

Conservation Agreement and Strategy for Graham's Beardtongue (*Penstemon grahamii*) and White River Beardtongue (*P. scariosus* var. *albifluvis*)

CRITERIA FOR THE CALCULATION OF BASELINE AND NEW SURFACE DISTURBANCE



Prepared by the Penstemon Conservation Team

State of Utah School and Institutional Trust Lands Administration
Uintah County, Utah
Utah Public Lands Policy Coordination Office
Utah Division of Wildlife Resources
Rio Blanco County, Colorado
Bureau of Land Management
U.S. Fish and Wildlife Service

July 2015

SWCA
ENVIRONMENTAL CONSULTANTS

**CONSERVATION AGREEMENT AND STRATEGY FOR
GRAHAM'S BEARDTONGUE (*PENSTEMON GRAHAMII*) AND
WHITE RIVER BEARDTONGUE (*P. SCARIOSUS* VAR. *ALBIFLUVIS*):**

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INTRODUCTION

The monitoring and adaptive management approach prescribed here is intended to guide the development and implementation of the criteria for calculating baseline and new surface disturbance for Graham's beardtongue (*Penstemon grahamii*) and White River beardtongue (*P. scariosus* var. *albifluvis*); see section 6.5 of the *Conservation Agreement and Strategy for Graham's Beardtongue (Penstemon grahamii) and White River Beardtongue (P. scariosus* var. *albifluvis*) (Penstemon Conservation Team 2014), which is hereafter referred to as the Agreement. Implementation of adaptive management will be the responsibility of the Penstemon Conservation Team. Therefore, the Penstemon Conservation Team anticipates that changes to this plan may be required based on new information as it becomes available.

BACKGROUND

In July 2014, the U.S. Fish and Wildlife Service (USFWS); Utah and Colorado Bureau of Land Management (BLM); Uintah County, Utah; Rio Blanco County, Colorado; the Utah School and Institutional Trust Lands Administration (SITLA); Utah Division of Wildlife Resources (DWR); and the Governor's Public Lands Policy Coordination Office (PLPCO) finalized the Agreement to address potential threats to Graham's beardtongue and White River beardtongue. As part of the Agreement, the Penstemon Conservation Team is charged with developing criteria for the calculation of surface disturbance by 1 year from the adoption date of the Agreement, July 22, 2014. However, because the Agreement was not effective until July 25, 2014 (the date that all signatures were received), July 25, 2014, has been used as the cut off for assessment of baseline surface disturbance.

ASSESSMENT OF BASELINE DISTURBANCE

The purpose of determining baseline disturbance is to document the existing disturbance within conservation areas. Disturbances that occur after the baseline is mapped and that are not included in the baseline and associated geographic information system (GIS) shapefiles will be considered new disturbances. New disturbances will count toward disturbance caps for each conservation unit (see Assessment of New Surface Disturbance section below).

Baseline disturbance will be mapped using aerial imagery from Esri in ArcMap. This imagery is a mosaic of recent imagery of varying dates, but in all cases the imagery was taken before July 25, 2014. Baseline disturbance will be mapped by Uintah County and approved by the Penstemon Conservation Team (as provided below) to minimize error from aerial imagery updates.

Baseline disturbance will be mapped at a 1:500 scale. However, it may be useful to zoom both in and out to map some hard-to-see features like two-track roads (or even fence lines with associated disturbances along the edge) running through the barren soil outcrops.

Disturbances as described in the Agreement are permanent structures, permitted activities, and new or improved roads. Mapped baseline disturbances will include, but not be limited to, the following:

- Roads and two-tracks
- Trails that are visible at a 1:500 scale
- Fences and any trails or two-tracks along those fences
- Well pads and other oil and gas structures
- Pipelines

- Livestock gathering areas (e.g., around water sources or range improvements) that are visible at a 1:500 scale
- Any other soil or vegetation-disturbing activity that has left a mark on the landscape that is visible at a 1:500 scale

Based on prior work initiated by the Penstemon Conservation Team, baseline disturbances will be digitized and reviewed by August 31, 2015. Final adoption of the baseline disturbance map will occur by October 31, 2015.

Uintah County will be responsible for mapping the baseline disturbance. A summary and GIS shapefiles of baseline disturbance by conservation unit will be provided to the Penstemon Conservation Team for approval and future use. The calculated disturbance totals by unit and landowner will serve as the baseline from which new surface disturbance will not exceed an additional 5% for Graham's beardtongue per landowner in a given conservation unit and an additional 2.5% for White River beardtongue per landowner in a given conservation unit.

PROCESS FOR CONTESTING WHAT WAS INCLUDED IN BASELINE

The baseline disturbance can be contested by providing evidence of the beginning of the disturbance (as defined in the Agreement). If project-related ground disturbance was initiated before the Agreement was adopted on July 25, 2014, the project will be included in the baseline calculation. If ground disturbance from a project was initiated after July 25, 2014, it will not be included in the baseline.

Any member of the Penstemon Conservation Team, the landowner or manager of parcels in question, or a proponent of a project may contest a project's inclusion or exclusion in the baseline GIS shapefiles. Documentation must be provided to the Penstemon Conservation Team, and a quorum of the team must agree on including or excluding the data in the baseline.

ASSESSMENT OF NEW SURFACE DISTURBANCE

New surface disturbance includes new roads or improvements to existing roads, permanent structures, or other permitted activities. Permitted activities do not include dispersed grazing but could include areas where livestock concentrate, such as areas around new livestock tanks.

It will be the responsibility of the permittee to provide GIS shapefiles mapping the extent of the disturbance. GIS shapefiles will be provided to the managing agency granting the permit (for example, BLM, SITLA, or Uintah County) who will then track those data and make them available to the Penstemon Conservation Team at least annually.

All disturbances meeting the definition above will be included in the cumulative disturbance calculated for each unit by landowner.

Uintah County will be responsible for tracking the cumulative disturbances.

A maximum of 5% new surface disturbance for Graham's beardtongue and 2.5% new surface disturbance for White River beardtongue will be allowed per landowner within the conservation areas in a given conservation unit, as outlined in section 6.2 of the Agreement.

EFFECT OF RECLAMATION ON DISTURBANCE CALCULATION

For any disturbance after the effective date of the Agreement (July 25, 2014) but before the adoption of the ecological restoration plan (in progress) by the Penstemon Conservation Team, current agency reclamation/restoration criteria apply. If reclamation/restoration is successfully released by the relevant agency, the restored area is taken out of the disturbance calculation. Pursuant to the Agreement, successful restoration can be defined as needed by the Penstemon Conservation Team based on scientifically proven methods.

LITERATURE CITED

Penstemon Conservation Team. 2014. *Conservation Agreement and Strategy for Graham's Beardtongue (Penstemon grahamii) and White River Beardtongue (P. scariosus var. albifluvis)*. Prepared for the State of Utah School and Institutional Trust Lands Administration; Uintah County, Utah; Utah Public Lands Coordination Office; Utah Division of Wildlife Resources; Rio Blanco County, Colorado; Bureau of Land Management; and U.S. Fish and Wildlife Service. Prepared by SWCA Environmental Consultants, Salt Lake City, Utah. July 22, 2014.