

1.0 INTRODUCTION

PURPOSE

The purpose of this programmatic biological assessment (BA) is to assess the potential effects to the bald eagle (*Haliaeetus leucocephalus*) from management actions included in 12 Resource Management Plans (RMPs) of the Wyoming Bureau of Land Management (BLM) (**Figures 1 through 5**). Specific objectives of this biological assessment include the following:

- Summarize the biology of the bald eagle, including known and potential distribution in Wyoming;
- Review pertinent RMPs and identify proposed actions with the potential to affect the bald eagle;
- Assess the potential effects of management actions proposed in the RMPs on the bald eagle; and
- Prepare an effects determination for the bald eagle for each management action in each RMP.

The analysis area for each management action is based on the boundaries specified in the individual RMPs for each action. These boundaries are described in the analysis section for each RMP and shown in Figures 1 through 5. The determination for each management action is based on the nature of that action and on the available bald eagle data for the area that is affected by the management action.

REPORT ORGANIZATION

This report is organized into four sections, including the following:

1.0 Introduction – describes the purpose of the analysis, the scope of the biological assessment, the action area, and the methods.

2.0 Species Information – summarizes the current listing status, and the ecology, abundance, distribution, threats, and current conservation measures implemented to protect the bald eagle in Wyoming.

3.0 Analysis of Resource Management Plans – presents a summary of each RMP, a description of bald eagle habitat use and occurrence within the area affected by each RMP, an analysis of effects from each of the management prescriptions, recommended conservation measures, and a determination specific to each management action for each RMP.

4.0 Conservation Recommendations – provides recommendations that may further reduce potential effects to bald eagle behavior and habitats. These recommended measures were prepared in consultation with the U.S. Fish and Wildlife Service office in Cheyenne, Wyoming.

Figure 1: Wyoming Bald Eagle Nest, Winter Roost, and Foraging Locations

Data withheld from this document. For further information, please contact the Wyoming State Office of the BLM in Cheyenne.

Figure 2: Wyoming BLM Northwest Region – Bald Eagle Nest, Winter Roost, and Foraging Locations

Data withheld from this document. For further information, please contact the Wyoming State Office of the BLM in Cheyenne.

Figure 3: Wyoming BLM Northeast Region – Bald Eagle Nest, Winter Roost, and Foraging Locations

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Figure 4: Wyoming BLM Southeast Region – Bald Eagle Nest, Winter Roost, and Foraging Locations

Data withheld from this document. For further information, please contact the Wyoming State Office of the BLM in Cheyenne.

Figure 5: Wyoming BLM Southwest Region – Bald Eagle Nest, Winter Roost, and Foraging Locations

Data withheld from this document. For further information, please contact the Wyoming State Office of the BLM in Cheyenne.

METHODS

Each management action within 11 RMPs (**Table 1**) was reviewed to identify those with the potential to affect the bald eagle. For the Snake River Resource Area of the Pinedale Field Office (FO), management actions from the Draft Environmental Impact Statement (EIS) were evaluated. Each of the BLM FOs was contacted and all available occurrence and habitat data for the bald eagle were requested. Bald eagle occurrence data was also obtained from the Wyoming Game and Fish Department and Wyoming Natural Diversity Database (WYNDD). Bald eagle information was evaluated and potential effects from the management actions were analyzed. Management actions were evaluated in terms of their potential to directly and indirectly affect the bald eagle. State, private, local, and tribal activities were also evaluated to assess their potential to cumulatively affect the bald eagle.

TABLE 1: RMPs ANALYZED IN BALD EAGLE BIOLOGICAL ASSESSMENT

Field Office	Resource Management Plan (Year Published)
Buffalo	Buffalo Resource Management Plan (2001)
Casper	Platte River Resource Area Resource Management Plan (1985)
Cody	Cody Resource Area Resource Management Plan (1990)
Kemmerer	Kemmerer Resource Management Plan (1986)
Lander	Lander Resource Management Plan (1987)
Newcastle	Newcastle Resource Management Plan (2000)
Pinedale	Pinedale Resource Management Plan (1988)
Pinedale	Snake River Draft Resource Management Plan EIS (2003)
Rawlins	Great Divide Resource Area Resource Management Plan (1990)
Rock Springs	Green River Resource Management Plan (1997)
Worland	Grass Creek Resource Management Plan (1998)
Worland	Washakie Resource Management Plan (1988)

After potential effects were identified, the results were used to establish a determination for each management action under each RMP. Determination categories considered as part of this BA include the following:

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

These determinations are further defined in the U.S. Fish and Wildlife Service (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.

“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 or its critical habitat. (For example, there cannot be “balancing,” where 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 take occurs. Discountable effects are 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). Determinations of “not likely to adversely affect, due to beneficial, insignificant, or discountable effects” require written concurrence from the USFWS.

“Likely to adversely affect” means that the action would have an adverse effect on the species or its critical habitat. Any action that would result in take of an endangered 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 occur. 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 analysis results is not insignificant: it is an adverse affect. This determination requires formal consultation with the USFWS.