



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Wyoming State Office  
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IN REPLY REFER TO:

6840 (930) P

August 19, 2013

EMS TRANSMISSION: 8/23/2013  
Instruction Memorandum No. WY-2013-041  
Expires: 9/30/14

To: District Managers and Deputy State Director, Minerals and Lands

From: Associate State Director

Subject: Incorporation of the Bureau of Land Management (BLM) Programmatic Biological Assessment (BA) and the resulting Biological Opinion (BO) for Blowout Penstemon (*Penstemon haydenii*) into the Casper and Rawlins Resource Management Plans (RMPs)

**Program Area:** Special Status Species Management – Threatened and Endangered Species  
Interagency Consultation

**Purpose:** The purpose of this Instruction Memorandum (IM) is to direct BLM Wyoming Field Offices to maintain the Casper, Green River, Lander, and Rawlins Field Office RMPs. To ensure all subject RMPs continue to operate in accordance with the provisions of the Endangered Species Act of 1973 (ESA), authorized officers in the Casper, Rawlins, Rock Springs and Lander Field Offices are directed to maintain their RMP with this information and to implement the associated measures for protection of blowout penstemon as applicable. The blowout penstemon BA and BO (Attachments 1 and 2) can also be found on the on the internet at

<http://www.blm.gov/wy/st/en/programs/Wildlife.html> and  
<http://www.blm.gov/wy/st/en/programs/pcp/species/t-e.html>.

**Policy/Action:** Attached to this IM are the final BLM Statewide Programmatic BA for blowout penstemon (*Penstemon haydenii*) (Attachment 1) and the resulting U.S. Fish and Wildlife Service (FWS) BO (Attachment 2). The information provided in the BA and BO collectively represents substantial new information that BLM must update the appropriate RMPs through *Maintenance Action* as defined in 43 CFR 1610.5-4. The Casper, Lander, Rawlins, and Rock Springs Field Offices should review their respective existing RMP, the programmatic BA, and the resulting programmatic BO. Documentation of such maintenance action should be forwarded to the Wyoming State Office Threatened and Endangered Species Program Leadership for ease of future reference. If after review of the documentation you believe that

this action may require further action to be taken, please contact Pam Murdock of the Wyoming State Office of BLM, at (307) 775-6259.

**Timeframe:** This IM is effective immediately. Please maintain the official hard copy of your RMP within 30 days of the date of this IM. Please also maintain the web-based copy of your RMP during this same timeframe.

**Budget Impact:** None.

**Background:** The BLM Special Status Species Manual 6840 encourages the completion and use of programmatic level consultation and conference proceedings to address broad-scale programs or wide ranging species or crucial habitats (6840.1F12(a)). The use of these programmatic documents serves to streamline Section 7 Consultation proceedings and to typically shorten timeframes in establishing BLM's compliance with provisions of ESA. The program level BLM consultation document, or BA, is complete and it provides plan-level description of the potential activities of the BLM and provides all the BLM-committed conservation measures for the protection of blowout penstemon and associated important habitats. Attachment 2, or the BO, provides the resulting opinion of the FWS based on their review of the BA. The BA described just one activity as having a "*Likely Adverse Affect*" on blowout penstemon. All other remaining activities of the BLM were determined as "*Not Likely to Adversely Affect*" the penstemon or its habitats and Attachment 2 includes the documentation of FWS's written concurrence to these determinations in accordance with section 7 of the ESA, as amended (16 U.S.C. 1531 et. seq. and 50 CFR §402.10).

**Manual/Handbook Sections Affected:** None.

**Coordination:** This IM was coordinated with the Field Offices of Casper, Rawlins, Rock Springs and Lander. This effort was coordinated with the U.S. Fish and Wildlife Service, Wyoming Ecological Services Office in Cheyenne, WY and the Wyoming State Office of Resources and Planning WY930.

**Contact:** If you have any questions regarding the actions described in this IM, please contact Chris Keefe at (307) 775-6101.

Signed by:  
Mary Jo Rugwell  
Associate State Director

Authenticated by:  
Sherry Dixon  
Administrative Assistant

2 Attachments:

- 1 – Bureau of Land Management Statewide Programmatic Biological Assessment: Blowout Penstemon (*Penstemon haydenii*) (56 pp)
- 2 – U.S. Fish and Wildlife Service Memorandum (06E13000/WY12F0386) "Formal Statewide Programmatic Consultation for the Impacts from the Wyoming Bureau of Land Management Resources Management Plans and Their Effects to the Blowout Penstemon" (48 pp)

Distribution:

Director (200) Rm. 5644, MIB

1 w/o atch.

Field Manager, Casper

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CF

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