

# 1.0 INTRODUCTION

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## PURPOSE

This programmatic biological assessment (BA) assesses the potential effects to the black-footed ferret (*Mustela nigripes*) from management actions included in Resource Management Plans (RMPs) approved by the Wyoming Bureau of Land Management (BLM). The black-footed ferret is a Federally listed endangered mammal species. The objectives of this BA are to:

1. Summarize the biology of the black-footed ferret, including its known and potential distribution in Wyoming;
2. Review pertinent RMPs and RMP amendments and identify management actions with the potential to affect the black-footed ferret or its habitat;
3. Assess the potential effects of actions proposed in the RMP on the black-footed ferret and its habitat;
4. Prepare an effects determination on the black-footed ferret for each of the proposed actions identified in the RMPs; and
5. Provide conservation measures to reduce or eliminate adverse effects on the species.

The analysis area for each management action is based on the boundaries specified in the individual RMPs. These boundaries are described in the analysis section for each RMP. The determination is based on the nature of each management action as described in the RMP and on the available data for the black-footed ferret in the area that is affected by the management action.

## ORGANIZATION OF REPORT

This BA is organized into five sections, as described below:

Introduction – describes the purpose of the analysis, the scope of the biological assessment, the action area, and the methods used for this BA.

Species Information – summarizes the current listing status, species ecology, abundance and distribution in Wyoming, and threats to the black-footed ferret.

Analysis of General Program Descriptions – describes the management actions for the management programs, analyzes the effects from management actions authorized under each program for all field offices combined, and includes an effects determination specific to each management action for all field offices.

Conservation Strategies – provides conservation measures that BLM has agreed to adhere to and that may further reduce potential effects to the black-footed ferret, as well as proactive steps for the recovery effort. These measures were prepared in coordination with the U.S. Fish and Wildlife Service (USFWS) office in Cheyenne, Wyoming.

References – provides a list of documents that are cited in this report.

## METHODS

The methods used in this BA include a review of scientific literature and the relevant RMPs; contacts with numerous biologists in various offices at BLM, U.S. Fish and Wildlife Service (USFWS), U.S. Forest Service (USFS), and Wyoming Game and Fish (WGFD); an analysis of management actions; and a determination of effects. First, literature was reviewed to gather information about the ecology and habitat of the black-footed ferret. Biologists from all Field Offices (FOs) of the BLM in Wyoming were contacted as part of this review. In an effort to collect the most recent information about conservation and reintroduction, personnel were contacted in the Black-footed Ferret Center, USFWS offices, in Laramie, Wyoming (Mike Lockhart, Lockhart 2002, and Paul Marinara); the author of the White-tailed Prairie Dog Conservation Assessment (Amy Seglund, Seglund et al. 2004); and the inter-state coordinator for the black-tailed prairie dog conservation team (Bob Luce; Luce 2002, 2004). The Wyoming Natural Diversity Database (WYNDD) was referenced for species distribution information.

Within Wyoming, the black-footed ferret historically occurred statewide (**Map 1**). Presently only one population is extant in Wyoming, in the Shirley Basin. This reintroduced population occurs only in the Rawlins FO. The remaining RMPs that cover Wyoming are addressed because potential habitat exists within all of the BLM field offices. RMPs were reviewed, and the proposed actions and minimization measures are summarized.

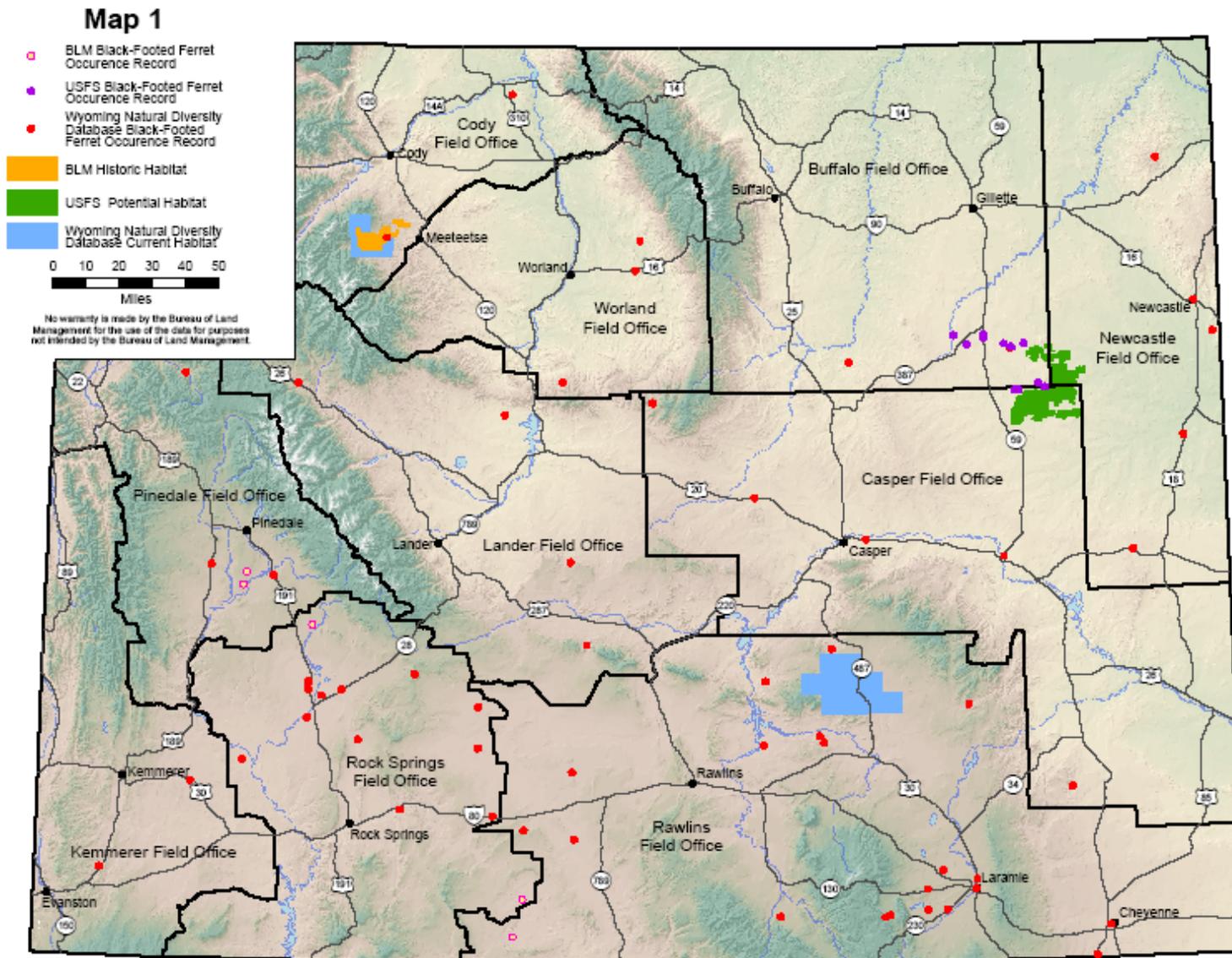
After the RMPs were reviewed, management actions and Federal actions were analyzed for their potential to directly or indirectly affect the black-footed ferret. These results were used to determine effects on the black-footed ferret for each general program description. A determination was also provided for the specific management action in all of the RMPs statewide. Each determination was based on the management prescription described and on any measures intended to minimize the effects to the species. Existing minimization measures and/or regulatory guidance is presented in the introduction of Chapter 3; these are measures that, while they were added to the RMPs by maintenance action or amendment, were not specific in their protections for the black-footed ferret. As a result, these existing measures do not provide strong minimization of impacts for the black-footed ferret. Specific conservation strategies have been developed and are found in section 4 of this document. These conservation strategies will minimize impacts to the black-footed ferret and will temper the effects determinations for activities affecting the ferret. The following categories are possible effects determinations:

- No effect;
- May affect, but is **not likely to adversely affect** due to:
  - Beneficial effects,
  - Discountable effects, or
  - Insignificant effects;
- May affect, is **likely to adversely affect**.

These determinations are further defined in the USFWS Endangered Species Consultation Handbook (USFWS 1998), as summarized in the following text.

“No effect” means there are absolutely no effects to the species and its critical habitat, either positive or negative. A no effect determination does not include small effects or effects that are unlikely to occur. If effects are insignificant (in size) or discountable (extremely unlikely), a determination of “not likely to adversely affect” is appropriate.

**Map 1** *Black-footed Ferret Distribution Records in Wyoming*



“Not likely to adversely affect” means that all effects to the species and its critical habitat are beneficial, insignificant, or discountable. Beneficial effects have contemporaneous positive effects without adverse effects to the species (for example, there cannot be “balancing,” so that the benefits of the action would outweigh the adverse effects). Insignificant effects relate to the size of the impact and should not reach the scale where damage or destruction occurs. Discountable effects are considered extremely unlikely to occur. Based on best judgment, a person would not: (1) be able to meaningfully measure, detect, or evaluate insignificant effects; or (2) expect discountable effects to occur (USFWS 1998). In cases where determinations of “not likely to adversely affect, due to beneficial, insignificant, or discountable effects” are made, BLM must obtain written concurrence from USFWS.

“Likely to adversely affect” means that the action would have an adverse effect on the species. Any action that would result in take of an endangered or threatened species is considered an adverse effect. A combination of beneficial and adverse effects is still considered “likely to adversely affect,” even if the net effect is neutral or positive. Adverse effects are not considered discountable because they are expected to occur. In addition, the probability of occurrence must be extremely small to qualify as discountable effects. Likewise, an effect that can be detected in any way or that can be meaningfully articulated in a discussion of the results of the analysis is not insignificant; it is an adverse effect. Determinations of “likely to adversely affect” for listed species require formal section 7 consultation under the Endangered Species Act (ESA).

General determinations for statewide management programs are provided in Chapter 3. Field-office-specific determinations in this BA are provided for each program type described in the RMPs for all 10 FOs in **Table 3-1**.