



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Bakersfield Field Office
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Biological Resource Guidance for Maintenance Requests on Right-of-Ways¹ within the Bakersfield Field Office

Dear Grantee,

Congratulations on securing your right-of-way. The guidance provided below will assist you with expediting future maintenance requests for your right-of-way or its associated infrastructure, should maintenance needs arise. This guidance requests documentation to help you and the BLM ensure that, together, we are complying with all relevant laws and regulations. Furthermore, the documentation creates a robust record on which BLM can make informed decisions capable of withstanding both internal and external scrutiny. We appreciate your role in helping us to achieve this joint goal.

- If your right-of-way is within the Southern San Joaquin Valley, there is a high likelihood it occurs within threatened and/or endangered species habitat. If this is the case **and** if your project will disturb habitat (habitat disturbance includes but is not limited to cross country driving [driving off a road designated by BLM as Open-Motorized], vegetation removal, burrow crushing, etc.) then it will *require coverage under Section 7 of the Endangered Species Act*. Most likely, this coverage will be issued under the 2017 Programmatic Biological Opinion on Oil and Gas Activities on Bureau of Land Management Lands in the San Joaquin Valley (Service Number: 08ESMF00-2016-F-0683) or most current biological opinion.
 - Depending on the project details and location, this may require California Department of Fish and Wildlife protocol level blunt-nosed leopard lizard surveys and blooming season rare plant surveys (see attached Guidance on Timing of Biological Surveys for additional details). It is imperative that you plan your maintenance and surveys accordingly to accommodate the required timelines.
 - If your project is outside the scope of allowable activities under the biological opinion (e.g. it will disturb more than 10 acres or more than 10 linear miles) **and** will disturb endangered species habitat, a standalone consultation with the US Fish and Wildlife Service will be required. Please discuss this with BLM immediately and allow an additional year or more for this process to be completed.
- Regardless of project location, BLM requests that you submit a report of biological and associated resources with the potential to be impacted by project activities. The report must be in letter format* and must address the following:
 - Description of the project activity. This section should provide a context for why natural resource review is necessary and should begin to document the logic for the compensation calculation (if necessary). The project description summary should include:
 - A general description of the project.
 - Types of equipment to be used during project activities.
 - Location of staging areas, off-road access, and temporary work areas (if necessary).
 - Anticipated timeline for project, including anticipated completion date once project is initiated.
 - *If the project includes portions on private land, descriptions of those areas should also be included within the project description as they will be considered in the BLM's environmental review. This is also necessary if the project applicant desires Endangered Species Act coverage for the entirety of the project.*
 - Survey methodology, including:
 - Biology surveys must be conducted at an appropriate time of year. Follow the

¹ Right-of-Ways excluding those for Electrical Power Transmission and Distribution Lines which are covered by the September 15, 2017 BLM California Vegetation Management Plan Electrical Power Transmission and Distribution Lines.

- Guidance on Timing for Biological Surveys within the Bakersfield Field Office.
 - Dates of survey. If necessary, identify which types of survey were done on a particular day (e.g. Date 1 botanical survey, Date 2 general reconnaissance survey, Date 3 blunt-nosed leopard lizard adult protocol survey, etc.).
 - Names of surveyors. All biology surveyors need to have their CVs on file with the Bakersfield Field Office.
 - Size of survey area.
 - If a survey protocol is followed, identify it. Omit detailed descriptions of common protocols.
 - Survey results should emphasize **site-specific results** or nearby components of the biotic community.
 - Flora and fauna observed. Include location information for federally-listed plant and animal sightings and relevant animal sign.
 - If relevant, address blue-line drainage crossings in the project area.
 - If necessary, provide a section on suggested avoidance and minimization measures.
 - Omit species life history information unless there is an unusual circumstance that warrants inclusion.
 - Omit discussion of the regulatory framework unless there is an unusual circumstance that warrants inclusion.
 - For projects in the southern San Joaquin Valley, a complete compensation calculation table.
 - Identify Temporary vs. Permanent disturbance.
 - Permanent disturbance results from high-intensity or longer-term disturbances, such as those that result from soil excavation, topsoil removal, removing or crushing shrubs, destroying cryptogammic crust, or off-road driving that results in significant topsoil impacts.
 - Temporary disturbance results from low-intensity or short-term disturbances, such as those that result from brief off-road travel during dry soil conditions.
 - Provide explanation for calculation conclusions (i.e. “show your work”).
 - Map of survey location and relevant findings.
 - Representative photographs.
 - Other information as deemed important by the biologist(s) conducting the field survey.
 - Signature of the field biologist(s).

*A Sensitive Species Review Form (SSRF) will not be accepted as a substitute for a letter report.

As a general rule, early correspondence with the BLM is crucial to helping us meet your desired timeline. When you identify a maintenance need, please contact BLM immediately to ensure guidance has not changed and to verify which surveys will be required. Reviewing and adhering to this guidance will expedite project review and authorization.

Thank you.

Please note: each BLM field office may have different processing requirements for right-of-way maintenance requests and should be contacted independently for guidance. This guidance is subject to change without notice; contacting BLM as soon as maintenance needs are identified is the best way to verify whether or not requirements have changed.