

# **Appendix P**

## **Slickspot Peppergrass Conservation Agreement**



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## **CONSERVATION AGREEMENT**

**U.S. Bureau of Land Management – Idaho State Office  
U.S. Fish and Wildlife Service –  
Idaho Fish and Wildlife Office**

**September 2014**

**Idaho Bureau of Land Management Existing Land Use Plans and On-going  
Actions Affecting Slickspot Peppergrass**

### **I. INTRODUCTION**

This Conservation Agreement updates the January 2013 agreement between the Idaho State Office Bureau of Land Management (BLM) and the Idaho Fish and Wildlife Office of the U.S. Fish and Wildlife Service (USFWS) to provide for the conservation of slickspot peppergrass related to existing Idaho BLM Land Use Plans (LUPs) and a subset of ongoing actions. The Conservation Agreement and associated conservation measures guide the BLM management actions and serve as a basis for consultation or conference on these LUPs between the BLM and the USFWS regarding slickspot peppergrass, a species proposed for listing under the Endangered Species Act (ESA) of 1973, as amended.

Land use plans provide guidance and direction for managing public lands administered by the BLM. They ensure that public land is managed in accordance with the intent of Congress as stated in the Federal Land Policy Management Act (FLPMA) (43 U.S.C. 1701 et seq.). Resource management planning is used by the BLM to allocate resources and select appropriate uses for public land. There are three LUPs that are addressed under the scope of this Conservation Agreement. The LUPs include the 1983 Kuna Management Framework Plan, the 1987 Jarbidge Resource Management Plan (RMP), and the 1988 Cascade RMP. At the time these LUPs were prepared, there was no requirement to consult with the USFWS on slickspot peppergrass. Currently LUP revisions are in progress for the Jarbidge Field Office and the Four Rivers Field Office that will update and replace these three LUPs. The BLM and the USFWS will consult on these revised LUPs when they are at the appropriate state of development and depending on the outcome of the proposed reinstatement of slickspot peppergrass as a threatened species under the ESA.

This Conservation Agreement also addresses on-going actions currently authorized by the BLM including livestock grazing, rights-of-way activities, and military training.

## **II. OBJECTIVE AND INTENT**

This Conservation Agreement is intended to promote the conservation of slickspot peppergrass, a species proposed for listing which has not yet undergone consultation or conference at the LUP level or for ongoing actions. The conservation measures describe desired recovery and conservation objectives with corresponding implementation actions and will be analyzed in the associated Biological Assessment (BA). These conservation measures replace or create guidance within the LUPs regarding programmatic management direction for slickspot peppergrass. It is the intent of the BLM and the USFWS that specific conservation measures will be fully implemented and that this Conservation Agreement will remain in effect and binding on both parties until such time as new LUPs or amendments are prepared with completed section 7 compliance as appropriate, and Records of Decision signed. At that time, programmatic management direction for slickspot peppergrass will be included in the new or revised LUP or amendment, and this Conservation Agreement, or portions thereof in the case of programmatic amendments, will no longer apply to the planning area. For example, this Conservation Agreement is not applicable to the Snake River Birds of Prey planning area as section 7 consultation has been completed on the 2008 Snake River Birds of Prey RMP, which contains management direction for slickspot peppergrass similar to what is found within Appendix A of the 2006 version of this Conservation Agreement. Additionally, the conservation measures associated with this agreement may be modified based on the current USFWS analysis of new information and assessment of threats being conducted as part of the listing determination process. Any additional information which becomes available prior to completion of the LUPs that may enhance conservation of the species, such as new information provided when the species is listed, critical habitat is designated, and/or a recovery plan completed; may trigger an update of conservation measures within this agreement.

While a high priority for the BLM, both the BLM and the USFWS recognize that funding constraints may affect the ability to implement specific conservation measures as planned. BLM will work to leverage stakeholder partnerships to allow for flexible cost recovery associated with conservation actions. Where funding is lacking, the BLM and the USFWS will cooperate to set priorities and adjust dates for accomplishment. In addition, minor modifications to conservation measures may be necessary as the conference process progresses. Any modification must be agreed to by the BLM and the USFWS, and shall not materially alter the meaning or intent of a conservation measure as stated at the time of signature of this agreement.

## **III. PARTIES TO THE CONSERVATION AGREEMENT**

U.S. Bureau of Land Management, Idaho; and  
U.S. Fish and Wildlife Service, Idaho Fish and Wildlife Office

## **IV. AUTHORITY FOR CONSERVATION AGREEMENTS**

The commitments and actions in this Conservation Agreement are within existing authorities of the signatory agencies. The primary authority for the USFWS and the BLM to enter into this Conservation Agreement derives from the ESA.

The primary purpose of the ESA is to provide a means whereby ecosystems upon which endangered and threatened species depend may be conserved. Section 7(a) directs Federal agencies to utilize their authorities (e.g., FLPMA) in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species.

Further, under Section 7(b), each Federal agency is expected to, in consultation and with the assistance of the USFWS, ensure that any action authorized, funded or carried out by the agency is not likely to jeopardize the continued existence of any endangered or threatened species.

Section 3 of the ESA includes the following definition for conservation as is intended under this Conservation Agreement:

The terms “conserve,” “conserving,” and “conservation” mean to use and the use of all methods and procedures which are necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to this Act are no longer necessary. Such methods and procedures include, but are not limited to, all activities associated with scientific resources management such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, and transplantation, and, in the extraordinary case where population pressures within a given ecosystem cannot be otherwise relieved, may include regulated taking.

Additional authorities for the USFWS derive from the Fish and Wildlife Act of 1956, as amended; and the Fish and Wildlife Coordination Act, as amended.

In addition to the ESA, FLPMA (43 U.S.C. 1701 et. seq) provides the BLM with the authorities required for this Conservation Agreement:

The public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use.

The BLM Special Status Species Management Manual 6840 provides specific policy guidance as it pertains to the ESA, FLPMA and this Conservation Agreement. For listed species, the policy states the following:

being conducted as part of the listing determination process. Responsibilities for implementing the actions are indicated, along with time frames for implementation. Most of the conservation measures will be implemented as standard operating actions conducted during day-to-day management activities. In addition, LUP conservation measure guidance and direction will be applied to ongoing actions. However, as site-specific information will be available for the ongoing actions, additional conservation measures may be considered.

## **Part 1: Programmatic Planning**

Programmatic planning conservation measures include those that are needed for consultation at all planning levels including future LUPs, ongoing activities and proposed projects. In addition to the existing LUP conference activities, the BLM will complete all necessary section 7 compliance for new or revised LUPs that affect this species and its habitat.

## **Part 2: Projects/Activity Plans – Planning and Implementation**

### **A. Ongoing Actions**

This category includes all activities currently ongoing and permitted on BLM land. These include actions that have gone through the agency planning process and have a documented agency decision (decision memorandum, decision notice, or record of decision). The BLM will complete section 7 compliance for ongoing activities that have the potential to directly affect an element occurrence and associated occupied slickspot peppergrass habitat concurrent with the conference effort for existing LUPs. The BLM will also adaptively manage all ongoing activities as described in the associated Biological Assessment, and adjust the action as appropriate to ensure management objectives for slickspot peppergrass are met.

### **B. Proposed Actions**

This category includes all new proposed projects or activities as well as all renewal actions. Project-level inventories will be completed as appropriate during project planning if inventory information is not available or adequate to determine if impacts to the species or habitat may occur. If direct or indirect negative impacts to the species or its habitats are anticipated as a result of new BLM actions, the activity will be modified to avoid or minimize anticipated negative impacts. The BLM will complete all necessary section 7 compliance for new activities that may affect this species and its habitat.

### **Part 3: Monitoring**

Conservation measures for slickspot peppergrass include a provision to implement adaptive management as needed to achieve conservation objectives. At the project level, this will be accomplished by conducting site-specific implementation and effectiveness monitoring to track progress toward achieving the conservation measures. The BLM and the USFWS Level 1 Teams will meet annually to review the implementation and effectiveness monitoring results for projects of concern, determine if current management actions are on a trajectory toward meeting management goals within the established time frames, and modify management actions as needed if progress toward goals is inadequate. Implementation of the programmatic and on-going actions conservation measures will be monitored through the reporting and monitoring requirements of this Conservation Agreement (Section VII).

## **VII. CONSERVATION AGREEMENT MONITORING AND REPORTING**

The agencies agree to a joint, annual review in October of each year to assess progress in implementing this Conservation Agreement. In addition, monitoring specific to forage kochia use will be assessed by BLM and FWS every 5 years to inform future use of this species as a tool and determine if changes to conservation measures (e.g. buffer widths) regarding use of this species are appropriate. Any recommendations will be presented to the Idaho BLM State Director and the USFWS Field Office Supervisor by November of each year. This review could lead to the modification and exceptions discussed in Section VIII below. These modifications or exceptions will be formalized within the scope of this Conservation Agreement.

## **VIII. AMENDMENTS, EXCEPTIONS, AND DURATION OF AGREEMENT**

Exceptions or amendments to this agreement may be jointly agreed to by the signatories on a case-by-case basis, where such changes would better provide for protection and conservation of species, where conflicts must be resolved between species, where priorities need to be adjusted due to funding constraints, or, when new, relevant scientific information becomes available. Such exceptions or amendments shall be agreed to by modification. All modifications within the scope of this agreement shall be made by issuance of a modification executed by all parties prior to any changes being performed.

This agreement shall be considered fully executed when all signatories have signed. The agreement shall remain in effect and binding on both parties until such time as new land use plans or amendments are completed which contain programmatic management direction for slickspot peppergrass, when section 7 compliance under the Endangered Species Act of 1973, as amended, is completed, and when Records of Decision are signed.

## **IX. QUALIFICATIONS AND CONTACTS**

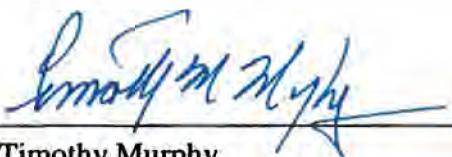
This agreement in no way restricts any of the signatories from participating in similar activities with other public or private agencies, organizations, and individuals. This agreement is neither a fiscal nor a funds obligations document. Any endeavor involving reimbursement or contribution of funds between the parties to this agreement will be handled in accordance with applicable laws, regulations, and procedures including those for government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. This agreement does not provide such authority. Specifically, this agreement does not establish authority for non-competitive award to the cooperator of any contract or other agreement. Any contract or agreement for training or other services must fully comply with all applicable requirements for competition.

The principal contacts for this agreement are:

Kurt Wiedenmann, Branch Chief  
Resources and Science  
Bureau of Land Management  
Idaho State Office  
1387 S. Vinnell Way  
Boise, ID 83709  
208-373-3813

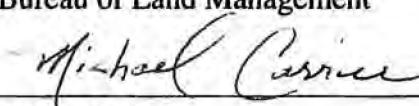
Mark Robertson  
U.S. Fish and Wildlife Service  
Idaho Fish and Wildlife Office  
1387 S. Vinnell Way  
Boise, ID 83709  
208-378-5287

## **X. SIGNATURES**

  
\_\_\_\_\_  
Timothy Murphy  
Idaho State Director  
Bureau of Land Management

09.11.2014

Date

  
\_\_\_\_\_  
Michael Carrier  
Idaho State Supervisor  
U.S. Fish and Wildlife Service

9-15-14

Date

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p><u>c) Cooperate in regular monitoring of slickspot peppergrass population trends and land health conditions on BLM lands, and follow current monitoring protocols. Land health conditions include forb diversity to support pollinators and habitat for slickspot peppergrass.</u></p>	<p><i>iii) BLM's intent will be to continue to conduct Stage 1 and Stage 2 surveys concurrently with the goal of completing these surveys within 10 years. BLM will work collaboratively with USFWS to prioritize new survey areas based on areas that have a high likelihood of species occurrence, or that are needed for BLM project purposes. The amount of habitat to be surveyed each year will be based on available annual funding and staffing. As of 2013, approximately 10,000 acres have had three years of surveys completed and are now classified as unoccupied slickspot peppergrass habitat (see Figure 2).</i></p> <p><i>iv) Prioritize Stage 2 surveys to address slickspot peppergrass habitat with a high likelihood of species occurrence. Surveys should be scheduled to complement other program needs. Coordinate surveys annually with USFWS.</i></p> <p><i>c) Follow the Habitat Integrity and Population (HIP) monitoring protocol or other accepted methodology. BLM will cooperate with others to conduct annual monitoring within all EOs on BLM lands to assess the effectiveness of the conservation measures as part of the adaptive management strategy.</i></p> <p><i>i) Establish permanent ecological reference areas (ERAs) in selected EOs to evaluate land health conditions associated with slickspot peppergrass.</i></p> <p><i>ii) Use data from the ERAs to assist in completing land health assessments. This information will be used to evaluate permitted management actions and to design restoration projects for slickspot peppergrass.</i></p>

IUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>d) Participate in research essential to conservation of the species</p> <p>e) Continue to support seed banks in a long-term seed storage facility.</p> <p>f) Support the establishment and maintenance of new populations in habitat categories for slickspot peppergrass. The goal of these activities is to maintain or enhance viable populations.</p> <p>2) Ensure that ongoing Federal actions support or do not preclude species conservation in habitat categories for slickspot peppergrass.</p>	<p>d) BLM will participate in research as funding allows. Areas to focus on include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>i) Elimination and control of invasive species.</li> <li>ii) Effects of ground disturbance (including fire) and seed predation on the species.</li> <li>iii) Determination of specific limiting factors in terms of habitat needs and characteristics.</li> <li>iv) Population viability analyses.</li> </ul> <p>e) As needed, provide funding to a suitable repository to support a seed bank.</p> <p>f) Reintroduce slickspot peppergrass at selected experimental reintroduction or historic sites as funding allows.</p> <p>2) Ongoing BLM authorized activities:</p> <ul style="list-style-type: none"> <li>a) Based on the results of annual Stage 1 and 2 surveys, review ongoing activities in habitat categories for slickspot peppergrass. The Level 1 Team will conduct these reviews in a manner consistent with streamlining procedures where local section 7 compliance activities with USFWS (if necessary) have not yet been completed.</li> <li>b) If reviews indicate that direct or indirect negative impacts to the species or its habitat are occurring as a result of ongoing discretionary BLM actions, the activity will be modified to avoid or minimize anticipated negative impacts and, where feasible, promote species</li> </ul>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>3) Ensure that new Federal actions support or do not preclude species conservation in habitat categories for slickspot peppergrass.</p>	<p>conservation.</p> <p>c) Where needed, complete Section 7 compliance for ongoing activities that may affect this species and its habitat. Following the annual review of Stage 1 and 2 surveys outlined in (2)(a) above, initiate section 7 compliance activities for ongoing actions, as appropriate.</p> <p>d) Where habitat categories for slickspot peppergrass exists, BLM will conserve remaining stands of sagebrush and native vegetation in making activity plan and project level decisions.</p> <p>3) New proposed BLM authorized activities:</p> <p>a) Consistent with streamlining procedures, BLM will require project-level inventory data for any project in slickspot peppergrass habitat and in potential habitat during project planning if inventory information is not available or adequate. BLM will use the protocols described in (1)(a).</p> <p>b) If direct or indirect negative impacts to the species or its habitat are anticipated as a result of new BLM actions, the activity will be modified to avoid or minimize negative impacts and, where feasible, promote species conservation.</p> <p>c) Where needed, complete section 7 compliance for new activities that may affect this species and its habitat.</p> <p>d) Where habitat categories for slickspot peppergrass exists, BLM will conserve remaining stands of sagebrush and native vegetation in making activity plan and project level decisions.</p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>4) Implement adaptive management as needed to achieve conservation objectives.</p> <p>5) Support programs to conserve and enhance slickspot peppergrass on non-Federal lands.</p> <p>6) Include language in all use authorizations to require rehabilitation of habitat categories for slickspot peppergrass and in the case of trespass or permit violations, if damage occurs.</p>	<p>4) Conduct site-specific implementation and effectiveness monitoring of management actions. Adjust management as needed to ensure that management objectives are met. See additional details within other programs.</p> <p>5) Take advantage of opportunities to support conservation of slickspot peppergrass through easements, cooperative management efforts, and other programs.</p> <p>6) As a part of use authorizations / violations (to include but not limited to rights-of-way, grazing and off highway vehicle (OHV) trespass), require rehabilitation to native vegetation in habitat categories for slickspot peppergrass if trespass or permit violation occurs and the habitat is damaged. If ecological site conditions preclude the use of native species, use non-invasive, non-native plant species for rehabilitation in trespass or permit violation situations.</p>
Air Resources	None	None
Soil and Water Resources: Riparian/ Wetland Areas (includes weed management)	None	None
Upland Vegetation Management: Rangelands (includes weed management)	<p>1) Activities within the <b>Upland Vegetation Management: Rangelands</b> (includes weed management) program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation. As a part of promoting conservation, the goals are to promote habitat conservation, to avoid negative impacts, or to minimize impacts if avoidance is not possible.</p> <p>2) Although non-chemical methods will be the preferred approach in occupied habitat,</p>	<p>1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.</p> <p>2) Site-specific stipulations will be developed locally using these criteria:</p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>when appropriate, projects involving the application of pesticides (including herbicides, fungicides, and other related chemicals) in habitat categories for slickspot peppergrass that may affect the species will be analyzed at the project level and designed such that pesticide applications will support conservation and minimize risks of exposure.</p> <p>3) Where needed and feasible, coordinate with adjacent land owners and local governments regarding control of noxious weeds in upland areas through cooperative weed management programs. One of BLM's priorities within the cooperative weed management program is the protection of special status plants on BLM lands.</p>	<p><u>a)</u> Evaluate the benefits and risks of vegetation treatment including the following: application methods; pesticides, carriers, and surfactants used; needed treatment buffers; and use of non-chemical weed control (for example, bio-controls, hand pulling).</p> <p><u>b)</u> Apply appropriate spatial and temporal buffers to avoid species' exposure to harmful chemicals.</p> <p><u>c)</u> Explore opportunities to eradicate competing non-native invasive plants in habitat categories for slickspot peppergrass where slickspots are being invaded by such plants.</p> <p><u>d)</u> Implement appropriate revegetation and weed control measures to reduce the risks of non-native invasive plant infestations following ground/soil disturbing actions in habitat categories for slickspot peppergrass.</p> <p><u>e)</u> BLM will provide USDA APHIS with the location of habitat categories of slickspot peppergrass. Mormon cricket, grasshopper, or other insect control in habitat categories for slickspot peppergrass will only include those methods that minimize impacts to the plant's pollinators.</p> <p>3) Take advantage of coordination opportunities as they arise.</p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>4) BLM will promote diversity, richness, and health of native plant communities to support pollinators and habitat for slickspot peppergrass.</p>	<p>4) BLM will focus slickspot peppergrass habitat conservation and restoration efforts in habitat categories for slickspot peppergrass to encourage connectivity among populations through the following measures:</p> <ul style="list-style-type: none"> <li>a) Where habitat categories for slickspot peppergrass exist, BLM will conserve remaining stands of sagebrush and native vegetation in making activity plan and project level decisions.</li> <li>b) Vegetation treatment projects undertaken in habitat categories for slickspot peppergrass will be compatible with species habitat restoration objectives, as described in item (d) below.</li> <li>c) BLM will select and implement specific projects to restore habitat categories for slickspot peppergrass in degraded areas as funding allows, such as planting shrubs and forbs and controlling weeds, within and adjacent to occupied habitat. Apply methods described in item (d) below.</li> <li>d) When conducting vegetation treatment projects in habitat categories for slickspot peppergrass, BLM will use seeding techniques that minimize soil disturbance such as minimum-till drills and rangeland drills equipped with depth bands, use native plant materials and seed during restoration activities, and select native forbs that benefit slickspot peppergrass insect pollinators.</li> </ul>
Forest and Woodland Management (includes weed management)	None	None
Wildlife and Wildlife Habitat	1) Activities within the Wildlife and Wildlife Habitat Management program will	1) Apply relevant conservation measures from the Special Status Animal and

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
Management	<p>implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.</p> <p>2) Manage facilities installed for wildlife to promote maintenance of habitat categories for slickspot peppergrass.</p> <p>3) Restore wildlife habitat while promoting slickspot peppergrass conservation.</p>	<p><b>Plant Management</b> program section at the beginning of this table.</p> <p>2) For review of ongoing actions, see <b>Special Status Animal and Plant Management</b> program section item (2). For new actions, see <b>Special Status Animal and Plant Management</b> program section item (3). As appropriate to avoid or minimize negative impacts, modify existing and avoid placement of new wildlife facilities in occupied habitat.</p> <p>3) Any restoration efforts for wildlife within habitat categories for slickspot peppergrass will be compatible with the species' habitat requirements.</p>
Fish and Aquatic Habitat Management	None	None
Livestock Grazing Management: Permits and Leases	<p>1) Activities within the <b>Livestock Grazing Management: Permits And Leases</b> program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.</p> <p>2) Manage livestock grazing and trailing to conserve suitable habitat conditions for slickspot peppergrass while implementing rangeland health standards and guidelines (S&amp;Gs). Apply the <i>Implementation of Annual Grazing Adaptive Management</i> (Figure III.C-2), located at the end of this conservation measures table, to adjust livestock use as appropriate.</p>	<p>1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table</p> <p>2) Permit or lease renewal actions and annual authorizations:</p> <p>a) For review of ongoing actions, see <b>Special Status Animal and Plant Management</b> program section item (2).</p> <p>b) Schedule surveys in habitat categories for slickspot peppergrass as needed for S&amp;G assessments associated with permit and lease renewals. Use survey procedures and flowchart (<b>Figure 2, Inventory Flowchart for Slickspot Peppergrass</b>) referenced in <b>Special Status Animal and Plant Management</b> program section 1(b).</p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
		<p><b>c)</b> For new actions, see <b>Special Status Animal and Plant Management</b> program section item (3).</p> <p><b>d)</b> As part of adaptive management to avoid or minimize negative impacts, modify livestock grazing activities as outlined in <b>Figure 1. Implementation of Annual Grazing Adaptive Management</b>, located at the end of this conservation measures table. In addition, the following measures will be implemented, as appropriate:</p> <ul style="list-style-type: none"><li><b>i)</b> As part of range readiness assessments, delay livestock turnout when saturated soils are a negative factor in slickspot peppergrass species conservation.</li><li><b>ii)</b> Minimize gathering livestock in element occurrences (EOs).</li><li><b>iii)</b> Avoid impacts to EOs from herd movement through rested and deferred pastures.</li><li><b>iv)</b> Trailing permits will not be authorized through EOs unless conducted on existing roads in accordance with FWS 2012 Letter of Concurrence. In the Jarbidge FO of the Twin Falls District, no livestock trailing will be authorized through EO, proposed critical habitat, or occupied habitat. In the Four Rivers FO of the Boise District, livestock trailing permits will not be authorized through EO, proposed critical habitat, or occupied habitat unless conducted on existing roads or historic routes described within the Four Rivers FO 2012 livestock trailing consultation with FWS (FWS tracking number 01E1FW00-2012-I-0206).</li><li><b>v)</b> Sheep grazing permits will be modified to restrict bedding, trailing, or watering herds within 1/2 mile of EOs.</li></ul>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>3) As part of adaptive management, BLM will conduct scheduled compliance inspections in pastures with occupied habitat as part of BLM range use supervision to minimize impacts.</p>	<ul style="list-style-type: none"> <li>vi) Supplements will be placed at least 1/2 mile from EO<sub>s</sub>. Supplements will be placed so that livestock are drawn away from the EO and avoid trailing through the EO en route to the supplement or a water source. Management requirements will be adjusted to maintain an appropriate distance between supplements and existing EO<sub>s</sub> to avoid impacts.</li> <li>iii) No new domestic horse AUMs will be authorized in pastures containing EO<sub>s</sub> to avoid trampling impacts.</li> <li>i) BLM, in coordination with the USFWS, will create a schedule to prioritize compliance inspections associated with livestock grazing permits in occupied habitat areas. These compliance inspections are a complement to the HIP monitoring listed under Special Status Animal and Plant Management and where practical the efforts may be combined. BLM staff will conduct inspections as determined by the schedule. <ul style="list-style-type: none"> <li>a) BLM range staff will conduct pre-season range readiness checks for soil moisture conditions in allotments with occupied habitat.</li> <li>b) BLM will conduct post-use monitoring for trampling in slickspots within EO<sub>s</sub> (could be done in conjunction with utilization compliance checks).</li> <li>c) Monitoring results will be documented in a standard format (to be developed by BLM) in the grazing allotment files. Copies will be provided to the USFWS as completed.</li> </ul> </li> </ul>

LUP Program Evaluator	Conservation Measures	BLM Implementation Actions
	<p>4) Provide adequate rest from livestock use for areas treated after major disturbances in habitat categories for slickspot peppergrass. Major disturbances may include fire, fire rehabilitation, or other soil-disturbing occurrences.</p> <p>5) BLM will work cooperatively with the livestock permittees to promote slickspot peppergrass conservation.</p>	<p>d) Apply Grazing Adaptive Management Implementation Flowchart as outlined in Figure 1.</p> <p>4) Protect treated areas by using temporary livestock closures or other measures. The length of rest will be determined by achieving certain goals associated with plant establishment outlined in the restoration, fire rehabilitation, or other plan.</p> <p>5) BLM will train permittees on slickspot peppergrass plant and habitat recognition. BLM will also work with permittees to use the INHP rare plant observation form to report survey information in a standard format.</p>
Livestock Grazing Management: Livestock Management Facilities	<p>1) Activities within the <b>Livestock Grazing Management: Livestock Management</b> Facilities program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.</p> <p>2) Manage livestock facilities to promote slickspot peppergrass conservation while implementing rangeland health S&amp;Gs.</p>	<p>1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.</p> <p>2) For review of ongoing actions, see <b>Special Status Animal and Plant Management</b> program section item (2). For new actions, see <b>Special Status Animal and Plant Management</b> program section item (3). As appropriate to avoid or minimize negative impacts modify existing and avoid placement new livestock facilities in occupied habitat areas.</p> <p>a) Within pastures, place water facilities to support slickspot peppergrass conservation:</p> <p>i) Existing water troughs (includes troughs that are tied into pipelines, as well as both permanent and movable troughs to which water is delivered throughout the grazing season) will be</p>

	<b>Conservation Measures</b>	<b>BLM Implementation Actions</b>
		<p>moved at least 1/2 mile from EO<sup>s</sup>, when feasible. Where troughs cannot be moved (for example, because of topographical constraints, additional disturbance, or impacts to sensitive species), management will be adjusted to mitigate the impacts during the periods of critical concern for slickspot peppergrass (such as when soils are saturated and subject to trampling impacts). Management adjustments could include shutting the water off seasonally, changing pasture boundary fences, or other appropriate measures.</p> <p>ii) New water troughs (not including existing water troughs moved in (2)(a)(i) above) will be placed at least 1 mile from EO<sup>s</sup>. A deviation from this standard may be developed on a case-by-case basis through collaboration with the USFWS. New water troughs will be placed so that cattle are drawn away from the EO and avoid trailing through an EO en route to a water source.</p> <p>iii) Temporary water troughs (short-term, emergency, or single-season use) will be located at least 1 mile from EO<sup>s</sup>. A deviation to this standard may be developed on a case-by-case basis through collaboration with the USFWS. New water troughs will be placed so that cattle are drawn away from the EO and avoid trailing through an EO en route to a water source.</p> <p>b) Placement of new livestock infrastructure will be compatible with slickspot peppergrass habitat conservation. ESA consultation is required if new fencing is proposed in EO<sup>s</sup>.</p>
Wild Horse Management	<p>1) Activities within the Wild Horse Management program will implement relevant conservation measures as described in the Special Status Animal and Plant</p>	<p>I) Apply relevant conservation measures from the Special Status Animal and Plant Management program section at the beginning of this table.</p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p><b>Management program section to promote conservation.</b></p> <p><b>2) If the range of wild horses and slickspot peppergrass occupied habitat overlaps now or in the future, protect these areas from wild horses by including applicable conservation measures in herd management plans.</b></p>	<p><b>a) Manage wild horse herd size to minimize conflicts with slickspot peppergrass. Limit trampling in occupied habitat by implementing appropriate range management practices, such as fencing / water trough placement.</b></p>
Recreation Management	<p><b>1) Activities within the Recreation Management program will implement relevant conservation measures as described in the Special Status Animal and Plant Management program section to promote conservation.</b></p> <p><b>2) Developed facilities (paved campgrounds, vault toilets, interpretive kiosks, etc.): Manage existing and new recreation facilities to promote conservation of species habitat.</b></p>	<p><b>1) Apply relevant conservation measures from the Special Status Animal and Plant Management program section at the beginning of this table.</b></p> <p><b>2) Management of existing and new facilities:</b></p> <p><b>a) For review of <u>existing facilities</u>, see Special Status Animal and Plant Management program section item (2). As appropriate to avoid or minimize negative impacts, modify existing facilities.</b></p> <p><b>b) For <u>new facilities</u>, or for expansion of uses at existing facilities, see Special Status Animal and Plant Management program section item (3). In addition, avoid development of new recreation facilities or expansion of existing facilities in habitat categories of slickspot peppergrass if negative impacts are anticipated.</b></p> <p><b>c) BLM will educate recreationists on special status species and invasive weeds, focusing on occupied and selected habitat areas. BLM will develop and install educational signage at entry points and key recreational points regarding the biology and conservation of this species and other special status species.</b></p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>3) Dispersed use areas (informal areas, including camping areas and tie-up areas for pack animals): Manage dispersed use sites to promote conservation of species habitat. This includes limiting disturbances to the species resulting from human uses.</p> <p>4) Commercial and noncommercial recreation permits, including hunting guides and outfitter camps: issue commercial and noncommercial recreation permits to promote conservation of habitat categories for slickspot peppergrass. This includes management of physical facilities (such as camps), as well as disturbances to habitat categories for slickspot peppergrass resulting from human uses.</p>	<p>3) For review of ongoing activities, see <b>Special Status Animal and Plant Management</b> program section item (2). In addition, minimize human activity in and adjacent to occupied habitat if negative impacts are occurring. Close areas, either seasonally or year-round, as needed to protect the species and its habitat.</p> <p>4) Issuance and review of existing and new permits:</p> <p>a) For review of existing permits, see <b>Special Status Animal and Plant Management</b> program section item (2). If needed, modify existing permits that negatively impact habitat for this species.</p> <p>b) For new permits, see <b>Special Status Animal and Plant Management</b> program section item (3). Avoid issuing recreation permits in habitat categories of slickspot peppergrass if negative impacts are expected. In particular, avoid permitting new recreation activities in and adjacent to occupied habitat. If a recreation permit is to be issued, apply stipulations to the permit to support or to not preclude species conservation and educate permit holders about species' biology and needs.</p> <p>c) BLM will not authorize organized recreation activities in habitat categories for slickspot peppergrass if negative impacts are anticipated (for example, OHV races, equestrian events, and other events).</p>
Recreation Management: Travel Management	<p>1) Activities within the <b>Recreation Management</b>: <b>Travel Management</b> program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.</p>	<p>1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.</p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>2) Manage roads, OHV routes and areas, as well as non-motorized trails, to promote species habitat conservation. This includes management of roads and trails, as well as ground disturbance resulting from human uses.</p> <p>3) Perform compliance checks on OHV closures to protect occupied habitat, identify problems as soon as possible, and take immediate corrective measures.</p>	<p>2) Review of existing and new roads, OHV routes and areas, and non-motorized trails:</p> <p>a) For existing roads, designated OHV routes and areas, and designated non-motorized trails, see <b>Special Status Animal and Plant Management</b> program section item (2). Modify roads and routes in and adjacent to habitat categories for slickspot peppergrass if negative impacts are occurring. Implement restrictions to reduce ground disturbance. Seek opportunities to close and revegetate roads, OHV routes, or non-motorized trails and use areas in and adjacent to habitat if negative impacts are occurring.</p> <p>b) For new roads, OHV routes and areas, and non-motorized trails, see <b>Special Status Animal and Plant Management</b> program section item (3). Avoid creating new roads, trails, routes, and areas if negative impacts are expected in and adjacent to habitat categories of slickspot peppergrass</p> <p>c) Evaluate off-road vehicle use in occupied habitat, and where needed, limit access or close areas to motorized and mechanical vehicles to promote species conservation.</p> <p>3) See <b>Special Status Animal and Plant Management</b> program section item (2).</p>
Visual Resource Management	None	None
Special Designation Area Management	1) Activities within the <b>Special Designation Area Management</b> program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.	1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	2) Explore the potential for new designations that would enhance species conservation.	2) Evaluate establishing ACECs for several stronghold populations of slickspot peppergrass during land use plan amendments or revisions.
Fire Management: Fire Suppression	<p>1) Activities within the <b>Fire Management: Fire Suppression</b> program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation. Human life and firefighter safety and property take priority over species protection.</p> <p>2) Fire suppression efforts will be conducted, as possible, to protect habitat categories for slickspot peppergrass. Place a high priority on protecting habitat categories for slickspot peppergrass.</p>	<p>1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.</p> <p>2) Fire management activities:</p> <ul style="list-style-type: none"> <li>a) <b>Fire Management Plans</b> will include Standard Operating Procedures (SOP's) that address conservation of slickspot peppergrass.</li> <li>i) BLM will provide adequate fire suppression coverage at all stations to meet management objectives with the intent to suppress 90% of fires to the acreages specified in the fire management plans for slickspot peppergrass. As funding allows, BLM will maintain existing remote fire guard stations easily accessible to occupied habitat (for example, Juniper Butte fire guard station) and explore opportunities to establish additional stations to provide better initial attack and reduced response times for wildfires in slickspot peppergrass habitat.</li> <li>ii) Apply minimum impact suppression tactics (MIST) in habitat categories for slickspot peppergrass, as appropriate. Consult with resource advisors to determine where MIST tactics should be applied to avoid or minimize negative impacts.</li> <li>iii) Although MIST are preferred, aggressive fire suppression tactics (e.g.,</li> </ul>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>3) As needed, coordinate with appropriate agency personnel regarding fire suppression activities in or adjacent to habitat categories for slickspot peppergrass</p>	<p>blade lines, back fires, etc. in habitat) may be applied if EO's are threatened.</p> <p>b) Do not locate fire base camps, staging areas, and fueling areas within occupied habitat.</p> <p>3) Ongoing interagency coordination.</p> <p>a) BLM and cooperators will expand on and continue to provide special status plant and habitat awareness training to fire resource advisors, Incident Commanders, Engine Operators, and Fire Operations Supervisors.</p> <p>b) BLM and cooperators will distribute maps and inform fire crews on locations of the EO's to maximize fire protection and to avoid or minimize impacts from fire suppression activities.</p>
Fire Management: Emergency Stabilization and Rehabilitation	<p>1) Activities within the <b>Fire Management: Emergency Stabilization and Rehabilitation</b> program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.</p> <p>2) Implement Emergency Stabilization and Rehabilitation (ES&amp;R) activities to consider slickspot peppergrass in and adjacent to slickspot peppergrass habitat rehabilitation.</p>	<p>1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.</p> <p>2) The following measures will be applied:</p> <p>a) Wildfires within habitat categories for slickspot peppergrass will be evaluated for ES&amp;R treatments, regardless of size with an emphasis on retaining native plant resiliency including early seral native grasses, forbs, and biological soil crusts.</p> <p>b) As needed, protect disturbed and recovering areas using temporary closures or other measures. BLM will continue to rest areas from land use</p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
		<p>activities to meet ES&amp;R objectives as defined through ES&amp;R plans.</p> <p><u>c)</u> BLM ES&amp;R efforts for slickspot peppergrass, subject to funding availability, should enhance shrub establishment and forb diversity. BLM will implement the following measures during fire ES&amp;R efforts:</p> <ul style="list-style-type: none"> <li><i>i)</i> BLM will use seeding techniques that minimize soil disturbance; such techniques may include minimum-till drills and rangeland drills equipped with depth bands when ES&amp;R projects have the potential to impact occupied or proposed critical habitat categories for slickspot peppergrass. Based on ES&amp;R monitoring data, if these methods prove to be unsuccessful, other methods will be evaluated to maximize success.</li> <li><i>ii)</i> BLM will use native plant materials and seed during ES&amp;R activities. BLM will include native forbs in seed mixtures that will benefit slickspot peppergrass insect pollinators commensurate with ES&amp;R program policy.</li> <li><i>iii)</i> If native plant materials and seed are not available, or where site capability precludes the use of natives due to past disturbances, non-invasive, non-native species may be used for stabilization activities in habitat categories for slickspot peppergrass.</li> <li><i>iv)</i> In slickspot peppergrass habitat and potential habitat, non-native species are acceptable for stabilization activities where site disturbances exceed the capability for extant native vegetation to regenerate. Potentially invasive non-native species such as intermediate wheatgrass and forage kochia will not be used within 1.5 miles of EOAs. Within</li> </ul>

LUP Programs Evaluated		BLM Implementation Actions
	<p>Application of pesticides in slickspot peppergrass habitat will be analyzed and implemented in accordance with the approach described in the <b>Upland Vegetation Management: Rangelands (includes weed management)</b> program section.</p>	<p>slickspot peppergrass habitat and potential habitat, potentially invasive non-native species such as intermediate wheatgrass and forage kochia may be used for stabilization activities that are specifically designed as greenstrip fuel break projects, if an environmental analysis determines that the benefits of their use outweigh the risk of invasion to slickspot peppergrass and its habitat relative to other alternative fuel break methods. For these projects, environmental analyses will use the best available scientific and biological information, current BLM and USFWS guidance, and incorporate a comprehensive monitoring strategy. These site specific treatments will also be reviewed via the Level 1 streamlining process.</p> <p>When used in ESR fuel break projects, control measures for intermediate wheatgrass and forage kochia will be incorporated into project design features. Control measures will be informed by a comprehensive monitoring strategy that triggers subsequent adaptive management actions.</p> <p>i) Apply conservation measure (3), implementation Action (ii) in Fire Management: Non-Fire Fuels Management Program to ESR actions</p> <p>ii) See Upland Vegetation Management: Rangelands (includes weed management) program section.</p>
Fire Management: Wildland Fire Use	1) Wildland fire use projects will not be allowed in habitat categories for slickspot peppergrass.	1) When developing wildland fire use plans, do not allow wildland fire use in habitat categories for slickspot

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
Fire Management: Prescribed Fire	<p><b>1) Activities within the Fire Management:</b> Prescribed Fire program will implement relevant conservation measures as described in the Special Status Animal and Plant Management program section to promote conservation.</p> <p><b>2) Prescribed fire projects will be designed to conserve and enhance habitat categories for slickspot peppergrass.</b></p>	<p>peppergrass.</p> <p><b>1) Apply relevant conservation measure from the Special Status Animal and Plant Management program section at the beginning of this table.</b></p> <p><b>2) Prescribed fire in habitat categories for slickspot peppergrass will only be used as a tool for assisting with species conservation (for example, a burn in preparation to decrease cheatgrass litter before herbicide application, or to clear fencelines of accumulated windblown weeds).</b></p>
Fire Management: Non-Fire Fuel Management	<p><b>1) Activities within the Fire Management:</b> Non-Fire Fuels Management program will implement relevant conservation measures as described in the Special Status Animal and Plant Management program section to promote conservation.</p> <p><b>2) Implement projects involving the application of pesticides in accordance with the approach described in the Upland Vegetation Management: Rangelands (includes weed management) program section.</b></p> <p><b>3) Fuels management projects conducted in habitat categories for slickspot peppergrass should have long-term benefits to slickspot peppergrass.</b></p>	<p><b>1) Apply relevant conservation measures from the Special Status Animal and Plant Management program section at the beginning of this table.</b></p> <p><b>2) See Upland Vegetation management: Rangelands (includes weed management) program section.</b></p> <p><b>3) Avoid fuels management projects in occupied and critical habitat, unless such projects would enhance species conservation or are necessary for hazardous fuels reduction near the urban interface. Implement protection measures to avoid or minimize negative impacts to the species. In critical and occupied habitat categories for slickspot peppergrass, design native seed mixes that emphasize locally adapted plant material that will promote species conservation. When appropriate, use native plant materials and seed during project activities, and select species that</b></p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
		<p>benefit slickspot peppergrass insect pollinators.</p> <p>a) Because of potential negative impacts to habitat categories for slickspot peppergrass from linear fuel breaks, which can act as weed dispersal corridors, the following measures will be applied in habitat categories for slickspot peppergrass:</p> <p>i) BLM will monitor the effectiveness of existing fuel breaks (location, dry fuel load, and weed composition) in protecting habitat categories for slickspot peppergrass.</p> <p>ii) BLM may create and maintain fuel breaks where frequent fires can threaten habitat categories for slickspot peppergrass. New fuel breaks in habitat categories for slickspot peppergrass will be designed to conserve and/or enhance species habitat. Where appropriate and where objectives will be met, native vegetation should be emphasized in the creation of new fuel breaks. Other fuel break methods may include mowing or brown strips. If native vegetation or seed will not meet objectives, or site disturbance or site conditions preclude their use, fuel breaks may include non-native, non-invasive, species that will not invade slickspots.</p> <p>In slickspot peppergrass habitat all ESR implementation actions/methods in conservation measure (2) and all upland vegetation management implementation actions/methods in conservation measure (4) that are also applicable will be implemented for non-fire fuels management program projects.</p> <p>Potentially invasive non-native species such as intermediate wheatgrass and</p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
		<p>forage kochia will not be used within 1.5 miles of EO's. When used in fuel break projects, control measures for potentially invasive non-native species such as intermediate wheatgrass and forage kochia will be incorporated into project design features. Control measures will be informed by a comprehensive monitoring strategy that triggers subsequent adaptive management actions. These site specific treatments will also be reviewed via the Level 1 streamlining process.</p> <p>All fuel breaks located in habitat categories for slickspot peppergrass will have a robust, project specific monitoring strategy that shall include implementation monitoring, effectiveness monitoring, and specific hard and soft triggers for implementation of vegetation control measures, fuel break maintenance, and fuel break modification actions specific to slickspot peppergrass conservation.</p> <p><i>iii) Consider actions to repair or restore fuel breaks so they function as desired. Apply conservation measure (2) in the <b>Fire Management: Emergency Stabilization and Rehabilitation</b> program section and conservation measure (4) in the <b>Upland Vegetation Management</b> program.</i></p> <p><b>b)</b> In addition to the reduction in fuels associated with appropriately managed livestock grazing (see relevant conservation measures from <b>Livestock Grazing Management</b> section of this table), BLM may create fuel breaks using techniques such as mowing or targeted grazing to strategically reduce fuel loads where frequent fires can threaten habitat categories for slickspot peppergrass if the benefit of these actions can be demonstrated to outweigh the risks to slickspot peppergrass and its habitat.</p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
Fire Management: Community Assistance	<p>1) Activities within the <b>Fire Management: Community Assistance</b> program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.</p> <p>2) Follow all measures included throughout the Fire Management program sections.</p>	<p>1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.</p> <p>2) See actions within Fire Management program sections. Incorporate into community assistance agreements.</p>
Lands and Realty Management: Land Tenure Adjustment (land sale, exchanges, withdrawals, etc.)	<p>1) Activities within the <b>Lands and Realty Management: Land Tenure Adjustment</b> (land sale, exchanges, withdrawals, etc.) program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.</p> <p>2) Where feasible and funding is available, acquire through land exchange or purchase private lands that contain habitat categories for slickspot peppergrass.</p> <p>3) Retain occupied slickspot peppergrass habitat in Federal ownership unless such a transfer would result in a net benefit to the species.</p>	<p>1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.</p> <p>2) As feasible depending on funding and other factors, BLM will opportunistically acquire habitat categories for slickspot peppergrass, particularly occupied habitat and critical habitat, in land exchanges and purchases.</p> <p>3) Review each land tenure decision in terms of species habitat. Avoid the loss of occupied habitat and critical habitat from Federal ownership. If property with occupied habitat or critical habitat is being considered for transfer out of Federal ownership, ensure that the action will result in a greater net benefit for this species. BLM will coordinate with USFWS as early as possible to discuss methods to assure that the proposed land tenure adjustment benefits the species.</p>
Lands and Realty Management: Land Use Permits and Leases	1) Activities within the <b>Lands and Realty Management: Land Use Permits and Leases</b> program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant</b>	1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>Management program section to promote conservation.</p> <p><b>2)</b> Issue new land use permits and leases and review existing permits and leases at renewal to conserve species habitat. This includes management of physical facilities, as well as ground disturbance resulting from human uses.</p>	<p><b>2)</b> For new authorizations, as well as those being renewed, see <b>Special Status Animal and Plant Management</b> program section item (3). Avoid issuing new authorizations, or renewing existing authorizations, in or adjacent to habitat categories for slickspot peppergrass if negative impacts are expected. If an authorization is to be issued or re-issued in such areas, apply stipulations to the authorization that support species conservation and that avoid or minimize negative impacts. BLM will require control of noxious weed species on new, renewing, or amending land use permits. In addition, BLM will require control of invasive, non-native species on new, renewing, or amending land use permits within the ground disturbance footprint within (INHP) B- or C-ranked EOs and critical habitat.</p> <p><b>a)</b> Conduct periodic project compliance inspections during implementation of projects involving soil disturbance. BLM may require a qualified botanist to monitor slickspots to avoid impacts during ground disturbing activities in habitat categories for slickspot peppergrass.</p> <p><b>b)</b> BLM will require that new or renewing permit or lease holders establish at least 50% perennial cover after all ground disturbing activities, unless ecological site conditions preclude that level of cover. If a native species component existed prior to the ground disturbance, then the native species component of the perennial cover should be restored.</p>
Lands and Realty Management: Rights-of-Way	<p><b>1)</b> Activities within the <b>Lands and Realty Management: Rights-of-Way</b> program will implement relevant conservation measures as</p>	<p><b>1)</b> Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at</p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	<p>described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.</p> <p><b>2)</b> Issue new rights-of-way and review existing rights-of-way at renewal to conserve species habitat. This includes management of physical facilities, as well as disturbances to the species resulting from human uses.</p> <p><b>3)</b> As appropriate, require a qualified botanist to monitor slickspots to avoid or minimize impacts during BLM authorized activities in habitat categories for slickspot peppergrass</p>	<p>the beginning of this table.</p> <p><b>2)</b> For new rights-of-way and renewal of existing rights-of-way, see <b>Special Status Animal and Plant Management</b> program section item (3) Avoid issuing new rights-of-way, or renewing rights-of-way, in or adjacent to habitat categories for slickspot peppergrass if negative impacts are expected. In habitat categories for slickspot peppergrass, only issue or re-issue rights-of-way with stipulations to avoid negative impacts to the habitat. BLM will require control of noxious weed species on new, renewing, or amending rights-of-way authorizations. In addition, BLM will require control of invasive, non-native species on new, renewing, or amending rights-of-way authorizations within the rights-of-way footprint, and an additional width on each side of the rights-of-way within (INHP) B- or C-ranked EO's and critical habitat.</p> <p>a) BLM will require that new or renewing permit or lease holders establish at least 50% perennial cover after all ground disturbing activities, unless ecological site conditions preclude that level of cover. If a native species component existed prior to the ground disturbance, then the native species component of the perennial cover should be restored.</p> <p><b>3)</b> BLM may require a qualified botanist to monitor slickspots to avoid impacts during soil disturbing activities in habitat categories for slickspot peppergrass.</p>
Mineral	<b>1)</b> Activities within the Mineral	<b>1)</b> Apply relevant conservation measures

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
Management: Locatable Minerals	<p><b>Management:</b> Locatable Minerals program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.</p> <p><b>2)</b> Approve plans of operations or allow notice level operations so as not to preclude species habitat conservation. This includes management of physical facilities, as well as disturbances to the species resulting from human uses.</p>	<p>from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.</p> <p><b>2) Approval of plans of operations and notice-level operations:</b></p> <ul style="list-style-type: none"> <li><b>a)</b> For review of existing plans of operation and notice-level operations, see <b>Special Status Animal and Plant Management</b> program section item <b>(2)</b>. To the extent allowed by law, modify plans of operation or notice-level operations that may have negative impacts on the species or its habitat. For notice-level operations, notify the operator that modifications to proposed activities will be required to avoid negative impacts.</li> <li><b>b)</b> For new plans of operation and notice-level operations, see <b>Special Status Animal and Plant Management</b> program section item <b>(3)</b>. To the extent allowed by law, avoid approving plans of operation or notice-level operations that may have negative impacts on the species or its habitat. For notice-level operations, notify the operator that modifications to proposed activities will be required to avoid negative impacts. If a plan of operations is to be approved in or adjacent to habitat categories for slickspot peppergrass, apply stipulations to support or to not preclude species conservation. A notice will require modification by the operator until BLM determines that it will not result in undue or unnecessary degradation.</li> </ul>
Mineral Management: Saleable and Leasable Minerals	<p><b>1) Activities within the Mineral Management:</b> Saleable and Leasable Minerals program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.</p> <p><b>2)</b> Approve development of saleable or</p>	<p><b>1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.</b></p> <p><b>2) Approval of saleable and leasable</b></p>

LUP Programs Evaluated	Conservation Measures	BLM Implementation Actions
	leasable minerals so as not to preclude species habitat conservation. This includes management of physical facilities, as well as disturbances to the species resulting from human uses.	<p>minerals:</p> <p>a) For review of existing mineral leases, see <b>Special Status Animal and Plant Management</b> program section item (2). Modify existing mineral leases if negative impacts are occurring.</p> <p>b) For new sales or leases, see <b>Special Status Animal and Plant Management</b> program section item (3). Avoid development of saleable or leasable minerals in or adjacent to habitat categories for slickspot peppergrass if negative impacts are expected. If a minerals lease or sale is to be issued in or adjacent to habitat, apply stipulations to support or to not preclude species conservation.</p>
Cultural Management	1) Activities within the <b>Cultural Management</b> program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.	1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.
Paleontology	1) Activities within the <b>Paleontology</b> program will implement relevant conservation measures as described in the <b>Special Status Animal and Plant Management</b> program section to promote conservation.	1) Apply relevant conservation measures from the <b>Special Status Animal and Plant Management</b> program section at the beginning of this table.



# APPENDIX B

## Definitions

Adaptive Management	A type of natural resource management that implies making decisions as part of an ongoing process. Monitoring the results of actions will provide a flow of information that may indicate the need to change a course of action. Scientific findings and the needs of society may also indicate the need to adapt resource management to new information.
Adjacent	The area outside of a mapped habitat area, but within a zone of influence to the habitat area for which a BLM activity may affect the species. Some activities, such as those that can affect watershed conditions and erosion, can have wide zones of influence for aquatic species. Other activities, such as those that do not affect the slickspot peppergrass habitat but can affect use of that habitat, can have a narrower zone of influence. Thus, this adjacent zone of influence will vary among species and land use activities. The species-specific and land use-specific application of this term will be determined at the local level.
Avoid	To the extent possible do not implement the action indicated. If the action needs to take place, then add stipulations or take additional steps to minimize impacts. Avoidance is the preferred management approach in the identified habitats for species conservation.
Best Management Practices (BMPs)	Generally accepted state-of-the-art techniques and procedures used in project-level operations to avoid or minimize impacts to species and their habitats.
Conserve	The terms "conserve," "conserving," and "conservation" mean to use all methods and procedures that are necessary for species recovery. For project management, the priority for conservation is to avoid impacts, then to minimize and mitigate if adverse impacts are unavoidable.
Element occurrence (EO)	An area of land in which a species like slickspot peppergrass is or was present (NatureServe 2002 as cited in Colket et al. 2006, page 1). EO features are designated by the Idaho Conservation Data Center as separate EO's if they are > 1 km apart (Colket et al. 2006, page 2).

**Habitat**

The habitat definitions for slickspot peppergrass are divided into six classifications that meet certain site characteristics and resource conditions, including the presence of slickspots and/or slickspot peppergrass plants. Each classification may have different management strategies in the conservation measures.

- **Non-habitat:** Areas that do not contain slickspots, or slickspots do not have the proper soil characteristics to support slickspot peppergrass.
- **Surrounding habitat:** Landscape-scale matrices of vegetation communities that may influence adjacent slickspot peppergrass occupied habitat.
- **Potential habitat:** Areas within the known range of slickspot peppergrass that have certain general soil and elevation characteristics that indicate the potential for the area to support slickspot peppergrass, although the presence of slickspots or the plant is unknown. These areas meet the following criteria:
  - Netric and nartic-like soils forming "slickspots," and associated soil series, or phases thereof, which support Loamy 7- to 10-inch and 10- to 13-inch Wyoming big sagebrush Ecological Sites (Major Land Resource Areas 11-Snake River Plains, and 25 Owyhee High Plateau) and have a aridic bordering on xeric soil moisture regime; and
  - 2,200 to 5,400 feet elevation.

The use of the term "potential habitat" acknowledges the potential for an area to support slickspot peppergrass based on general characteristics even though uncertainty remains because of the lack of site-specific habitat information.

- **Slickspot Peppergrass Habitat:** Potential habitat areas with Wyoming big sagebrush ecological sites that through Stage 1 surveys have documented slickspot microsites (nartic and nartic-like soil types) within 2,200 feet and 5,400 feet elevation in Southwest Idaho. Slickspot peppergrass habitat includes areas with slickspots of unknown occupancy and in some cases may be dominated by non-native vegetation such as annual grasses or crested wheatgrass. In addition, to maintain ecological continuity, if there is less than 0.5 miles between areas defined as slickspot peppergrass habitat, then the

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entire area is considered slickspot peppergrass habitat. Surveyed potential habitat not meeting these criteria will no longer be considered habitat for slickspot peppergrass.

- **Occupied habitat:** The term "occupied habitat" refers to areas where slickspot peppergrass has been documented or identified as an element occurrence (EO) and includes the area generally within 0.5 mile of that occurrence that is important to maintain or improve habitat integrity and pollinator populations necessary for species conservation. For analysis purposes, a generalized area delineated by a 0.5 mile radius circle was drawn around each EO (this circle may include areas of non-habitat). This area identified as occupied habitat may or may not include additional slickspots or slickspot peppergrass plants beyond the EO. Further refinement of occupied habitat may be accomplished through field surveys considering existing resource conditions as well as specific habitat quality and integrity.
- **Unoccupied Habitat:** Slickspots that have the proper soil characteristics to support slickspot peppergrass, but Stage 2 surveys 3 out of 12 years did not indicate that a seedbank is present.

**Livestock gathering**

Collecting scattered livestock into a group for management purposes.

**Livestock herding**

Moving a herd of livestock within or between pastures of an allotment. Permits are not required and it is part of the grazing plan.

**Livestock trailing**

An activity involving moving a livestock herd across allotment(s) where the trailing party has no grazing permit.

**Minimize**

To reduce to the smallest possible amount, extent, size, or degree as is feasible from a technical or management standpoint.

**Modify**

To "modify" a management activity could have a wide variety of site-specific actions, ranging from eliminating the activity, to changing seasonal use, or to minor operational changes. The goal of modifying an activity is to meet the intent of a specific conservation measure or its implementing action.

**Penetrating trampling**

Breaking of the restrictive layer underneath the silt surface area during saturated conditions exposing the clay layer of a slickspot. The restrictive layer of a slickspot is the heavy clay (35-45% clay content) prismatic structured subsoil layer (Bt1 horizon) 'the salty vesicular surface layer (E horizon) and above the lighter textured (25-35% clay content) blocky structured clayey layer (Bt2horizon).



Figure 1. Implementation of Annual Grazing Adaptive Management

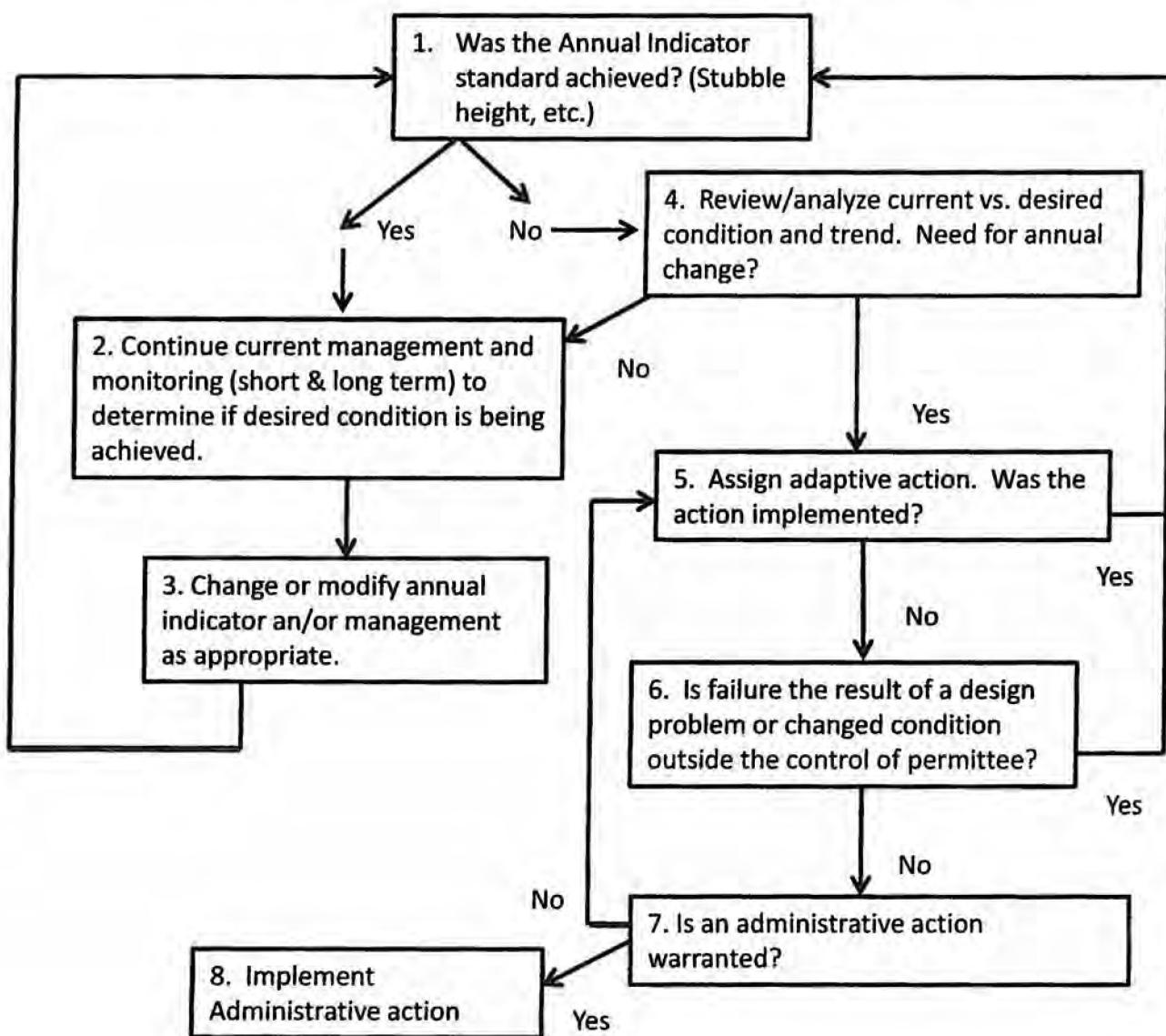




Figure 2. Inventory flowchart for slickspot peppergrass.

