

Karner Blue Butterfly HCP Management Protocol

	Title: Minor Construction Project Protocol	
	Date: May 7, 2010	Revision: 01

I. Purpose and Applicability

This protocol is for use by Wisconsin Karner Blue Butterfly Habitat Conservation (HCP) Plan partners when conducting Minor construction projects as defined under the HCP Construction Guideline.

***Note:** This guideline only applies to HCP Partners. Those entities not enrolled as a Partner in the Wisconsin Statewide KBB Habitat Conservation Plan (HCP) need to contact the U.S. Fish and Wildlife Service (920) 866-1717 to determine permit needs prior to conducting any activities in occupied Kbb habitat.*

Please provide the documentation as appropriate to show conformance to these requirements. This documentation will be determined by and specific to each partner and project. The documentation shall be retained by the partner for the duration of the permit.

II. Conservation Measures

Minor Project Requirements:

1. Determine the Presence/Absence of Kbb and the extent of Kbb occupied lupine.
 - a. This determination must be made using the Level 1/Level 2 survey methodology. If Kbb are not present, there are no further requirements for minor projects. Retain surveys.
2. To the extent practicable, implement avoidance and then minimization techniques in Kbb occupied lupine habitat.
 - a. Evaluate and document potential project alternatives considered that would avoid impacts to Kbb occupied lupine habitat, e.g. routing and staging area alternatives that avoid Kbb occupied habitat areas; alternative methods, i.e. tunneling instead of trenching.
 - b. If impacts to the occupied lupine habitat cannot be avoided, evaluate and document measures that can be taken to minimize impacts to the occupied lupine habitat, e.g. minimize driving and parking equipment and staging materials on Kbb occupied lupine patches as much as is practicable.
3. Habitat restoration may not be necessary for many minor construction projects where the habitat area impacted is expected to regenerate naturally.
 - a. If impacts to Kbb occupied lupine habitat are such that natural regeneration of lupine is not expected (e.g., topsoil has been removed and cannot be replaced, and/or the plants have been significantly disturbed), the partner should replace or restore the impacted lupine area. At a minimum, partners should seed the disturbed area with a seed mix consisting of lupine and at least three first and three second flight nectar plants. If the

Karner Blue Butterfly HCP Management Protocol

partner chooses to restore the impact area to a higher quality habitat, refer to the Kbb Habitat Restoration Protocol for enhancement options and restoration advice.

- b. For ditch repair projects where lupine and other species may not be appropriate to the goals of the project (e.g. soil stabilization) it is not required to include lupine in the seed mix. If Kbb habitat restoration is not chosen, document and retain the reasoning for your decision.
4. If the impact area is restored to Kbb habitat, the project area should be surveyed annually in the growing season(s) following planting to determine if habitat restoration/replacement is successful.
 - a. If the habitat restoration/replacement is not successful, remedial actions should be taken such as reseeding areas that are devoid of vegetation or where some seeded species were unsuccessful. Continue to monitor and perform remedial work for up to 5 years or until the habitat is successfully restored, whichever comes first. If restoration is not successful within 5 years, document known or suspected reason(s).
5. Report the project progress, results and any associated monitoring on the annual report.
 - a. Upon successful habitat replacement, post-project monitoring and reporting are no longer necessary.
6. The partner is required to submit a project report on annual report and to retain records related to the above requirements for the life of the permit.

III. Definitions

Kbb Occupied Habitat: Kbb occupied habitat is defined as areas of wild lupine that support Karner blue butterflies.

Minor Construction Project – Minor construction projects are those activities that will impact less than 1/3 of the lupine in one occupied lupine area that is separated from other lupine areas by greater than 500 meters (a separate subpopulation). Minor projects are anticipated to result in a small amount of area disturbed. Projects that have been defined as minor include but are not limited to the following provided that the above criterion is met:

- Pipe/cable installation
- Repair of existing pipeline facilities
- Utility pole replacement or new pole installation
- Stump removal
- Fence and sign installation and repair
- Underground potholing for repair
- Culvert improvement or repair
- Ditch repairs
- Sign replacement
- Guardrail replacement