

Wayland, Joshua

From: Keller, Kevin <Kevin.Keller@hdrinc.com>
Sent: Wednesday, January 20, 2021 2:29 PM
To: Wayland, Joshua
Cc: Mayer, Michael; Thomas, James; Summerville, Alan
Subject: UBRY Adaptive Mitigation Plan Outline for USFWS

Hi Josh. Below is an outline that we developed for mitigation language for the two plant species (it works for either species of plant). It sets up a decision tree for a stepwise approach to reducing the effect of potential take on the species.

The Coalition will develop and implement a plan, in coordination with the USFWS and Bureau of Indian Affairs, if ground disturbing activities occur within 300 feet of listed plants or populations to offset impacts. The plan will include a process for determining the appropriate conservation measures to be implemented. The Coalition will identify areas within 300 feet of potential habitat and conduct surveys for species presence and abundance. If the species is present, then:

1. *The Coalition will consider route design adjustments to avoid the species. If effects are unavoidable,*
2. *The Coalition will investigate and pursue one or more of the following:*
 - *If possible collect seeds or plants expected to be affected by construction activities and deliver to USFWS or their designee, and/or*
 - *Fund protection of documented occupied habitat at a specific ratio agreed to with the USFWS, if insufficient acreage of documented occupied habitat is available, then*
 - *Fund survey efforts to identify and fund protection of currently undocumented occupied habitat at a specific ratio agreed to with the USFWS, or*
 - *Fund the restoration of potential habitat adjacent to occupied habitat at a specific ratio allowing for population expansion, these areas would be monitored for a certain period to document restoration success, or*
 - *Fund specific and agreed upon research for the conservation of the species.*

If this language and plan looks good to you, please forward this on the USFWS folks.

Also, if you agree, we'd appreciate it if you could formally request the start of the formal Section 7 consultation process with USFWS.

If you have further questions or comments, please feel free to reach out to Mike Mayer (copied on this email). Mike can also be reached at D 763.278.5944 or M 612.289.6647.

Thanks for all that you do!

Kevin

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