



June 13, 2014

Public Comments Processing  
Attn: FWS-R6-ES-2013-0081  
Division of Policy and Directives Management  
U.S. Fish and Wildlife Service  
4401 N. Fairfax Drive, MS 2042-PDM  
Arlington, VA 22203

Dear Sir or Madam,

The purpose of this letter is to comment upon the proposed “Conservation Agreement and Strategy for Graham’s Beardtongue (*Penstemon grahamii*) and White River Beardtongue (*P. scariosus* var. *albifluvis*)”.

As noted in comments that we have previously sent to the U.S. Fish and Wildlife Service, the Colorado Native Plant Society supports the listing of *Penstemon grahamii* and *P. scariosus* var. *albifluvis* under the Endangered Species Act. However, lacking that, we would like to make four comments regarding your proposed conservation agreement.

1. The conservation plan recommends a total of 44,373 acres be classified as Conservation Areas. We believe that the classification of Conservation Areas should be based upon the recommendation for critical habitat proposed by the U.S. Fish and Wildlife Service in Volume 78, Number 151 Federal Register of August 2013. In that document the USFS recommended that 67,959 acres should be designated as critical habitat.
2. The conservation plan on page 19 states, “On SITLA lands once mine permit applications for surface-mining activities are filed with the Utah Division of Oil, Gas & Mining, SITLA may elect to transfer their status in whole or in part to that of a non-conservation area”. We do not support SITLA being able to override the designation of Conservation Areas.
3. In order to avoid habitat loss and fragmentation from oil and gas development, your conservation plan recommends buffers of 300 feet from protected plants and habitats. We believe that this protective buffer is inadequate and recommend buffers of at least 200 meters (656 feet).
4. Finally, your conservation plan recommends the formation of a conservation team to “oversee and ensure implementation of the conservation actions listed in this document”. We believe that it is unwise to expect any group of people to objectively monitor their own efforts, and therefore recommend that the team be enlarged to include some outside NGOs. We recommend that both the Colorado and Utah Natural Heritage Programs and the Uinta Basin Rare Plant Forum be added to your conservation team.

Thank you for the opportunity to allow our input on this issue.

Sincerely,

Bayard C. Ewing  
Chairman, Conservation Committee  
Colorado Native Plant Society