Application for Certificate of Inclusion in the Nationwide Monarch Butterfly Candidate Conservation Agreement for Energy and Transportation Lands

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A **complete** application package must include:

1. Your completed application form (this document)
2. Maps displaying the extent of enrolled lands being enrolled in the Agreement
3. Section 7 analysis supporting documentation
4. Any supplemental information necessary to support your application

Submit the completed application (via email) to:

Monarch Agreement Program Administrator

Energy Resources Center

The University of Illinois Chicago

1309 S Halsted Street, MC 156

Chicago, IL 60607

Megan Petraitis, Program Manager

Office: (312) 413-9338

Email: mpetrait@uic.edu

Upon review of your completed application package, the Program Administrator will request:

1. The return of your organization’s Certificate of Inclusion (provided upon completion) with a signature (a copy is available in the [Monarch CCAA Toolkit](https://rightofway.erc.uic.edu/working-group-access/monarchccaatoolkit))
2. Payment for the first year’s administrative fee as calculated by the Program Administrator (Administrative Fee Calculator can be found on the Monarch CCAA Toolkit [here](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Frightofway.erc.uic.edu%2Fwp-content%2Fuploads%2FUpdated_Administrative-Fee-Calculation-20200312.xlsx&wdOrigin=BROWSELINK) and Frequently Asked Questions [here](https://rightofway.erc.uic.edu/wp-content/uploads/2020/01/20190503_CCAA_Administrative_Fees1.pdf)).

Looking for additional information to guide your application preparation? Check out the “Application” resources within the [Monarch CCAA Toolkit](:%20https:/rightofway.erc.uic.edu/working-group-access/monarchccaatoolkit).

# Applicant Information

Please list the contact information for the primary point of contact for your application as well as the name of the individual that is authorized to sign the certificate of inclusion.

|  |  |
| --- | --- |
| **Organization Name** | *Click or tap here to enter text.* |
| **Primary Point of Contact Name** | *Click or tap here to enter text.* |
| **Address** | *Click or tap here to enter text.* |
| **Phone Number** | *Click or tap here to enter text.* |
| **E-mail** | *Click or tap here to enter text.* |

|  |  |
| --- | --- |
| **Authorizing Signature Contact Name** | *Click or tap here to enter text.* |
| **Address** | *Click or tap here to enter text.* |
| **Phone Number** | *Click or tap here to enter text.* |
| **E-mail** | *Click or tap here to enter text.* |
| **Address** | *Click or tap here to enter text.* |

This application contains confidential or sensitive business information per Section 8 of the Agreement (Check the box if answering “yes”).

If you checked “yes”, describe what parts of the application are considered confidential below.

*Click or tap here to enter text.*

# Description of Existing Conditions

* 1. **Operations Type.** Select up to three, as applicable, to inform the appropriate adoption rates. Click “choose an item” and select from the drop-down list:
* Choose an item.
* Choose an item.
* Choose an item.
  1. **Enrolled Lands Description.** Provide a short (1-2 paragraph) description of the lands being enrolled in the Agreement, including a description of the following:
* *Applicant organization information (i.e., services provided, customer base, service area coverage).*
* *A summary or list of facilities (as applicable).*
* *Location and estimated acreage of enrolled and/or proposed enrolled lands and adopted and/or proposed adopted lands.*
* *Delineation of any features used to determine enrolled lands versus lands excluded from enrollment (e.g., land cover types, system type or category, extent of pavement, geographic location, or other features).*
* *Land management ability: ownership, easement, and (if applicable) facilities located on easement or ROW held by other entities.*

*Click or tap here to enter text.*

* 1. **Covered Activities Summary.** Summarize the covered activities included within your enrollment. If enrolling the entire list of activities included in Section 5 of the Agreement, note as such. If only enrolling for a subset of activities, then list or summarize which categories of, or specific, covered activities are included.
* *For example:* “*[COMPANY] is enrolling the entire list of covered activities as stated in Section 5 of the Nationwide CCAA/CCA for Monarch Butterfly on [insert type of operations i.e., Energy and Transportation] Lands. This will include [insert types of activities i.e., General Operations and Access and Vegetation Management] activities on [insert types of properties or facilities].*”

*Click or tap here to enter text.*

* 1. **Habitat Description.** Provide a short (1-2 paragraph) description summarizing monarch habitat availability and the conservation measures you envision your organization contributing to the Agreement. Section IV of this application includes a table with check boxes to indicate the general measures that will be implemented. More specific details will be requested in the Implementation Plan to be submitted after the Application is approved.
     + *This narrative should include a general description of the enrolled and adopted properties, descriptions of adopted acres (size and location, facilities, presence of pollinator habitat, etc.), vegetation and land cover typical of adopted acres, and a short description of planned conservation measures.*

*Click or tap here to enter text.*

* 1. **Enrollment Mapping.** Attach a map or GIS files showing the location and extent of the enrolled lands. To the greatest extent practical, provide maps that display parcel and/or corridor route locations for areas included within your enrolled lands. For applicants with assets in multiple states, please provide state-scaled maps and/or a table of enrolled acres by state. Describe the general contents of the map below, including the boundaries or limits used to delineate enrolled lands versus lands excluded from the Agreement.

*Click or tap here to enter text.*

* 1. **Constraints Summary.** Describe in a short (1-2 paragraph) summary any constraints that affect your ability to implement conservation measures or to address key threats. Management constraints are limitations on your management controls that may result from laws and regulations, land or easement ownership requirements, organizational policies, site conditions, or management capabilities.
* *Note: There is a separate field in Section III.b. for proposing a schedule for phasing in conservation measure adoption in the event any of these constraints are likely to affect your ability to initially achieve the adopted acres target required.*

*Click or tap here to enter text.*

* 1. **Existing Take Authorizations or Consultations.** Provide a summary of any existing agreements, permits, or other authorizations your organization may have regarding incidental take coverage for other Federal-listed endangered species*.* For example, list any of the following agreements or consultations you have authorized to your organization by USFWS:
     + *Habitat conservation plans (HCPs)*
     + *Incidental take permits (ITAs),*
     + *Other candidate conservation agreements (CCA/CCAA)*
     + *Safe harbor agreements (SHA)*
     + *Conservation benefit agreements (CBA).*
     + *Consultations or programmatic guidance (e.g., Section 7 consultations, 4(d) guidance for listed species, or other USFWS guidance for listed invertebrates or plants) also apply.*

*Click or tap here to enter text.*

* 1. **Section 7 Review Documentation.** In accordance with the USFWS Conference Opinion prepared for the *Nationwide Candidate Conservation Agreement for Monarch Butterfly for Energy and Transportation Lands*, provide documentation to support the USFWS Section 7 evaluation of covered activities and their potential jeopardy to current, or proposed, Federal-listed plant species and designated critical habitats. Guidance on information to provide can be found in the [Section 7 Guidelines for Application Preparation](https://rightofway.erc.uic.edu/wp-content/uploads/Guidelines-for-Section-7-CCAA-Application-Steps-20200704.pdf) within the Monarch CCAA Toolkit.

Provide a summary of the following in an **attachment to this application**:

* + - A list of the current or proposed Federal-listed species within the enrolled lands and critical habitats that overlap with enrolled lands.
    - Covered activities to be included for evaluation.
    - The geography where impacts may occur.
    - Which activities are, or are not, subject to S7 elsewhere.
    - What avoidance and minimization measures are currently used by the Applicant for each individual current, or proposed, Federal-listed plant species and designated critical habitat.

# Adopted Acres Contribution

By enrolling the above-mentioned lands in the Agreement and adopting the conservation measures selected below at the agreed-upon rate, our organization is voluntarily committing to improving monarch habitat through these practices and to cooperate with the requirements of the Agreement. Adopted acres are the primary measure of the net conservation benefit provided by the Partner enrolled. If your organization is not able to implement the conservation measures immediately, include a proposed implementation schedule in the text box below the table.

**Double click the table below to edit.**

*Note: Enrolled lands and adopted acres estimates may be demonstrated using the fillable table below as well as providing a supplemental narrative explanation in Section III.a. Refer to the Agreement or Section V of this application for definitions of terms.*



* 1. **Narrative Description of Adopted Acres Target.** Provide a narrative explanation of the annual adopted acres target calculation. Include a summary of the data sources used and any assumptions made in calculating the adopted acres.

*Click or tap here to enter text.*

* 1. **Proposed Implementation Schedule.** If the targeted adoption rate will not be achieved during the first full calendar year of enrollment, include an estimate of the anticipated interim adoption rate(s), and the expected interim adopted acres target(s), for each of the interim years until the full target adoption rate is expected to be met (Note: Interim period cannot last longer than 5 years).

*Click or tap here to enter text.*

* 1. **Proposed Effectiveness Monitoring Schedule.** Provide a description of the proposed effectiveness monitoring schedule per Section 14 of the Agreement – indicate whether monitoring will be submitted annually or propose a plan that will involve submitting annual monitoring results *after* completion of the first year of implementation and at least every 3 years thereafter (e.g., Year 1, Year 4, Year 7, etc.).

*Click or tap here to enter text.*

* 1. **Adaptive Management Thresholds.** Section 14.2.2, Paragraph 4 in the Agreement describes adaptive management thresholds depending on which effectiveness monitoring data are collected (see Table 14-2). Indicate which threshold will be used (select one option by checking the appropriate box below).

Only required data fields in Table 14-2 will be collected; therefore, adaptive management will be considered when 10% or more monitoring plots demonstrate a lack of adequate milkweed and/or nectar plant cover, as appropriate depending on the region.

Optional data fields in Table 14-2 will be collected; therefore, adaptive management will be considered when the 90% confidence interval is below the region-specific criteria for milkweed stem density and/or nectar plant cover.

# Conservation Measures

By enrolling in this Agreement, the Partner will identify the suite of applicable conservation measures that:

1. Address each of the key threats identified within control of the Partner;
2. Can be implemented over the course of the agreement by the Partner; and
3. Can be conducted on a sufficient quantity of lands to achieve the adopted acres target resulting from the applicable adoption rate(s).

Each key threat identified within the Agreement will be addressed, within the control of the Partner, by selecting one or more corresponding conservation measures. The Service and Program Administrator recognize each Partner manages a unique system of lands and that conservation measure implementation will be based on site-specific conditions. Partners are expected to select one or more conservation measures to address each key threat within their control and achieve the expected annual adopted acres target. The Service recognizes not all conservation measures listed for a particular threat will be appropriate for a given property. Site-specific conservation measures will be based on the key threats present and the management ability of the Partner towards those threats.

Supplemental conservation measures are activities that do not directly address key threats identified, but still have important partnership and logistical contributions to the undertaking of this Agreement and monarch conservation. However, as activities, they do not directly result in an on-the-ground benefit (i.e., adopted acres). Annual reporting of supplemental conservation measures has the benefit of documenting additional Partner efforts and investments, providing more in-depth monitoring to answer important management questions, and build confidence in the implementation of the Agreement. Supplemental measures can also help reduce the annual administrative fee required.

Select the following threats, conservation measures, current or future practices, and accompanying comments identified for this enrolled property. Overwintering measures only apply to enrolled lands located within a half mile of known winter aggregation sites. Applicants with such lands must include the conservation measures noted in that table.

* *Descriptions and examples of conservation measures are included in Tables 6-3, 6-4, and 6-5 in Section 6 of the Agreement (pages 41-47)* [*here*](https://rightofway.erc.uic.edu/wp-content/uploads/Final-CCAA_Signed-4.7.20.pdf)*.*
* *Verify that a narrative description is also provided in Section II.d for all conservation measures selected.*
* *Provide comments here that summarize planned implementation or expected changes in practices.*

| **Key Threat/ Limiting Factor** | **Conservation Measures** | **Pre-Agreement Practice** | **Post-Agreement Practice** | **Comments**  (note here if measure applies to only some ROW or parcels and if there are plans to increase the activity over time) |
| --- | --- | --- | --- | --- |
| Lack of Habitat and Nectar Resources (General) | Seeding and planting to restore or create habitat | routine  occasional  none | routine  occasional  none | Click or tap here to enter text. |
| Controlled grazing to promote suitable habitat | routine  occasional  none | routine  occasional  none | Click or tap here to enter text. |
| Brush removal to promote suitable habitat | routine  occasional  none | routine  occasional  none | Click or tap here to enter text. |
| Prescribed burning  to promote  suitable habitat | routine  occasional  none | routine  occasional  none | Click or tap here to enter text. |
| Suitable habitat set-asides or idle lands for one or more growing seasons | routine  occasional  none | routine  occasional  none | Click or tap here to enter text. |
| Loss of Habitat and Nectar Resources (Mowing Practices) | Conservation mowing to enhance floral resources during migration and breeding | routine  occasional  none | routine  occasional  none | Click or tap here to enter text. |
| Loss of Habitat and Nectar Resources (Herbicides) | Targeted herbicide treatment of undesirable vegetation using herbicide best management practices | routine  occasional  none | routine  occasional  none | Click or tap here to enter text. |

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| --- | --- | --- | --- |
| **Conservation Measures Specific to Known U.S. Winter Aggregation Sites of the Eastern and Western Populations of Monarch Butterflies** (Leave blank if not applicable) | | | |
| **Conservation Measures** | **Pre-Agreement Practice** | **Post-Agreement Practice** | **Comments**  (note here if measure applies to only some ROW or parcels and if there are plans to increase the activity over time) |
| **Eastern Population:** Maintain and enhance flowering nectar plants.  As much as possible, avoid removing flowering nectar plants and shrubs. | routine  occasional  no | routine  occasional  no | Click or tap here to enter text. |
| **Western Population:** Maintain and enhance flowering nectar plants. Avoid removing flowering nectar plants.  Do not remove trees and shrubs with the except for the purpose of maintaining human health and safety.  Avoid planting milkweed along the coast of California, in most areas.  Report all Western monarch observations, including breeding. | routine  occasional  no | routine  occasional  no | Click or tap here to enter text. |

|  |  |  |  |
| --- | --- | --- | --- |
| **Supplemental Measures** (Not tied to specific key threats, but help improve overall conditions for monarchs, or promote conservation actions.) See guide on Supplemental Conservation Measures Eligible for Annual Fee Deduction [here](https://rightofway.erc.uic.edu/wp-content/uploads/Supplemental-Measures-Guidance-20210104.pdf). | | | |
| **Supplemental Measures** | **Pre-Agreement Practice** | **Post-Agreement Practice** | **Comments**  (note here if measure applies to only some ROW or parcels and if there are plans to increase the activity over time) |
| Use spatial modeling to prioritize areas for implementing conservation | routine  occasional  no | routine  occasional  no | Click or tap here to enter text. |
| Minimize the spread of invasive species into areas of suitable habitat | routine  occasional  no | routine  occasional  no | Click or tap here to enter text. |
| Incorporate pollinator habitat-focused objectives into vegetation management operations | routine  occasional  no | routine  occasional  no | Click or tap here to enter text. |
| Conduct additional pollinator habitat monitoring protocols beyond those required for CCAA effectiveness monitoring. | routine  occasional  no | routine  occasional  no | Click or tap here to enter text. |
| Promote supplemental pollinator conservation efforts | routine  occasional  no | routine  occasional  no | Click or tap here to enter text. |

# Definitions

A full list of definitions are described in Section 3 (pages ix-xiii) of the Agreement [**here**](https://rightofway.erc.uic.edu/wp-content/uploads/Final-CCAA_Signed-4.7.20.pdf).

**Adopted acres** – Within this Agreement, adopted acres are those lands within the enrolled lands where conservation measures are used to create, enhance, restore, sustain, or maintain habitat that supports monarch butterfly breeding and/or foraging requirements as documented by effectiveness monitoring in representative sampling. Adopted acres are the primary measure of Net Conservation Benefit within this Agreement.

**Adoption rate** - Adoption rates represent the percentage of total enrolled lands expected of individual Partners under this Agreement on which conservation measures are implemented to provide a Net Conservation Benefit. Adoption rates vary by sector with consideration for the conservation management opportunities and constraints associated with each sector.

**Conservation Measures** – Measures that aim to conserve and enhance the survival of the monarch butterfly and its habitat by addressing identified key threats within the covered area, as described in Section 6 of the Agreement.

**Covered Activities** – Energy and transportation land management, maintenance, and modernization activities on enrolled lands that have the potential to cause specific threats to monarchs. Covered activities are not reasonably certain to result in incidental take of other ESA listed animals, or are conducted in compliance with the terms and conditions of existing incidental take statements (Section 7), or Section 10 permits. All covered activities are conducted in accordance with applicable State and Federal laws, and with existing permits, easements, and agreements that allow the Partners to access and manage enrolled lands, and that may condition the manner by which they may carry out those activities. If the monarch is listed under as endangered or threatened under the ESA, incidental take of monarchs that occurs as a result of covered activities carried out by a Partner who is adhering to the terms of the Certificate of Inclusion, will be authorized under the EOS Permit and Biological Opinion. See Section 5 of the Agreement for additional detail and examples of covered activities.

**Enrolled lands** – The lands (either owned, leased, permitted, or managed easements) within the covered area and identified by the signed Certificate of Inclusion of all Parties. Eligible lands for enrollment include any non-Federal or Federal lands, properties, leases, and easements within the covered area on which conservation measures or covered activities may occur. To the extent that Federal lands are enrolled, the assurances provided under this CCAA/CCA would not apply on those lands. Partner specific estimates of enrolled lands will be included as part of each application, and modified in Certificates of Inclusion annually, as necessary. See Section 4 of the Agreement for additional information.

# Agreement to Participate in the Monarch CCAA/CCA

In witness of, the participating agency hereto has, as of the last signature date below, executed this Candidate Conservation Agreement with Assurances to be in effect as of the date the USFWS issues the permit.

Click or tap here to enter text. Date

Applicant(s) Signature Printed Name, Title Date

The enrolled Partner must adhere to all terms and conditions of the Agreement. According to the pending listing finding, the primary threat to monarchs is habitat loss and degradation. Therefore, in order for this Agreement to address the conservation needs of the monarch, the conservation measures selected in the table below must be implemented by all representatives of the applying organization on the enrolled system of lands.

To remain in compliance with the Agreement, as an enrolled Partner, you agree to:

1. Abide by all terms of the Agreement, including specific management strategies for each conservation measure as designated in the application to minimize risk of harm to monarchs on enrolled lands. Terms also include provisions associated with reporting, paying fees, and alerting UIC if there are compliance issues and/or unforeseen/changed circumstances. Administrative fees will be due prior to full execution of the Certificate of Inclusion, then on an annual basis from the date of the fully executed Certificate of Inclusion, or subject to another previously agreed upon date between the Partner and Program Administrator.
2. Complete a CCAA/CCA implementation plan within one year from the date of the fully executed Certificate of Inclusion. A CCAA/CCA implementation plan will consist of a short plan created by the Partner describing:
3. Roles and responsibilities - who (within their organization) is involved in implementation of the conservation measures, and applicable communication structure, and
4. How the Partner intends to implement the conservation measures, tracking, monitoring, and reporting required in the Agreement. An existing IVM plan (if consistent with conservation measures proposed in the application) may suffice for this description or provide the basis for one.

* General timing and prescriptions for treatments,
* Timing expectations for tracking, monitoring, and reporting,
* Adopted acres target ramp up periods and targets (if applicable),
* Approach to conducting sampling for effectiveness monitoring,
* Adherence to any applicable quality control procedures internal to the Partner organization, and
* Funding for implementation (whether funding for conservation measures and other requirements comes from capital expenditures or operations and maintenance budgets),
* How they plan on using best management practices and guidance available on the Monarch Agreement Implementation Toolbox website.

1. Acknowledge that, as a Partner, the organization is responsible for their own compliance with applicable state and Federal laws related to listed species, historic and cultural resources, and other environmental resource protection. The organization also acknowledges that they will communicate and coordinate with underlying landowners (as applicable) and follow terms and conditions of the Enhancement of Survival (EOS) Permit issued to the Program Administrator. The Service’s guidelines for complying with Section 106 of the National Historic Preservation Act are included as part of Appendix C (Supplemental Information) in the Agreement.
2. Implement Partner-selected conservation measures within the first full calendar year following the full execution of an individual Certificate of Inclusion. If implementation within the first full calendar year is not practical, the Applicant may propose an alternative implementation timeline (up to five years) to the Program Administrator for review and approval in Section III.b above.
3. Achieve the target for expected adopted acres annually based on the sector-specific adoption rates, or an approved variance during the waiver period, over the duration of the Partner’s enrollment within the Agreement. Should actual annual implementation tracked be below the annual adopted acres target(s) identified, then the Partner will adhere to the appropriate scenarios highlighted in Section 10 of the Agreement (Adaptive Management).
4. Track the location (statewide or finer scale) of where and date when (final month) conservation measures are implemented for compliance verification as described in Section 7.3 of the Agreement (Obligations of the Parties).
5. Conduct effectiveness monitoring within a subset of locations where conservation measures are implemented for compliance verification as described in Section 14 of the Agreement (Monitoring Provisions) and Section III.c above.
6. Provide the Service and the Program Administrator, or their agreed upon representatives, access to the enrolled property to identify or monitor monarchs and their habitat, evaluate conservation measures, and monitor effectiveness and compliance with individual Partners at mutually agreeable times. All applicable safety trainings and appropriate measures will be communicated to Program Administrator, the Service, or their designee by the Partner in a timely manner prior to site access. Any and all representatives of Program Administrator, the Service, or their designee must adhere to all Partner-specific and site-specific health and safety compliance requirements, including associated training, certifications (if applicable), and protocols.
7. Allow the Program Administrator to share, as requested, with the Service or other Agreement Partners, habitat and other planning or monitoring information related to the enrolled properties. Information sharing will not include any confidential business or proprietary information per the terms and conditions specified in Section 8 (Confidentiality).