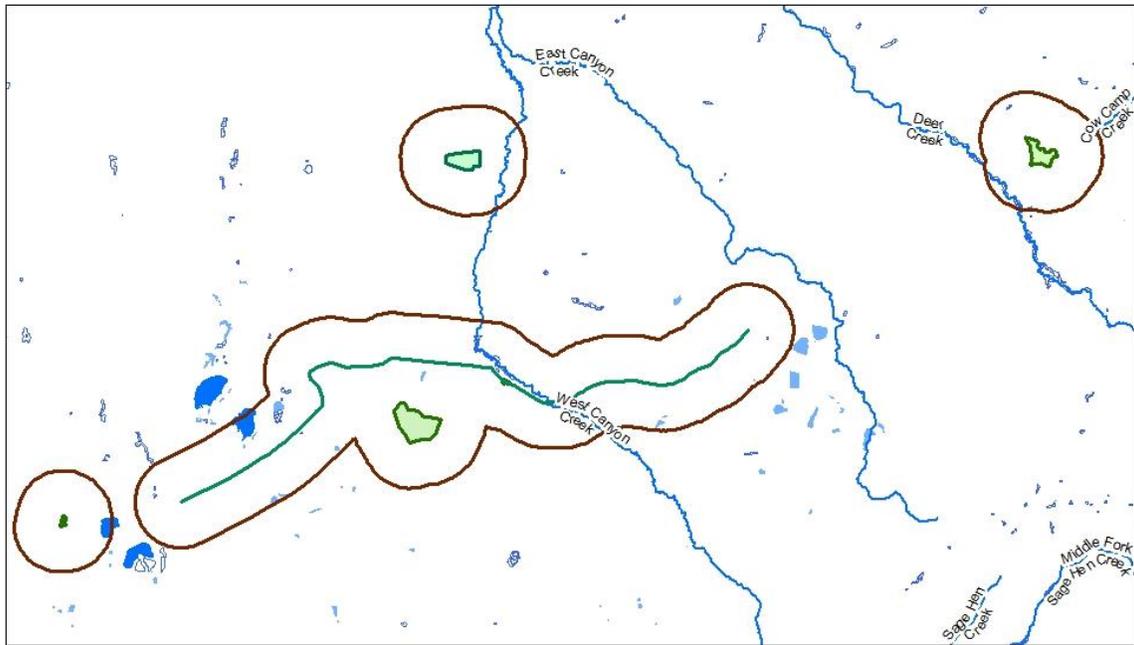
BLM Sensitive Species and Habitats/Areas of Concern	RMP Decision and COA SPATIAL RESTRICTION	RMP Decision TIMING RESTRICTION	DESIGNATED OR SUITABLE HABITAT IN PROJECT AREA	COA STIPULATION APPLIES
Greater sage-grouse (<i>Centrocercus urophasianus</i>) Core	4109: Limit the density of disturbance of an activity (oil and gas or mining) to an average of one site per square mile (640 acres) within the DDCT. The one location and cumulative value of existing disturbances will not exceed 5 percent of suitable habitat of the DDCT area. 4110: See RMP for ROW in Core		NO	DDCT required: NO, not in Core habitat for greater sage-grouse
Greater sage-grouse (<i>Centrocercus urophasianus</i>) Core		4105: Prohibit surface-disturbing and/or disruptive activities from March 15 to June 30	NO	NO
Greater sage-grouse (<i>Centrocercus urophasianus</i>) Core Area leks	4104: Prohibit surface-disturbing or surface occupancy on or within a 0.6 mile radius of the perimeter of occupied greater sage-grouse leks Keep any new roads or road upgrades 1.9 miles from the perimeter of the lek	4105: Prohibit surface-disturbing and/or disruptive activities from March 15 to June 30 4107: Prohibit disruptive activities between 6 p.m and 8 a.m. from March 1 to May 15 on or within a 0.6 mile radius of the perimeter of occupied greater sage-grouse leks	NO	NO
Greater sage-grouse (<i>Centrocercus urophasianus</i>) Outside Core Area leks	4104: Prohibit surface-disturbing and/or surface occupancy within a 0.25 mile radius of the perimeter of occupied greater sage-grouse leks	4105: Prohibit surface-disturbing and/or disruptive activities from March 15 to June 30 within 2 miles of the perimeter of occupied leks	NO; According to 2014 and 2015 lek GIS data, there are not leks within a ½ mile of the action area.	NO
Greater sage-grouse (<i>Centrocercus urophasianus</i>) Winter Concentration Areas	4108: Prohibit surface-disturbing and disruptive activities in winter concentration areas, as they are identified.	4108: From December 1 to March 14, unless data indicate a date modification is necessary to better protect wintering greater sage-grouse	Possibly; USGS modeled winter habitat covers the majority of the action area. U of WY modeled winter concentration areas are mapped to the south of the action area; the data set is incomplete and does not include all of the LFO. Inference can be made to the action area, however, given the extent of historic	NO; The action area is not suitable winter concentration habitat for greater sage-grouse. Consecutive years of winter surveys for signs (tracks, pellets) could be implemented to confirm modeled habitat. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist.

			disturbance in this particular location, the ½ mile action area is not considered suitable winter concentration habitat for greater sage-grouse.	
<p>RAPTORS (BLM Sensitive Species)</p> <p>Northern Goshawk (<i>Accipiter gentilis</i>)</p>	<p>4071: Prohibit surface-disturbing and disruptive activities within ¾ mile of active raptor nests.</p> <p>Distances and dates may vary based on raptor species, chick fledging, topography and other pertinent factors.</p> <p>4077: Require seasonal restrictions or other identified mitigation as needed to minimize impacts to migratory birds and their habitats protected by MBTA.</p>	4071: From April 1 to August 31	NO	NO
<p>Burrowing Owl (<i>Athene cunicularia</i>)</p> <p>Short grass prairie in or near prairie dog colonies with burrows in grassland, shrublands, deserts and grassy urban areas, burrows excavated by other animals, migratory, breeds from April 1 to August 10</p>	<p>4071: Prohibit surface-disturbing and disruptive activities within ¾ mile of active raptor nests.</p> <p>Distances and dates may vary based on raptor species, chick fledging, topography and other pertinent factors.</p> <p>4077: Require seasonal restrictions or other identified mitigation as needed to minimize impacts to migratory birds and their habitats protected by MBTA.</p>	4071: From April 1 to September 15	YES; prairie dog colonies are present (though current status is unknown) and USGS modeled habitat & known nest locations present within the ½ mile action area.	<p>Possibly; Surveys should be done during the breeding season to detect signs of breeding at known and suspected sites within the action area, to the best of the agency's ability. Positive detection of signs of breeding would require the stipulation, as recommended by project LFO Biologist. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist.</p> <p>Otherwise, apply stipulation to all burrows and prairie dog locations, as recommended by project LFO Biologist. To determine the location of nesting burrows would require additional survey efforts during the breeding season.</p>
<p>Ferruginous Hawk (<i>Buteo regalis</i>)</p> <p>Flat rolling prairies, semi-desert shrub-steppe, low elevation, 3000 to 9500' elevation, migratory, breeds from March 5 to July 31, very intolerant of disturbance</p>	<p>4071: Prohibit surface-disturbing and disruptive activities within 1 mile of active raptor nests.</p> <p>Distances and dates may vary based on raptor species, chick fledging, topography and other pertinent factors.</p> <p>4077: Require seasonal restrictions or other identified mitigation as needed to minimize impacts to migratory birds and their habitats protected by MBTA.</p>	4071: From February 1 – to July 31	YES; USGS modeled habitat & several or historic known nest locations in a variety of conditions are present within the ½ mile action area. The current status of these nests is not known. Alternate nests are usually reconstructed the year of use so condition of the	<p>Possibly; Surveys should be done during the breeding season to detect signs of breeding at known and suspected sites within the action area, to the best of the agency's ability. Positive detection of signs of breeding would require the stipulation, as recommended by project LFO Biologist. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO</p>

			nest in prior years may not be an adequate measure of presence or activity.	<p>Biologist.</p> <p>Otherwise, apply the stipulation, as recommended by project LFO Biologist.</p> <p>Best management practices would be to protect all active and inactive nest locations with a timing stipulation during the life of implementation since raptor species use alternate nests during different years. This raptor is very sensitive to noise, disruption and activity during the breeding season. Nest and chick abandonment would be expected.</p>
<p>American peregrine falcon (<i>Falco peregrinus anatum</i>)</p> <p>Deeply incised canyons, tall cliffs or structures for eyries, open habitats up to 9 miles from eyries are used for foraging, <10,000' elevation, breeds from March 20 to August 15</p>	<p>4071: Prohibit surface-disturbing and disruptive activities within ¼ mile of active raptor nests.</p> <p>Distances and dates may vary based on raptor species, chick fledging, topography and other pertinent factors</p> <p>4077: Require seasonal restrictions or other identified mitigation as needed to minimize impacts to migratory birds and their habitats protected by MBTA.</p>	4071: From February 1 – to July 31	NO	NO
<p>Bald Eagle (<i>Haliaeetus leucocephalus</i>)</p> <p>Lakes, rivers and other large water bodies suitable for foraging with large trees for nesting and roosting; Forested areas with large bodies of water, perches, mature large trees, <8000' elevation, requires a ½ mile nest and ½ mile winter roost spatial buffer, breeds from January 1 to August 10</p>	<p>4093: Surface-disturbing and disruptive activities are prohibited within 1 mile of a bald eagle nest.</p> <p>Implement conservation measures, terms and conditions, appropriate BMPs, Required Design Features and Reasonable and Prudent Measures within existing state programmatic Biological Opinions:</p> <p>T&C1: Foraging/ concentration areas year-round 2.5 miles from nests:</p> <p>T&C2: Communal winter roosts ,1 mile NSO and timing restriction from Nov 1 – April 1</p> <p>T&C2: No ground disturbing activities within 0.5 miles of active roost sites year round.</p> <p>T&C8: Known bald eagle nests, communal winter roosts, and concentration areas will be assumed active is status has not been verified.</p>	<p>4093: For nests, from February 1 to August 15.</p> <p>T&C1: For feeding/concentration areas around nests</p> <p>T&C2: For communal winter roosts 1 mile timing restriction From Nov 1 – Mar 31</p>	NO	NO

	4077: Require seasonal restrictions or other identified mitigation as needed to minimize impacts to migratory birds and their habitats protected by MBTA.			
Big game crucial winter range and Elk winter range	4061: Prohibit surface-disturbing and disruptive activities within identified big game crucial winter range, unless an exception, waiver, or modification is granted by the Authorized Officer. Authorize exceptions for reclamation seeding when appropriate. 4069: Avoid authorizing road development in big game crucial winter range. (Delineated by WGFD/BLM)	4061: From Nov 15 - April 30	A very small portion of the action area (less than 55 acres) overlaps with antelope crucial winter range on the northwest corner of the road. The clay borrow site overlaps with antelope crucial winter range.	Possibly: During mild winters, the stipulation would not be necessary since antelope would not be confined to crucial winter range and would be able to move freely and not be inhibited by snow depth or lack of browse/forage. During severe winters, field verification could be done to determine if antelope are utilizing the crucial winter range. If they are not present, the stipulation would not apply. Generally it is assumed that if winters are severe, the soil and road conditions would not be conducive to implementation of the project. Under such scenario, the stipulation would be needed.
Big Game parturition areas	4061: Prohibit surface-disturbing and disruptive activities within identified big game parturition areas, unless an exception, waiver, or modification is granted by the Authorized Officer. Authorize exceptions for reclamation seeding when appropriate. 4069: Avoid authorizing road development in big game parturition areas. (Delineated by WGFD/BLM)	4061: From May 1 - June 30	NO	NO
Riparian-wetland areas (streams, fens, wetlands, seeps, springs) according to Proper Functioning Condition assessments and/or National Wetland Inventory data	1035: Take actions to improve the biological, chemical and geomorphic conditions of streams and riparian-wetland areas adversely impacted by BLM-authorized activities or by activities upstream of BLM-administered lands. 1048: Do not authorize permanent facilities, roads, etc. in 100-year floodplains (where mapped) and (in		YES; Wetlands are present associated with West Canyon Creek, which maintains water north of route 10-999 up to where it contacts road 10-999. The constructed features of the route appears to	Possibly; Wetland delineation (wetland plant identification and soil sampling) according to US Army Corp of Engineers Wetland Delineation protocols may be needed to determine the accuracy of the classification of mapped riparian areas and wetlands derived from the National

	<p>riparian-wetland areas except to benefit watershed health or vegetation.</p> <p>2029: Apply a riparian-wetland setback greater than 500 feet where NEPA analysis determines that a longer distance is needed to protect riparian-wetland resources.</p> <p>4031: In DDAs, prohibit surface-disturbing activities within 500 feet of surface water, riparian-wetland areas, and playas unless on a site-specific basis a lesser distance is shown to provide equivalent protection.</p> <p>4032: Design ROW water channel crossings to limit impacts to riparian-wetland areas.</p> <p>(NOTE: The 2014 RMP glossary excluded ephemeral streams, washes that lack wetland plants. Wetland plants are those described as Obligate Wetland, Facultative Wetland, Facultative, or Facultative Upland as listed in the US Army Corp of Engineer's National Wetland Plant List for this region or the State of Wyoming.)</p>		<p>be prohibiting water from flowing south of 10-999. The wetlands and West Creek corridor are located between 150 to 270 feet approximately from the existing used route and the proposed route, and over 1400 feet from the proposed clay site. In its present condition, the road prohibits safe passage and connectivity of wildlife species that utilize ephemeral and perennial drainages for movement as well as habitat.</p> <p>And</p> <p>NO; The large pond located on the western portion of the ½ mile action area (showing as a wetland on the NWI map) is actually a waste water holding pond from mine operations. This holding pond is not suitable riparian-wetland host sites for special status species.</p>	<p>Wetland Inventory dataset. See maps below.</p> <p>Yes, with modification: Install an aquatic/terrestrial wildlife passage large enough to accommodate a coyote or larger mammal, low and high water passage on the segment of West Creek that intersects the proposed road alignment to allow connectivity, safe passage of several special status and other wildlife species and provide opportunity for water to flow and vegetation to exist within historic natural variability.</p> <p>Ensure equipment, supplies, materials and other infrastructure are located/staged 500 feet from mapped and field identified riparian-wetlands and associated corridors.</p> <p>Recommended: Find an alternative location for the proposed stockpile site that would be located over 500 feet from West Creek. Alternative staging locations would be determined with field consultation by the project LFO Biologist during implementation.</p>
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Half-Mile Action Area for Analysis

Named Creeks

National Wetlands Inventory-Wetlands

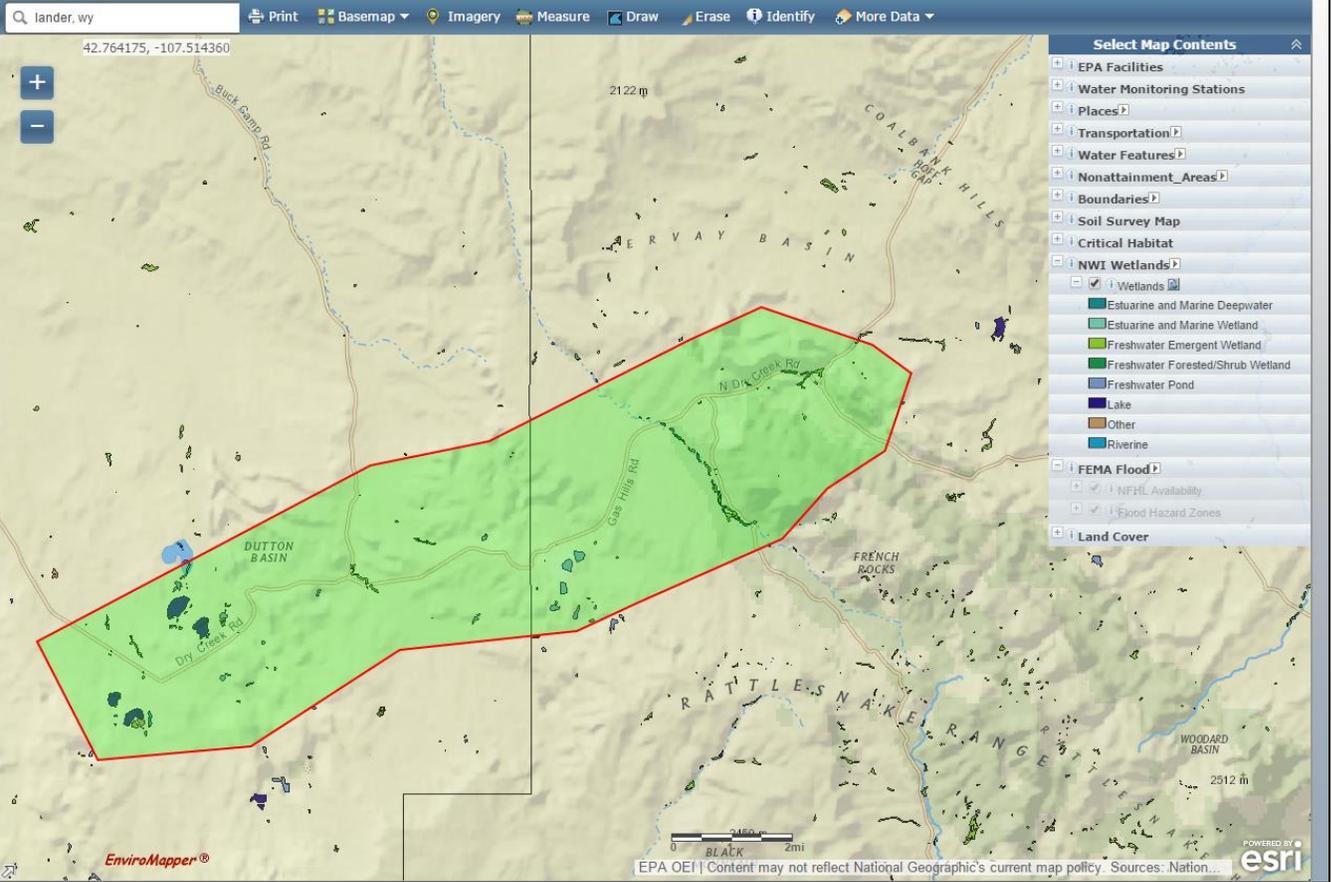
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

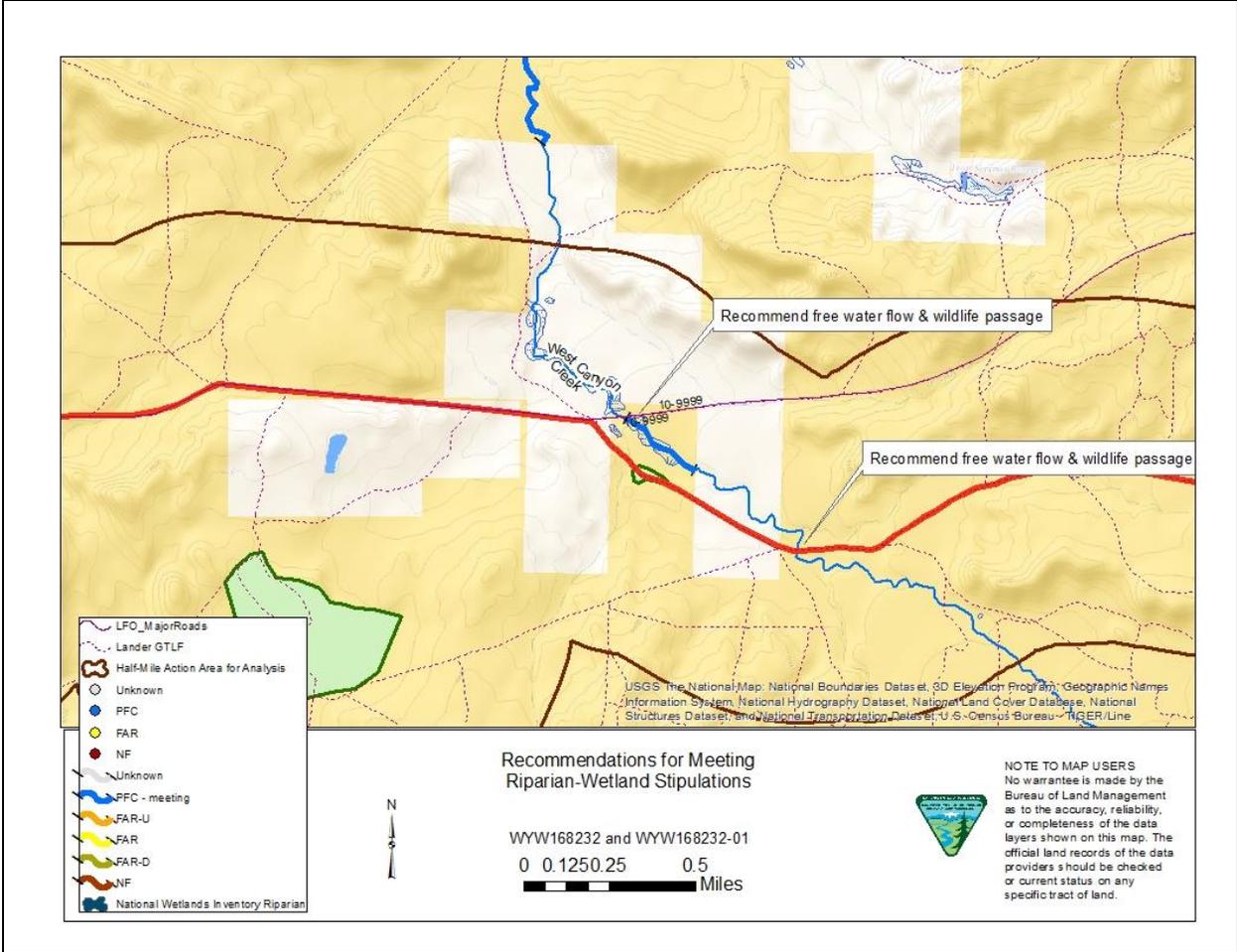
National Wetland Inventoried Wetlands with
the Half-mile Action Area for Analysis

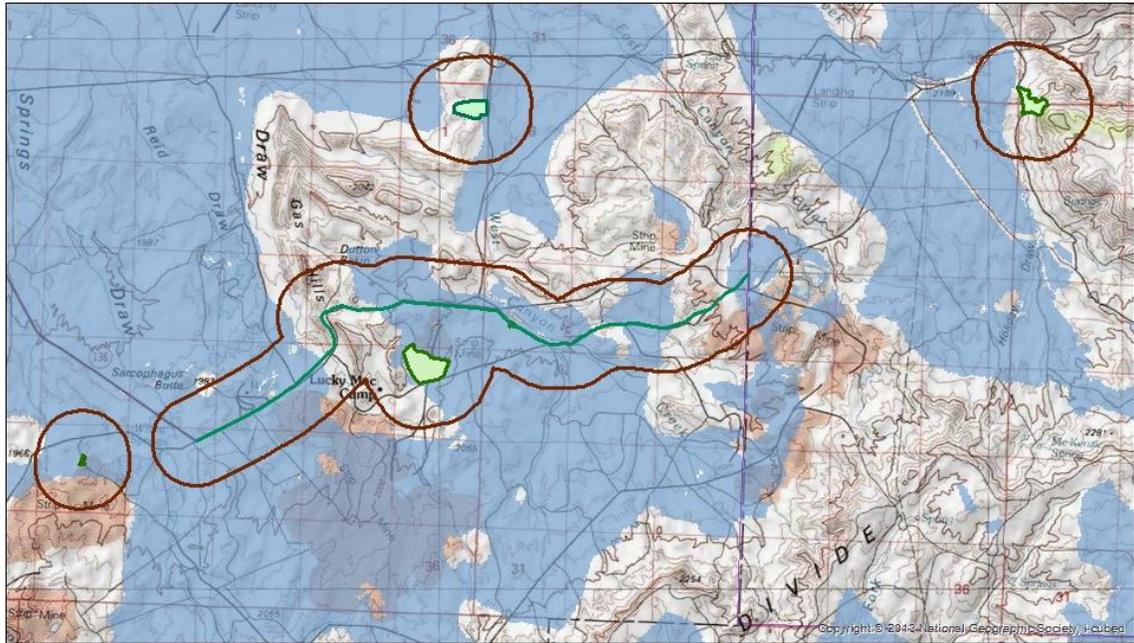
WYW168232 and WYW168232-01

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0 0.5 1 2 Miles





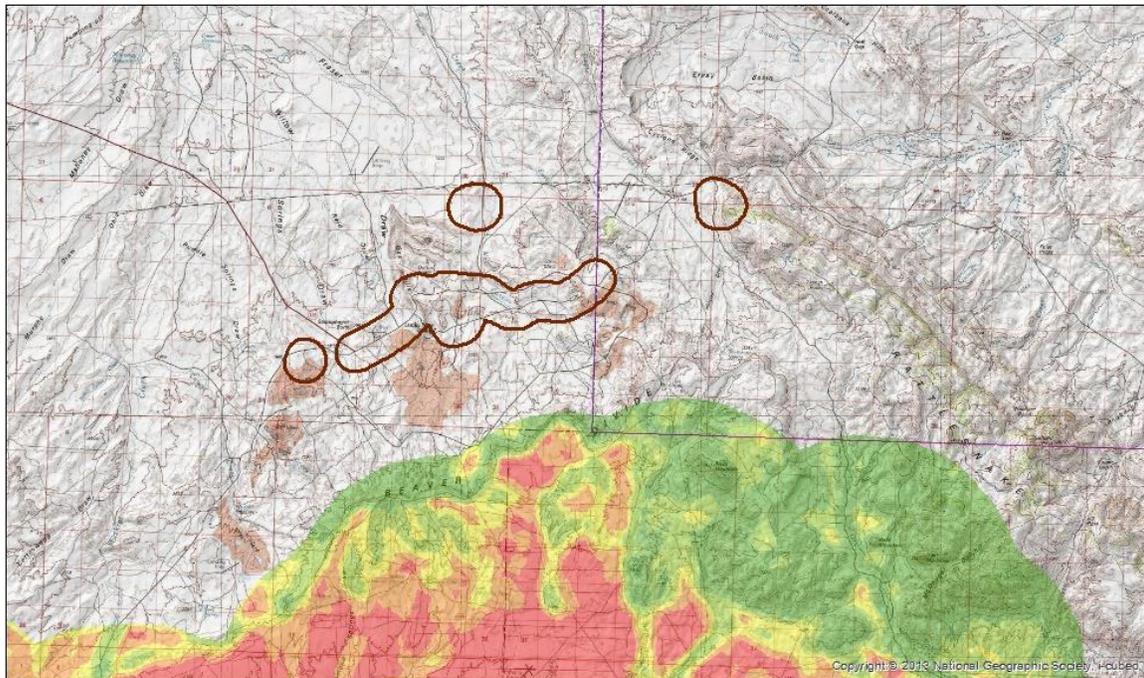


Greater sage-grouse Winter Habitat
USGS Modeled Data

WYW168232 and WYW168232-01

0 0.5 1 2 Miles

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 Half-Mile Action Area for Analysis

Uof WY Jeffery City Winter Concentration - Probability

-  Low
-  Medium Low
-  Medium
-  Medium High
-  High



**Greater Sage-grouse
Modeled Data Winter Habitat & Winter Concentration**
WYW168232 and WYW168232-01

0 1.25 2.5 5
Miles



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BLM SENSITIVE SPECIES	HABITAT	POTENTIAL or Suitable HABITAT Present In Project Area	RMP Decision and COA	COA /TLS/ STIPULATION APPLIES
<p>BATS:</p> <p>Long-eared Myotis (<i>Myotis evotis</i>)</p>	<p>Conifer and deciduous forest, caves and mines Cliffs over perennial water, basin-prairie shrub Forests, basin-prairie shrub, caves and mines</p>	<p>Yes; USGS modeled year-round habitat, foraging, there are no sites within the ½ mile action area that would be suitable for maternity roosts, hibernacula or bachelor roosts.</p>	<p>4095: Prohibit surface disturbing and disruptive activities within ¼ mile of identified maternity roosts and hibernation areas that would adversely impact bats.</p>	<p>NO; Foraging habitat and behavior would not be affected.</p>
<p>Spotted bat (<i>Euderma maculatum</i>)</p>	<p>Desert specialist, cliffs, structures, tree cavities, arid <6000' elevation</p>	<p>NO</p>		<p>NO</p>
<p>Townsend's Big-eared bat (<i>Corynorhinus townsendii</i>)</p>	<p>Caves, mines, rock crevices, structures, tree cavities, edge habitats 6100 -9500' elevation in dry to mesic forests</p>	<p>Yes; USGS modeled year-round habitat, foraging, there are no sites within the ½ mile action area that would be suitable for maternity roosts, hibernacula or bachelor roosts.</p>		<p>NO; Foraging habitat and behavior would not be affected.</p>
<p>Fringed myotis (<i>Myotis thysanodes</i>)</p>	<p>Fir-pine forests, ponderosa pine, piñon pine, juniper woodlands with snags, Gamble oak, interspersed with open deserts, shrubs, grasslands, edges and abundant water sources, 3900 to 10,000' elevation, caves, mines, rock crevices, structures</p>	<p>Yes; USGS modeled year-round habitat, foraging, there are no sites within the ½ mile action area that would be suitable for maternity roosts, hibernacula or bachelor roosts.</p>		<p>NO; Foraging habitat and behavior would not be affected</p>
<p>PRAIRIE DOGS:</p> <p>White-tailed (<i>Cynomys leucurus</i>)</p>	<p>Basin prairie shrub, grasslands</p>	<p>YES, as of 2014 data, 2 small active colonies present, 3 inactive or unoccupied colonies present. Status of prairie dog colonies may change over time and its current activity status is unknown. Active colonies may be located between 0.2 and 0.3 mile from the proposed road alignment.</p> <p>A staging area/stock piling area is proposed right on top of a prairie dog colony that is adjacent to a perennial creek/wetland that provides good forage and access to water. The colony was not active in 2014 but its current status is</p>	<p>4092: Avoid surface-disturbing activities in occupied white-tailed prairie dog colonies where possible.</p>	<p>Possibly; annual surveys should be done to determine the current status of known colonies during the lifetime of implementation, to the best of the agency's ability. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist. If surveys determine activity, then the stipulation would be needed, as recommended by project LFO Biologist.</p> <p>Recommended modification of stipulation: Ensure equipment, supplies, materials and infrastructure are located/staged 500 feet from all known or mapped prairie dog colonies. Alternative staging locations would be determined with field</p>

			breeding/nesting mountain plovers, and include a ¼ mile buffer.	<p>project LFO Biologist.</p> <p>Otherwise, apply stipulation, as recommended by project LFO Biologist.</p> <p>Recommended stipulation is to avoid vegetation removal, soil work and construction between march 5 and July 31</p>
<p>BLM SENSITIVE SAGEBRUSH OBLIGATES:</p> <p>Sage Thrasher (<i>Oreoscoptes montanus</i>)</p>	<p>Basin-prairie shrub, mountain foothill shrub; large expanses of the tallest, densest sagebrush with good nesting cover, ground forager for insects, shrub nesting, migratory, breeds May 10 to August 5</p>	<p>YES; USGS modeled spring/summer habitat for breeding & foraging</p>	<p>4077: Require seasonal restrictions or other identified mitigation as needed to minimize impacts to migratory birds and their habitats protected by MBTA.</p>	<p>Possibly; Surveys should be done during the breeding season to detect signs of breeding at known and suspected sites within the action area, to the best of the agency's ability. Positive detection of signs of breeding would require the stipulation, as recommended by project LFO Biologist. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist.</p> <p>Otherwise, apply stipulation, as recommended by project LFO Biologist.</p> <p>Recommended stipulation is avoid vegetation removal, soil work and construction between May 10 and August 5</p>
<p>Loggerhead Shrike (<i>Lanius ludovicianus</i>)</p>	<p>Basin-prairie shrub, mountain foothill shrub; Insect eater, aerial dive hunting, tree nesting, migratory, prefers mountain grasslands, breeds from April 10 to August 20</p>	<p>YES; USGS modeled spring/summer habitat for breeding & foraging</p>		<p>Possibly; Surveys should be done during the breeding season to detect signs of breeding at known and suspected sites within the action area, to the best of the agency's ability. Positive detection of signs of breeding would require the stipulation, as recommended by project LFO Biologist. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist.</p> <p>Otherwise, apply stipulation, as recommended by project LFO Biologist.</p> <p>Recommended stipulation is avoid</p>

<p>Sage Sparrow (<i>Amphispiza belli</i>)</p>	<p>Basin prairie shrub, mountain foothill shrub; large contiguous patches of big sagebrush (<i>Artemisia tridentata</i>) with vigorous co-dominant perennial bunchgrass understory below 5,600 feet elevation, ground forager for insect prey, shrub nesting, migratory, breeds April 11 to August 5</p>	<p>YES; USGS modeled spring/summer habitat for breeding & foraging</p>		<p>vegetation removal, soil work and construction between April 10 to August 20</p> <p>Possibly; Surveys should be done during the breeding season to detect signs of breeding at known and suspected sites within the action area, to the best of the agency's ability. Positive detection of signs of breeding would require the stipulation, as recommended by project LFO Biologist. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist.</p> <p>Otherwise, apply stipulation, as recommended by project LFO Biologist.</p> <p>Recommended stipulation is avoid vegetation removal, soil work and construction between April 11 and August 5.</p>
<p>Brewer's Sparrow (<i>Spizella breweri</i>)</p>	<p>Basin-prairie shrub; Sagebrush obligate, evenly spaced shrubs 3-7' height with bunchgrass, 3000 to 10,000 elevation, insect eater, foliage gleaner, shrub nester, migratory, breeds from May 11 to August 5</p>	<p>YES; USGS modeled spring/summer habitat for breeding & foraging</p>		<p>Possibly; Surveys should be done during the breeding season to detect signs of breeding at known and suspected sites within the action area, to the best of the agency's ability. Positive detection of signs of breeding would require the stipulation, as recommended by project LFO Biologist. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist..</p> <p>Otherwise, apply stipulation, as recommended by project LFO Biologist.</p> <p>Recommended stipulation is avoid vegetation removal, soil work and construction between May 11 and August 5.</p>
<p>Pygmy rabbit (<i>Brachylagus idahoensis</i>)</p>	<p>Basin-prairie and riparian shrub; dense tall sagebrush >1.5 feet in height with deep loose loamy soils with</p>	<p>YES; Two sources mapped the western portion of the action area as year-round use. Field</p>	<p>4088: Pygmy rabbit: surface disturbing activities prohibited within 200 Ft. of occupied habitat.</p>	<p>Possibly; Surveys should be done during summer, post breeding season in suitable habitat to detect signs of</p>

	<p>sufficient sagebrush cover for hiding and browse and bunch grass/forbs for forage; primary excavator and secondary burrows. May burrow in pipelines; breeding may occur up to 5 times per season from January to June (peak is March); uses riparian corridors, alluvial fans and tall sagebrush flats for dispersal and connectivity.</p>	<p>inventory surveys in the LFO were incomplete; non-detection does not necessarily indicate absence. Occupancy is assumed in sites supporting tall sagebrush, in riparian corridors, in prairie dog colonies and other locations where burrows may be present.</p>		<p>occurrence within 200 feet of all vegetation removal, construction and soil work proposed, to the best of the agency's ability. Follow up observation surveys would be needed. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist.</p> <p>Otherwise, apply stipulation, as recommended by project LFO Biologist.</p> <p>Recommended stipulation is to avoid vegetation removal, construction and soil work in areas where loose loamy soils co-occurs with sagebrush that is over 1.5 feet in height- typically found in riparian corridors, provide a 0.75 mile buffer around known and suspected burrows, and impose a timing restriction between January and June during the breeding season. Also recommended to install wildlife passages along West Creek.</p> <p>If surveys result in positive detection, then the stipulation would apply, as recommended by project LFO Biologist.</p> <p>Best management practices would be to avoid both active and inactive prairie dog colonies, for pygmy rabbit and a variety of other species that utilize burrows.</p>
<p>OTHER MIGRATORY BIRDS</p> <p>Other migratory birds-many ground and shrub nesting species may be present within the ½ mile action area: red-tailed hawk, vesper</p>			<p>4077: Require seasonal restrictions or other identified mitigation as needed to minimize impacts to migratory birds and their habitats protected by MBTA</p>	<p>Possibly; Surveys should be done during the breeding season to detect signs of breeding at known and suspected sites within the action area, to the best of the agency's ability. Positive detection of signs of breeding would require the stipulation, as recommended by project LFO Biologist. Surveys</p>

sparrow, lark sparrow, and lark bunting, and golden eagle				would need to follow pre-approved protocols and locations as determined by the project LFO Biologist. Otherwise, apply stipulation, as recommended by project LFO Biologist.
BLM SENSITIVE RIPARIAN/WETLAND OBLIGATES: Yellow-billed Cuckoo (<i>Coccyzus americanus</i>) White-faced Ibis (<i>Plegadis chihi</i>) Trumpeter Swan (<i>Cygnus buccinator</i>)	Open woodlands, streamside willow and alder groves Marshes, wet meadows Lakes, ponds, rivers	NO NO NO	4077: Require seasonal restrictions or other identified mitigation as needed to minimize impacts to migratory birds and their habitats protected by MBTA	
Northern Leopard frog (<i>Rana pipiens</i>)	Beaver ponds, permanent water in plains and foothills	YES	4075: Implement appropriate conservation agreements, conservation measures, and BLM-endorsed management strategies for special status species. 4076: Develop site- specific measures for BLM-authorized activities to protect sensitive species. Reduce the footprint of development and facilities to the smallest practical to protect special status species and their habitat. Incorporate Required Design Features and BMPs as Conditions of Approval as appropriate to address adverse impacts to special status species. 4079: On a case-by- case basis, require surveys for BLM sensitive species as part of authorizing actions. 4082: Apply specific measures to protect known special status plant populations from BLM-authorized activities and motorized	Possibly; Recommend application of riparian/wetland buffer: Move Project > 500 feet from streams/surface water, wetlands, fens, seeps and springs. Or, design the road and infrastructure and placement of materials to accommodate for species' natural history, such as installing aquatic passages, minimize soil sedimentation and deposition, re-vegetate affected areas with native locally adapted wetland/riparian plants, implement when species are dormant etc. Or, recommend surveys for signs or suitable habitat, to the best of the agency's ability. Positive detection of signs of breeding would stipulation, as recommended by project LFO Biologist. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist

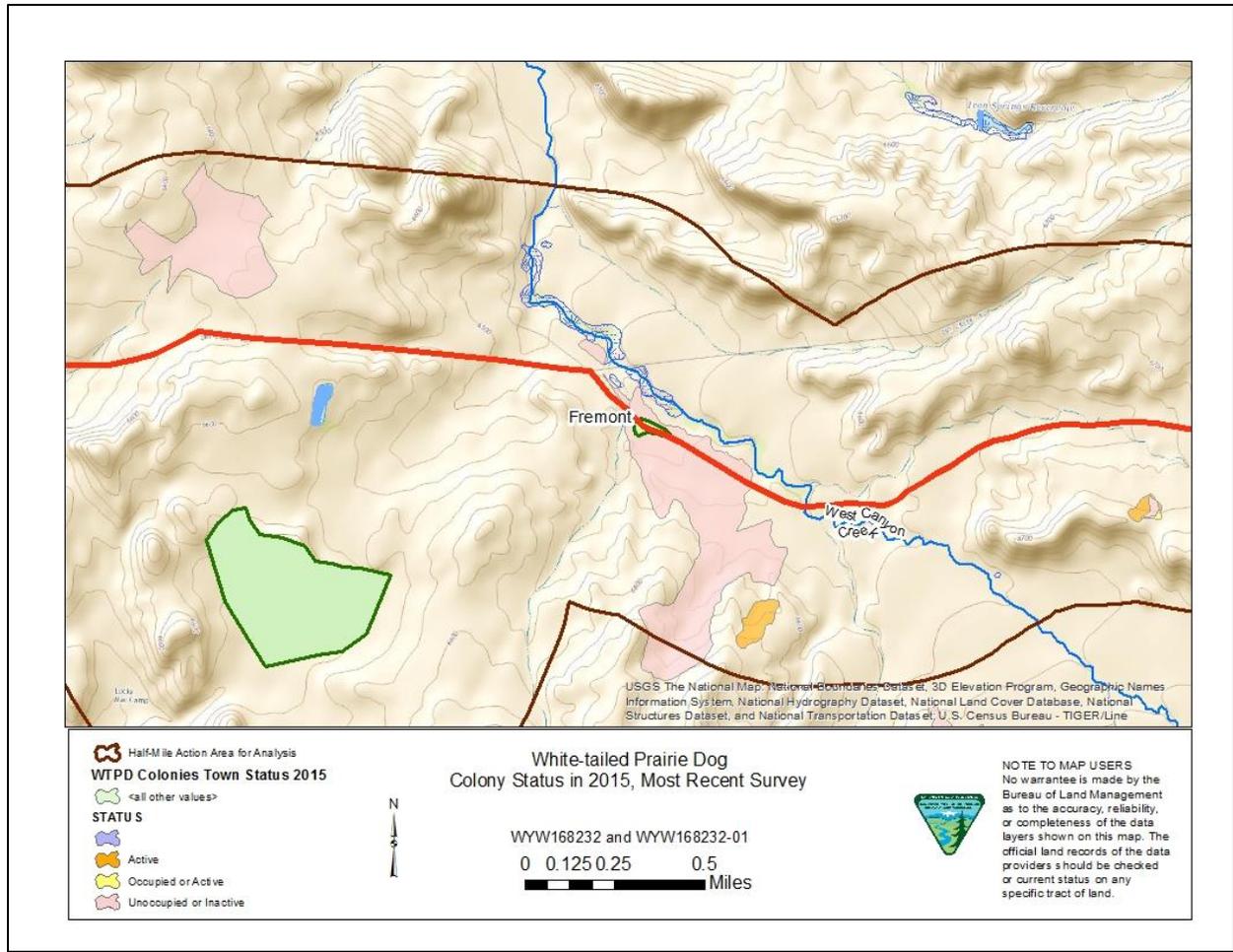
<p>Great Basin spadefoot (<i>Spea intermontana</i>)</p>	<p>Spring seeps, permanent and temporary waters</p>	<p>YES</p>	<p>travel on a case by case basis.</p>	<p>Possibly; Recommend application of riparian/wetland buffer: Move Project > 500 feet from streams/surface water, wetlands, fens, seeps and springs. Or, design the road and infrastructure and placement of materials to accommodate for species' natural history, such as installing aquatic passages, minimize soil sedimentation and deposition, re-vegetate affected areas with native locally adapted wetland/riparian plants, implement when species are dormant etc. Or, recommend surveys for signs or suitable habitat, to the best of the agency's ability. Positive detection of signs of breeding would require stipulation, as recommended by project LFO Biologist. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist</p>
<p>Boreal toad (Northern Rocky Mtn. population) (<i>Bufo boreas boreas</i>)</p>	<p>Pond margins, wet meadows, riparian areas.</p>	<p>NO</p>		
<p>Spotted frog (<i>Rana luteiventris</i>)</p>	<p>Ponds, sloughs, small streams</p>	<p>YES</p>		<p>Possibly; Recommend application of riparian/wetland buffer: Move Project > 500 feet from streams/surface water, wetlands, fens, seeps and springs. Or, design the road and infrastructure and placement of materials to accommodate for species' natural history, such as installing aquatic passages, minimize soil sedimentation and deposition, re-vegetate affected areas with native locally adapted wetland/riparian plants, implement when species</p>

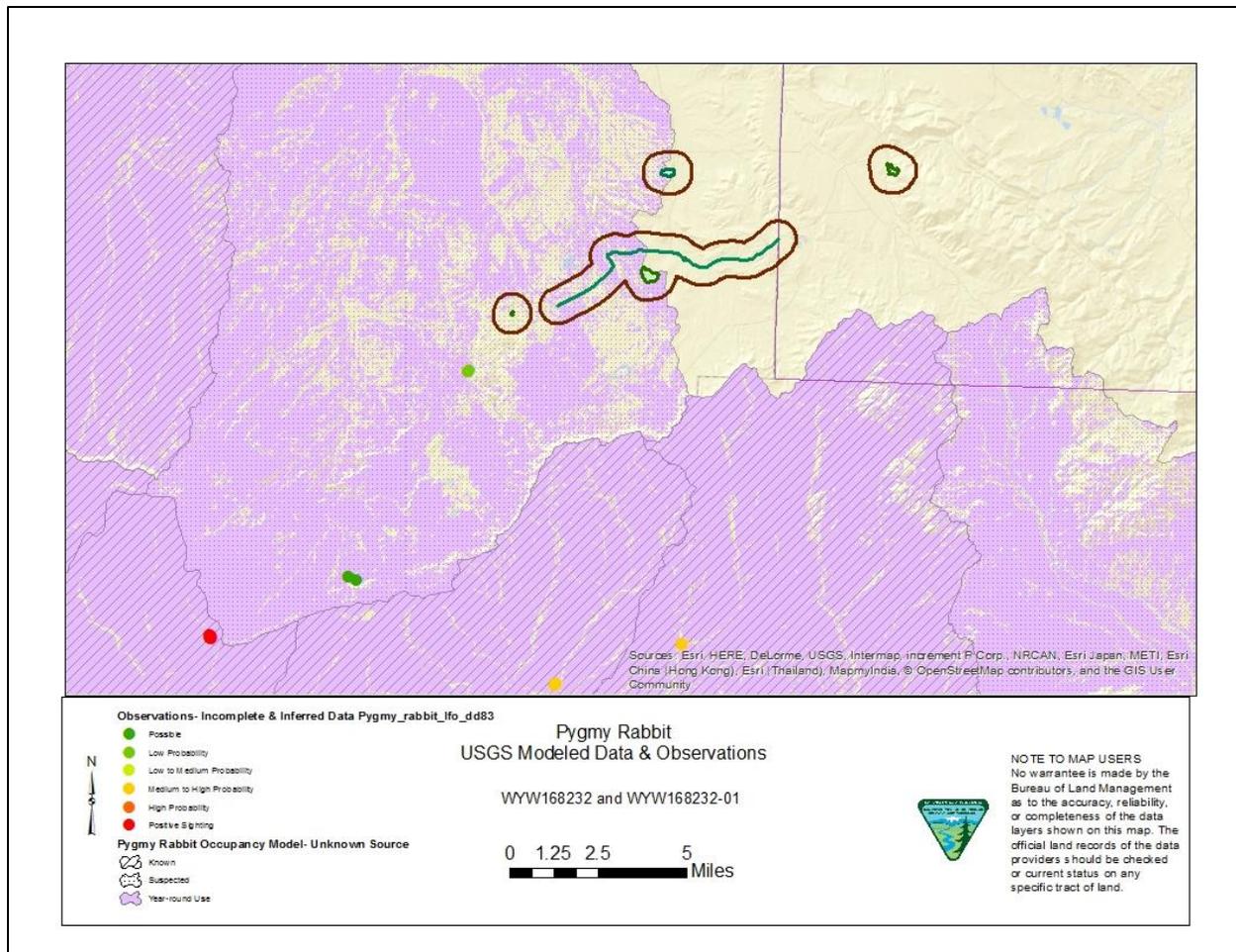
				<p>are dormant etc.</p> <p>Or, recommend surveys for signs or suitable habitat, to the best of the agency's ability.</p> <p>Positive detection of signs of breeding would require stipulation, as recommended by project LFO Biologist. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist</p>
Yellowstone cutthroat trout (<i>Oncorhynchus clarkii bouvieri</i>)	Yellowstone drainage, small mountain streams and large rivers	NO	4087: Avoid activities that contribute sediment to waterbodies that support Yellowstone cutthroat, burbot, and sauger unless determined that additional sediment will not harm species or adequate mitigations can be applied.	
<p>BLM SENSITIVE PLANTS:</p> <p>Meadow Pussytoes (<i>Antennaria arcuata</i>)</p>	Moist, hummocky meadows, seeps or springs surrounded by sage/grasslands 4,950' – 7,900'; flowers early July to late September	NO	<p>4075: Implement appropriate conservation agreements, conservation measures, and BLM-endorsed management strategies for special status species.</p> <p>4076: Develop site-specific measures for BLM-authorized activities to protect sensitive species. Reduce the footprint of development and facilities to the smallest practical to protect special status species and their habitat.</p> <p>Incorporate Required Design Features and BMPs as Conditions of Approval as appropriate to address adverse impacts to special status species.</p> <p>4079: On a case-by-case basis, require surveys for BLM sensitive species as part of authorizing actions.</p> <p>4082: Apply specific measures to protect known special status plant populations from BLM-authorized activities and motorized travel on a case by case basis.</p>	NO

Porter's Sagebrush (<i>Artemisia porteri</i>)	Sparsely vegetated badlands of ashy or tuffaceous mudstone and clay slopes Elevation: 5,300 – 6,500 feet; flowers early June to late July	NO		NO
Meadow Milkvetch (<i>Astragalus diversifolius</i>)	Moist, often alkaline meadows, esp. at fringes of playa landscapes, and swales in sagebrush valleys or closed drainage basins (4400-6620 Ft.); flowers late June to late July	NO		NO
Dubois Milkvetch (<i>Astragalus gilviflorus</i> var. <i>purpureus</i>)	Barren shale, badlands, limestone, and redbed slopes and ridges 6,900' – 8,800"; flowers late May to mid July	NO		NO
Limber Pine (<i>Pinus flexilis</i>)	Timberline and at lower elevation with sagebrush. Associated species are Rocky Mountain lodgepole pine, Engelmann spruce, whitebark pine, Rocky Mountain Douglas-fir, subalpine fir, Rocky Mountain juniper, Mountain Mahogany, and common juniper	NO		NO
Cedar Rim Thistle (<i>Cirsium aridum</i>)	Barren, chalky hills, gravelly slopes and fine-textured, sandy/shaley draws 6,700' – 7,200'; flowers early June to late July	NO		NO
Many-stemmed spider-flower (<i>Cleome multicaulis</i>)	Whitish, alkali-rich, strongly hydrogen-sulfide scented soils bordering shallow, spring-fed playa lakes or dried lakebeds. Most abundant on damp, but not flooded, flats; flowers June to August	YES; modeled habitat		<p>Possibly; Surveys should be done during this species' flowering period within suitable habitat in the ½ mile action area to confirm presence, to the best of the agency's ability. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist.</p> <p>Recommended stipulation is to flag and avoid plants where possible. Alternatively, the project LFO Biologist would work with the State Botanist to collect plants and/or seed for grow operations prior to ground disturbance.</p>

Owl Creek Miner's Candle (<i>Cryptantha subcapitata</i>)	Sandy-gravelly slopes on sandstone of the Wind River Formation 4,700' – 6,000'; flowers late May to late June	NO		NO
Fremont Bladderpod (<i>Lesquerella fremontii</i>)	Rocky limestone slopes and ridges 7,000' – 9,000'; flowers early May to late July	NO		NO
Beaver Rim Phlox (<i>Phlox pungens</i>)	Regionally endemic, Sparsely vegetated slopes on sand-stone, siltstone, or limestone substrates 6,000' – 7,4000'; flowers early May to late June	NO		NO
Rocky Mountain Twinpod (<i>Physaria saximontana</i> var. <i>saximontana</i>)	Sparsely vegetated, rocky slopes of limestone, sandstone or clay 5,600' – 8,300'; flowers early May to late June	NO		NO
Persistent Sepal Yellowcress (<i>Rorippa calycina</i>)	Riverbanks and shorelines, usually on sandy soils near high water line; flowers late May to late August	YES; modeled habitat		Possibly; Surveys should be done during this species' flowering period within suitable habitat in the ½ mile action area to confirm presence, to the best of the agency's ability. Surveys would need to follow pre-approved protocols and locations as determined by the project LFO Biologist. Recommended stipulation is to flag and avoid plants where possible. Alternatively, the project LFO Biologist would work with the State Botanist to collect plants and/or seed for grow operations prior to ground disturbance.
Shoshonea (<i>Shoshonea pulvinata</i>)	Shallow, stony calcareous soils of exposed limestone outcrops, ridgetops, and talus slopes 5,900' – 9,200'; flowers mid May to late June	NO		NO
Barnaby's Clover (<i>Trifolium barnebyi</i>)	Endemic, Ledges, crevices and seams on reddish-cream Nugget Sandstone outcrops 5,600' – 6,700'; flowers early May to late July	NO		NO

<p>Fremont County rockcress (<i>Boechea pusilla</i>)</p>	<p>Candidate species, endemic to South Pass in Fremont County, found in cracks and crevices of huge metamorphosed rock, only known locations are outside of LFO boundary; surveys are incomplete, flowers May to mid June</p>	<p>NO</p>		<p>NO</p>
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** Do any wildlife timing stipulations or COA apply for long-term maintenance and operation activities related to oil and gas, and Right-of-way actions outside of a Designated Development Area? (Yes / No)-? **Within a DDA, so NOT APPLICABLE.**

COMMENTS:

In addition to the above, it is recommended that implementation activities be confined to daylight hours to avoid disturbance of crepuscular and nocturnal wildlife behaviors.

Without the Stipulations and Recommendations

There could be negative effects to burrowing owl, ferruginous hawk, antelope while on crucial winter range, white-tailed prairie dog, pygmy rabbit, *Cleome multicaulis*, *Rorippa calycina* and riparian-wetlands. Individuals and small populations could be affected. Nest and chick abandonment of ferruginous hawk could result, and alternate nests could be disturbed in consecutive years given the expected lifespan of implementation. Nests for burrowing owl could be affected. Loss of white-tailed prairie dog, pygmy rabbit, burrowing owl, *Cleome multicaulis*, and *Rorippa calycina* could occur. Vehicle collisions with special status species and antelope could occur. Antelope while on crucial winter range, could suffer loss of energy and vigor if trying to flee from ground-based mechanical equipment and noise, etc. Without population data for the planning area, it is difficult to assess what percent of the populations would be affected. It is assumed that such actions would not cause a trend towards listing, but a RMP amendment may be needed under this scenario.

With Just the Stipulations

With the application of just the stipulations, without the recommendations and without the surveys, it is unlikely that the project could be implemented due to the overlap of the timing restrictions. Under this scenario, there would be no direct, indirect or cumulative effects to on burrowing owl, ferruginous hawk, antelope while on crucial winter range, white-tailed prairie dog, pygmy rabbit, *Cleome multicaulis*, *Rorippa calycina*. Minor mixed effects to riparian-wetlands would continue, with the barrier continuing to exist which appears to impede water flow, riparian associated vegetation downstream and safe passage of many wildlife species north and south through the riparian corridor. Implementation with the stipulations would not affect the populations across the planning area and would not cause a trend towards listing for these special status species.

With the Stipulations and Recommendations

With the stipulations and recommendations, there would be no direct or indirect effects on burrowing owl, ferruginous hawk, antelope while on crucial winter range, white-tailed prairie dog, pygmy rabbit, *Cleome multicaulis*, *Rorippa calycina*, and minor effects on riparian-wetlands.

Minor effects to riparian-wetlands could be from deposition and soil erosion from truck traffic, maintenance and grading, etc. Wildlife species that depend on those areas could see a decreased quality of habitat. With the removal of the segment of the route that intersects West Creek, there is a potential for some wetlands to dry. This could cause a loss of wetland dependent habitat for species that depend on those environments. The quality of these wetlands is not known. This action may require off-site mitigation or wetland banking with a 404 permit.

At the same time, the wetlands are believed to be artificially created from the barrier caused by the existing route. Removal of this barrier would allow more water to flow downstream, increase the amount and extent of riparian associated vegetation and wildlife habitat for a variety of special status and other wildlife species that depend on such environments. The passages would allow wildlife to use the riparian corridor for movement with limited collision potential. This would facilitate dispersal across the DDA to areas that provide more suitable habitat north and south, and increase connectivity for special status species, and movement towards historic natural variability.

Since application of the timing restriction stipulations would make implementation schedule near impossible, surveys are highly recommended for ferruginous hawk, burrowing owl, and white-tailed prairie dog. Surveys are recommended for pygmy rabbit, though in limited locations and only in suitable habitat that is within 200 feet of the proposed sites. Surveys would determine the need for the stipulation to be applied and the location of those stipulations. Because there would be no direct or indirect effects, there would be no cumulative effects to burrowing owl, ferruginous hawk, antelope while on crucial winter range, white-tailed prairie dog, pygmy rabbit, *Cleome multicaulis*, *Rorippa calycina*. Implementation of these recommendations would not cause a trend towards listing for these special status species.

These recommendations are best management practices to meet the intent of the stipulations provided in the RMP.

Date of Field Visit: _____ NA _____

Photos Attached: YES or NO

_____  _____ February 19, 2016
Wildlife Biologist (DATE)