

Addendum To The 2014

Conservation Agreement and Strategy for

Graham's Beardtongue (*Penstemon grahamii*)

and

White River Beardtongue (*Penstemon scariosus* var. *albifluvis*)

November 20, 2018

PREPARED FOR:

State of Utah School and Institutional Trust Lands Administration

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PREPARED BY:

Penstemon Conservation Team

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Ann Timberman, Field Supervisor U.S. Fish and Wildlife Service, Colorado Field Office	Date
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Gary Torres, Green River District Manager U.S. Bureau of Land Management, Vernal (Utah) Field Office	Date
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Kent Walter, White River Field Office Manager U.S. Bureau of Land Management, White River (Colorado) Field Office	Date
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1. BACKGROUND

Initially formalized in 2014 (Penstemon Conservation Team 2014), the Conservation Agreement and Strategy for Graham’s beardtongue (*Penstemon grahamii*) and White River beardtongue (*Penstemon scariosus* var. *albifluvis*) (hereafter, “Agreement”) is a partnership for the development and implementation of conservation measures to protect the two species and their habitat. The partnership is led by a Team comprised of the undersigned parties (hereafter, “Signatories”). The purpose of the partnership is to support the long-term persistence of Graham’s beardtongue and White River beardtongue (collectively the “beardtongues”) within their historic range and provide a framework for future conservation efforts.

The Signatories to the Agreement have agreed to work together on the creation and management of conservation areas, the development of range-wide monitoring, and the funding of conservation research for Graham’s beardtongue and White River beardtongue in Uintah County, Utah and Rio Blanco County, Colorado. Accomplishments under the Agreement include development and implementation of a mitigation plan, disturbance mapping, disturbance management plan, livestock management plan, demographic monitoring plan, and weed management plan, which are summarized in annual reports (Penstemon Conservation Team 2015; 2016; and 2017). Over the past four years the Team has also held regular meetings, reviewed projects with potential impacts to the beardtongues, recommended appropriate conservation measures, coordinated annual seed collection, conducted annual surveys, initiated range-wide demographic monitoring, and identified research needs.

2. PURPOSE

The Signatories desire to modify the Agreement with this addendum by including a new commitment for the Conservation Team to complete a comprehensive achievement report (section 4.1, below), and a new commitment for the U.S. Fish and Wildlife Service (Service) to complete a species status assessment (section 4.2, below). This addendum also includes five-year extension of the Agreement, until 2034, for the following signatories: The School and Institutional Trust Lands Administration (SITLA), the Bureau of Land Management (BLM), the Service, Utah Public Lands Policy Coordination Office (PLPCO), Utah Division of Wildlife Management (UDW), and Rio Blanco County (section 4.3). The details of each modification are described below.

3. AUTHORITY

This amendment is subject to all of the Authorities specified in section 2.4 of the Agreement. Modifications made in this amendment do not preclude commitments made by Signatories in the original Agreement and all measures in the original Agreement remain in effect.

4. AGREEMENT MODIFICATIONS

4.1 Conservation Agreement Reports

On or around December 31st, 2019 and every five years thereafter, Signatories hereby agree to complete a summary report of conservation accomplishments since the inception of the Agreement (for the avoidance of doubt, reports are to be completed in 2019, 2024, 2029). The summary reports may replace the annual report for that year. The final summary report shall be completed prior to the end of the Agreement on July 25th, 2034. Summary reports will provide a comprehensive review of conservation efforts and research performed under the Agreement, as well as the status of the beardtongues and habitat conditions within conservation areas. The summary report is intended to inform the Service's species status assessment for the beardtongues. The report will also inform the Penstemon Conservation Team of any conservation actions that would be beneficial to the species and could be implemented prior to the ending of the Conservation Agreement.

4.2 Species Status Assessment

On or around December 31, 2028, the Service hereby agrees to complete a species status assessment or similar assessment document for the beardtongues. The purpose of this assessment is to characterize the beardtongues' biological condition and viability within their respective ranges. The assessment will likely include a projection of the beardtongues' future condition based on a range of plausible scenarios and will characterize the uncertainty of stressors and scenarios.

4.3 Extension of the Agreement

All Parties hereby agree to extend the Agreement for an additional 5-year period, which will begin immediately at the end of the original time period and will end on July 25, 2034. All Parties also agree that the private parties in Utah will be released from the Conservation Agreement on July 25, 2029 when the terms original Agreement ends and the Uinta County Ordinance (No. 7-16-2018 01) expires. After July 25, 2029 private parties may voluntarily submit land to be incorporated as a conservation area under the Agreement.

5. DURATION OF AGREEMENT AND ADDENDUM

This addendum to the Agreement, as explained above, shall be effective as of the date of the last signature and shall remain in force for the period of time identified in section 4.3 of this addendum. This addendum and the Agreement is the entire understanding between the Signatories related to the subject matter contained herein. This document may be executed in multiple identical original counterparts, all of which shall constitute one document. Signatures may be delivered by facsimile copy or electronic scan. Facsimile and electronic scanned signatures shall be binding on the Parties as if they were originals. In the event of a conflict between this addendum and the Agreement, the terms of this addendum shall control.

6. 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. Found at: <https://trustlands.utah.gov/in-your-community/conservation/penstemon-conservation-project/>
- Penstemon Conservation Team. 2016. Conservation Agreement and Strategy for Graham's Beardtongue (*Penstemon grahamii*) and White River Beardtongue (*P. scariosus* var. *albifluvis*) 2015 Annual Report. Found at: <https://trustlands.utah.gov/in-your-community/conservation/penstemon-conservation-project/> .
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U.S. Fish and Wildlife Service, Utah Ecological Services Field Office

11/28/2018

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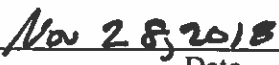
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 Roger L. Bankert, Field Office Manager U.S. Bureau of Land Management, Vernal (Utah) Field Office	 Date
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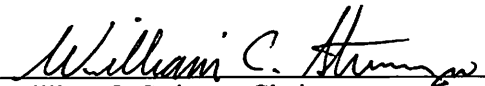
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 Mike Fowlks, Director Utah Division of Wildlife Resources	ACTING DIRECTOR	11/28/18 Date
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