

Proposal for a Bumble Bee-Focused Combined Conservation Agreement (CCAA/SHA):

A Companion Agreement to the Monarch CCAA

February 2022

| Aspect | Proposed Approach | | |
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| Planning Objective | Create a conservation agreement that will: <ul style="list-style-type: none">Enhance and expand available bumble bee habitat by committing to conservation measures that promote sustained nesting and foraging habitat for bumble bees at risk.Maintain a public-private partnership between USFWS, state agency and private sector energy and transportation managers that encourages voluntary conservation.Provide regulatory certainty for operations and maintenance on energy and transportation lands in the event of listings, by precluding the need to list a species, or by contributing to species recovery.Build upon successful elements of the Monarch CCAA and its participation. | | |
| Species | A combination of petitioned and listed bumble bees with overlapping habitat requirements and wide geographic coverage. | | |
| | Species | Status | Lead USFWS Region |
| | Rusty patched bumble bee (Bombus affinis) | Federal Endangered | Midwest Region/R3 |
| | Franklin’s bumble bee (B. franklini) | Federal Endangered | PNW Region/R1 |
| | American bumble bee (B. pensylvanicus) | Federal ‘Petitioned’ | Midwest Region/R3 |
| | Variable cuckoo bumble bee (B. variabilis) | Federal ‘Petitioned’ | Midwest Region/R3 |
| | Western bumble bee (B. occidentalis) | Federal ‘Petitioned’ | Intermountain Region/R6 |
| | Suckley’s cuckoo bumble bee (B. suckleyi) | Federal ‘Petitioned’ | Unknown |
| | Include criteria within the agreement that allows for future adaptation by adding species that <ul style="list-style-type: none">a) benefit from the same conservation measures,b) can be included via an amended Biological or Conference Opinion,c) can be managed under a similar structure to this agreement, andd) may be effected by similar operations, maintenance, and modernization activities. | | |
| | Examples include: | | |
| | Species | Status | Lead USFWS Region |
| | Yellow-banded bumble bee (B. terricola) | Federal ‘Not warranted’ | Northeast Region/R5 |
| | Yellow bumble bee (B. fervidus) | At-risk, Not petitioned | N/A |
| | Cuckoo bumble bee (B. ashtoni) | At-risk, Not petitioned | N/A |
| | Others (B. caliginosus; B. fraternus; B. crotchii) | At-risk, Not petitioned | N/A |
| Agreement Type | Combined CCAA-CCA-SHA, with University of Illinois at Chicago as the program administrator. Align with a programmatic Section 7 consultation for transportation activities, if developed. | | |

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| Conservation Delivery | <p>Spatially-focused conservation commitment areas consisting of both:</p> <p>Tier 1 (near known occupied, or high-potential habitat): maintain and enhance habitat through commitments of conservation mowing in foraging habitats, pesticide minimization measures (targeted herbicide use), seeding and planting in site restoration, brush removal, prescribed fire, invasive species prevention, commercial bees management</p> <p>Tier 2 (surrounding dispersal zones): use of native seed mixes in areas of naturalized vegetation to restore and enhance available habitat.</p> <p>Tiered commitment zones updated annually as USFWS or the program compiles updated data on the species included. Enrollment would allow for assurances during interim between the times populations are identified and updates to commitment area maps.</p> |
| Measures of Net Benefit | <p>Acres where conservation measures are committed</p> <p>Expanded populations and improved population health</p> <p>Improved foraging and nesting habitat through reduced threats</p> |
| General Scope of Covered Activities | <p>Operations, maintenance, and modernization consistent with the covered activities checklist included within the Monarch CCAA.</p> |
| Permit Duration and Administration | <p>25 years, consistent with the Monarch CCAA administered by ROWHWG in conjunction with the Monarch CCAA Program.</p> |
| Tracking Requirements | <p>Annual reporting on the conservation measures conducted within the commitment acres:</p> <ul style="list-style-type: none"> • Identify commitment areas enrolled and their general location, • Measures applied, • Monitoring results, • Changes or updates since prior reporting, • Key observations. |
| Monitoring Requirements | <p>Randomly-selected plots similar to Monarch CCAA, but include additional metrics for floral richness and abundance. Explore whether bee surveys could be conducted on a subset of acres, or as supplemental monitoring.</p> |
| Action Area | <p>Enrolled lands used for supporting energy and transportation uses. Includes owned, leased, and easement rights-of-ways, generation facilities, and supporting infrastructure lands.</p> <p>Adjacent landowners may be addressed through either the maximum flexibility clause within the SHA Policy, or adjacent landowner agreements.</p> |
| Primary Feasibility Considerations | <p>Industry interest – The agreement must minimize administrative needs to maximize participation.</p> <p>USFWS interest – The agreement must deliver conservation net benefit and minimize administrative needs.</p> <p>Preparation cost – Alignment with portions of the Monarch CCAA may minimize costs.</p> <p>Program fees – Consider how fee structure can leverage participation in both the Monarch CCAA and bumble bee agreement, and/or allow individual participation.</p> |

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| | Alignment with Monarch CCAA – To the extent possible, all parties desire administrative consistency with the Monarch CCAA to minimize workload. |
| Geographic Range | <p>We've created an online map that displays a subset of known occurrences mapped via Bumble Bee Watch. Please note that this does not include records maintained by State, Federal, or Tribal agencies.</p> <p>https://storymaps.arcgis.com/stories/38c9005f07f54d58bcf8ba1983a5080d</p> <p>The agreement would extend to mapped commitment areas (Tier 1 areas) and dispersal areas (Tier 2 areas) across the Lower 48 states.</p> |
| Compliance Considerations | <p>ESA Section 7</p> <ul style="list-style-type: none"> • Use tiered system in place for the Monarch CCAA. Overlap in enrollments may minimize additional work needed. • Aligning with a programmatic Section 7 consultation for transportation activities may further reduce administrative requirements for highway agencies and USFWS. • Reinitiate Section 7 semi-annually to account for listing changes (similar to the Monarch CCAA). <p>NEPA</p> <ul style="list-style-type: none"> • Consider use of a categorical exclusion. Minimal changes from the previous covered activities. <p>NHPA Section 106</p> <ul style="list-style-type: none"> • Consider consultation with ACHP or broadly via an environmental assessment (in lieu of a CatEx). <p>MBTA</p> <ul style="list-style-type: none"> • All activities conducted in compliance with the MBTA. |
| Timeline | <p>Summer-Fall 2022: Prepare draft agreement (pending financial commitments)</p> <p>Winter 2022-Spring 2023: USFWS review and public comment period</p> <p>Spring-Summer 2023: Refinement</p> <p>Fall 2023: Final approval by USFWS</p> |