From:	Schubert, Alex
To:	Deibert, Pat
Cc:	Mark Sattelberg
Subject:	Re: can you all help with follow up on this?
Date:	Tuesday, March 31, 2015 10:27:23 AM
Attachments:	20150331_notes_SchuberttoDeibert_Uses of the words Rectify and Reclaim in Wyoming RMPs.docx

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I received only the Chapter 2's for the Buffalo, Bighorn, and 9-Plan last week. I searched those three chapter 2's for the words "rectify" and "reclaim". The attached notes show the only uses for the words rectify and reclaim in the each of the chapter 2's respectively. I did not specifically see the statement anywhere that "Rectify and Reclaim constitutes mitigation." Maybe this would be a good question for BLM.

On Tue, Mar 31, 2015 at 9:04 AM, Deibert, Pat <pat_deibert@fws.gov> wrote:

> can you help?
> ---------- Forwarded message ----------
> From: **Grim, Mary** <mary_grim@fws.gov>
> Date: Mon, Mar 30, 2015 at 5:25 PM
> Subject: Fwd: can you all help with follow up on this?
> To: Pat Deibert <pat_deibert@fws.gov>, Jesse DElia <jesse_delia@fws.gov>
>
> I only have the NV plan, which doesn't include those words. Have you guys seen them in any of the plans you've looked at.
>
> **Mary Grim**
> US Fish and Wildlife Service
> 2800 Cottage Way
> Sacramento, CA 95825
> 916-414-6574
> 530-320-1300 (cell)
>
> ---------- Forwarded message ----------
> From: **Noreen Walsh** <noreen_walsh@fws.gov>
> Date: Mon, Mar 30, 2015 at 4:03 PM
> Subject: can you all help with follow up on this?
> To: Mary Grim <mary_grim@fws.gov>, nicole_alt@fws.gov, Matt Kales <matt_kales@fws.gov>

MITIGATION: Bob Budd says that BLM language says that “rectify and reclaim” constitutes mitigation. Where is this? Is it really in there? WE should double check.

Noreen Walsh

Regional Director

Mountain-Prairie Region

U. S. Fish and Wildlife Service

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Uses of the word "rectify" in Chapter 2 of Buffalo RMP.

1. The BLM will require application of all appropriate conservation measures, warranted by site-specific analysis, in order to avoid, minimize, **rectify**, reduce, or compensate for impacts.

Uses of the word "reclaim" in Chapter 2 of Buffalo RMP.

1. Travel and Transportation Management **-** Close and **reclaim** unnecessary routes.
2. Remove and **reclaim** unnecessary reservoirs.
3. **Reclaim** unneeded reservoirs.
4. **Reclaim** areas affected by surface-disturbing activities to promote healthy functioning native plant communities. (promotes habitat restoration)
5. CBNG created riparian and wetland systems will be evaluated, retained, or **reclaim**ed to support vegetation and other resource values. (conserves brood-rearing habitat)
6. Unless otherwise authorized, close and **reclaim** roads and trails if they are heavily eroded, washed out, or if other access roads in better condition are available. (conserves habitat)
7. Most buried pipelines have r**eclaim**ed their native vegetative cover and will not be removed.
8. **Reclaim** or remove unneeded, nonfunctional or poorly-sited reservoirs on BLM-administered lands.
9. **Reclaim** areas affected by surface-disturbing activities to promote healthy functioning native plant communities.
10. CBNG created riparian and wetland systems will be evaluated, retained, or **reclaim**ed to support vegetation and other resource values.
11. Do not close and **reclaim** existing routes in the vicinity of any new system roads.
12. Manage the cleanup of hazardous substance and other contaminant spills and releases to reduce human health and/or environmental risk, **reclaim** and monitor contaminated lands, and carry out emergency response activities.
13. *Additional Measure: **Reclaim**ed Energy-related Degradation.* This dataset will include those wells that have been plugged and abandoned. This measure thereby attempts to measure energy-related degradation that has been **reclaim**ed but not necessarily fully restored to Greater Sage-Grouse habitat.
14. What is the amount of **reclaim**ed energy-related degradation and the change in the amount?
15. The field office will collect data on the amount of **reclaim**ed energy-related degradation on plugged and abandoned and oil/gas well sites. The data are expected to demonstrate that the **reclaim**ed sites have yet to meet the habitat restoration objectives for Greater Sage-Grouse habitat.

16. Where existing leases or Rights-of-Way (ROWs) have had some level of development (road, fence, well, etc.) and are no longer in use, **reclaim** the site by removing these features and restoring the habitat. Within designated priority habitat, **reclaim** by removing these features and restoring the habitat of these ROW that are no longer in use.

17. Close and **reclaim** duplicate roads, by restoring original landform and establishing desired vegetation.

18. Where existing leases or ROWs have had some level of development (road, fence, well, etc.)

    and are no longer in use, **reclaim** the site by removing these features and restoring the habitat.

    Within designated priority habitat **reclaim** by removing these features and restoring the habitat

    of these ROW that are no longer in use.

19. **Reclaim** unnecessary or redundant roads and facilities by removing surfacing material, reestablishing the original contour, spreading topsoil, and seeding to restore habitat.

20. **Reclaim** unused roads and facilities by reseeding sagebrush, shrubs, and native grasses and forbs to help improve Greater Sage-Grouse habitat and reduce weed invasion.

21. **Reclaim** roads that are only needed periodically, and allow operators to drive over **reclaim**ed roads when needed.

22. Represents the projected reclamation of existing roads in the planning area. As such, there is no long-term disturbance anticipated from this action. The projected acres **reclaim**ed from this action are not included in the cumulative disturbance acreages.

<u>Uses of the word “Rectify” in the Bighorn Basin RMP Chapter 2</u>

1. There are no uses of the word “rectify” in the Bighorn Basin RMP Chapter 2

<u>Uses of the word “Reclaim” in the Bighorn Basin RMP Chapter 2</u>

1. Prohibit the placement of salt, mineral, or forage supplements within ¼ mile of water, wetlands, riparian areas, **reclaim**ed or reforested areas, or as determined by the authorized officer.

2. As under Alternative A, the BLM continues the use of seed mixtures of native species to **reclaim** disturbed areas.

3. Close and **reclaim** heavily eroded or washed out roads and trails if alternative roads and trails are available.

4. In consultation with stakeholders and subject to site-specific NEPA actions, close and **reclaim** unnecessary and/or heavily eroded roads and trails if other stable roads and trails are available on a priority basis.

5. Rehabilitate, maintain, acquire, develop, or **reclaim** water supply sources to meet other resource goals and objectives within the scope of BLM's authority.

6. Restore or **reclaim** important stream segments for fisheries habitat, through upland management and hydrologic function enhancement actions on at least 10 lotic miles and 80 lentic acres.

7. On a priority basis and in coordination with stakeholders, restore and **reclaim** important stream segments for fisheries habitat with the highest priority given to species listed on the *State Species of Greatest Conservation Need*.

8. Restore or **reclaim** important fisheries habitat through upland management and hydrologic function enhancement actions on at least 3 miles of lotic stream segments.

9. Restore or **reclaim** fisheries habitat with present or potential special status species fish populations through upland management and hydrologic function enhancement actions on a priority basis consistent with other resource uses.

10. Where existing leases or ROWs have had some level of development (road, fence, well, etc.)

    and are no longer in use, **reclaim** the site by removing these features and restoring the habitat.

<u>Uses of the word "Rectify" in the 9-plan amendment Chapter 2</u>

1. The priority order for mitigating resource impacts onsite or offsite is as follows: 1. Onsite Mitigation – Onsite (avoid, minimize, **rectify**, or reduce in time).

<u>Uses of the word "Reclaim" in the 9-plan amendment Chapter 2</u>

1. Where existing authorizations, ROWs, or SUAs have had some level of development (e.g., road, fence, and well) and are expired and are no longer in use, the site would be **reclaim**ed by removing these features and restoring the habitat. Powerlines (distribution and transmission) will be designed to minimize wildlife related impacts and constructed to the latest APLIC standards.

2. The BLM can require an increase in a bond amount any time conditions warrant such an increase. Per 36 CFR 228.109, as part of the review of a proposed surface use plan of operations, the authorized Forest officer shall consider the estimated cost to the Forest Service to **reclaim** those areas that would be disturbed by operations and to restore any lands or surface waters adversely affected by the lease operations after the abandonment or cessation of operations on the lease.

3. The authorized Forest officer shall consider the costs of the operator's proposed reclamation program and the need for additional measures to be taken when estimating the cost to the Forest Service to **reclaim** the disturbed area.

4. Kemmerer RMP: Roads and two-track routes determined to be unauthorized or redundant and unnecessary for resource management purposes will be **reclaim**ed to achieve surrounding native conditions.

5. Pinedale RMP: Disturbed areas will be **reclaim**ed to native site plant composition. If reclamation of original plant composition is impossible or not desirable, reclamation will achieve a native plant community that meets the Wyoming Standards for Rangeland Health.

6. Disturbed areas should be reclaimed as soon as they are no longer needed for mineral operations. An additional objective will be designated for the priority area to prioritize and reclaim/restore anthropogenic disturbances so that 3% or less of the total priority habitat area is disturbed within 10 years.

7. Opportunities to remove, bury, or modify existing power lines within priority sage-grouse habitat areas would be evaluated and taken advantage of. Where existing leases or ROWs or SUAs have had some level of development (e.g., road, fence, and well) and are no longer in use, the site would be **reclaim**ed by removing these features and restoring the habitat.

8. Per 36 CFR 228.109, as part of the review of a proposed surface use plan of operations, the authorized Forest officer shall consider the estimated cost to the Forest Service to **reclaim** those areas that would be disturbed by operations and to restore any lands or surface waters adversely affected by the lease operations after the abandonment or cessation of operations on the lease. If at any time prior to or during the conduct of operations, the authorized Forest officer determines the financial instrument held by the Bureau of Land Management is not adequate to ensure complete and timely reclamation and restoration, the authorized Forest officer shall give the operator the option of either increasing the financial instrument held by the Bureau of Land Management or filing a separate instrument with the Forest Service in the amount deemed adequate by the authorized Forest officer to ensure reclamation and restoration. The authorized Forest officer shall consider the costs of the operator's proposed reclamation program and the need for additional measures to be taken when estimating the cost to the Forest Service to **reclaim** the disturbed area.

9. Alternative B: Priority sage-grouse habitats would be managed so that discrete anthropogenic disturbances cover less than 3% of the total sage-grouse habitat, regardless of ownership. Anthropogenic features would include but would not be limited to paved highways, graded gravel roads, transmission lines, substations, wind turbines, oil and gas wells, geothermal wells and associated facilities, pipelines, landfills, homes, and mines. In priority habitats where the 3% disturbance threshold is already exceeded from any source, no further anthropogenic disturbances would be permitted by the BLM or Forest Service until enough habitat has been restored to maintain the area under this threshold (subject to valid existing rights). In this instance, an additional objective would be designated for the priority area to prioritize and **reclaim**/restore anthropogenic disturbances so that 3% or less of the total priority habitat area is disturbed within 10 years.