

SAGE-GROUSE UPDATE

SAGEGROUSE_UPDATE@EWYOMING.GOV, No. 7

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FREQUENTLY ASKED QUESTIONS (FAQS)

WHAT DOES THE RECENT 'NATIONAL BLM GREATER SAGE-GROUSE INTERIM MANAGEMENT POLICIES AND PROCEDURES' INSTRUCTION MEMORANDUM No. 2012-043 MEAN FOR WYOMING?

In late December 2011, the BLM Washington, D.C. Office released Instruction Memorandum (IM) No. 2012-043, subject titled the *Greater Sage-Grouse Interim Management Policies and Procedures*, to all BLM field office officials. IM 2012-043

“provides interim conservation policies and procedures to the BLM field officials to be applied to ongoing and

proposed authorizations and activities that affect the Greater Sage-Grouse (*Centrocercus urophasianus*) and its habitat.” The Washington Office (WO) IM (i.e., national IM) also specifically recognizes (page 2) that policies and procedures in the national IM may not need to be implemented by field offices that are currently operating under a state-issued BLM IM that was developed and adopted in accordance with state or local regulatory mechanisms that have been approved by the U.S. Fish and Wildlife Service as a means to conserve sage-grouse.

Wyoming BLM field offices currently operate under BLM IM WY 2010-019 consistent with the direction found in the national IM, which acknowledges state sage-grouse conservation strategies that have been adopted by BLM state-level instruction memoranda. The Wyoming BLM issued IM WY 2010-019 on February 10. The U.S. Fish and Wildlife Service stated of Wyoming’s core area strategy “the Service believes that the core area strategy if implemented by all landowners via regulatory mechanisms, would provide adequate protection for sage-grouse and their habitat in that State.” As a result, Wyoming BLM will continue to implement the core area strategy of Executive Order 2011-5, as guided by the state-level Wyoming IM and consistent with the national IM.

The updated BLM WY IM provides guidance for Wyoming BLM Field Offices that is consistent with the Wyoming Executive Order and the conservation intent of WO IM 2012-043. Headings that describe Wyoming-specific guidance and



INSIDE THIS ISSUE:

| | |
|--------------------------|---|
| FAQS, CONT'D | 2 |
| SAGE-GROUSE CHECK-OFF | 4 |
| MEASURING SUCCESS | 6 |
| IN THE LOOP | 7 |
| CURRENT INTERAGENCY WORK | 8 |
| FTP SITE INSTRUCTIONS | 8 |

FAQS CONT'D

direction for the areas listed below are included. The national IM describes specific interim conservation policies and procedures for "Preliminary Priority Habitat" (PPH) as they relate to:

- ◆ Integrated Vegetation Management
- ◆ Wildfire Emergency Stabilization and Burned Area Rehabilitation
- ◆ Wildfire Suppression and Fuels Management
- ◆ Rights-of-Way
- ◆ Leasable Minerals (Energy and Non-energy)
- ◆ Grazing Permit/Leases Issuance/Grazing Management
- ◆ Fences
- ◆ Water Developments
- ◆ Special Recreation Programs
- ◆ Recreation Sites
- ◆ Travel Management
- ◆ Locatable Minerals
- ◆ Salable Minerals
- ◆ Grasshopper and Mormon Cricket Control and Management
- ◆ Wild Horse and Burro Management
- ◆ Realty Actions (e.g., Land Exchanges, Transfers, Sales)
- ◆ Vegetation and Resource Monitoring

Additionally, the national IM describes four general interim conservation policies and procedures for "Preliminary General Habitat" (PGH). State-delineated PPH is synonymous with Wyoming's sage-grouse core and connectivity areas, and PGH is synonymous with Wyoming's non-core and non-connectivity areas.

HAVE A QUESTION?
sagegrouse_update@ewyoming.gov

WHO SHOULD I CALL WITH QUESTIONS REGARDING STARTING THE DENSITY AND DISTURBANCE CALCULATION TOOL (DDCT) PROCESS FOR A PROJECT PROPOSED IN SAGE-GROUSE CORE AREA?

So, you're starting a DDCT? We recommend reviewing the permitting process outlined in Attachment B of Executive Order 2011-5 and the DDCT Process Manual before picking up the phone. Both documents are available on the WGFD website at:

<http://gf.state.wy.us/web2011/wildlife-1000382.aspx>

Note, that until the DDCT web application is completed and implemented (ETA Spring 2012) you will need GIS software to complete the process. If, after reviewing the above documents, you still have questions regarding the DDCT process and a specific project, contacting the appropriate permitting agency (Wyoming Oil and Gas Conservation Commission (WOGCC), Office of State Lands and Investments (OSLI), Wyoming Department of Environmental Quality (DEQ), or BLM) is a good next step. You may also contact the WGFD Habitat Protection Program at (307) 777-4506 or (307) 473-3436 with questions about the process. Inquiries regarding lek data may be directed to Tom Christiansen, WGFD Sage-grouse Program Coordinator, at (307) 875-3223, or Nyssa Whitford, WGFD Sage-grouse GIS Analyst, at (307) 332-2688.

DO I NEED TO ACCOUNT FOR PERMITTED BUT UNDEVELOPED PROJECTS IN MY DDCT AREA?

Yes, if an action has been permitted, but not yet executed you must account for it as disturbance in your DDCT area. Examples of this are oil and gas wells with approved APDs that have not been drilled, a permitted pipeline that has not yet been trenched, or an approved residential development that has not broken ground. Resources for discovering these unimplemented disturbances are permitting agencies such as the WOGCC, OSLI, DEQ, and BLM. These activities should also be called out in your DDCT report so the reviewer is aware they have been researched and considered in the analysis.

FAQS CONT'D

IS THE INDIVIDUAL LEK ANALYSIS STILL NECESSARY?

Yes, the individual lek analysis (a.k.a. lek-by-lek analysis) is a necessary component of the DDCT process as outlined in Executive Order 2011-5 Attachment B, #1, paragraph 2 (page 7). The DDCT model for ArcGIS 9.2, 9.3, and 10 runs this part of the DDCT process. Steps for delineating the analysis by hand are outlined in the DDCT Process Manual on pg. 16. This part of the DDCT process will be built into the web application that is currently under development.

MY PROJECT IS NOT OIL AND GAS OR MINING-RELATED, DO I NEED TO DO THE 1/640 DENSITY CALCULATION?

Proponents of projects in core area that are not oil and gas or mining-related need not complete the 1/640 density calculation as part of the DDCT process unless the project is a transmission line proposed for construction in sage-grouse core area outside of the corridors designated in Executive Order 2011-5 (Figure 1) or outside of a 1/2 mile corridor on either side of an existing 115kv line. Note that the 5% disturbance calculation and individual lek analyses are still needed. In 2011, the Sage-grouse Implementation Team (SGIT) determined that disruptive activities that count towards the density calculation are only oil and gas well pads, associated compressor stations and processing facilities, and mining development areas, as described in Executive Order 2011-5 Attachment B, Specific Stipulations 1 & 2 (page 12). Therefore, proponents of these types of projects in core area need to complete the density calculation as part of the DDCT process, while proponents of other types of projects may not (Figure 2).

Figure 2 (right) - Generalization about specific circumstances when a DDCT must include the density and disturbance calculations.

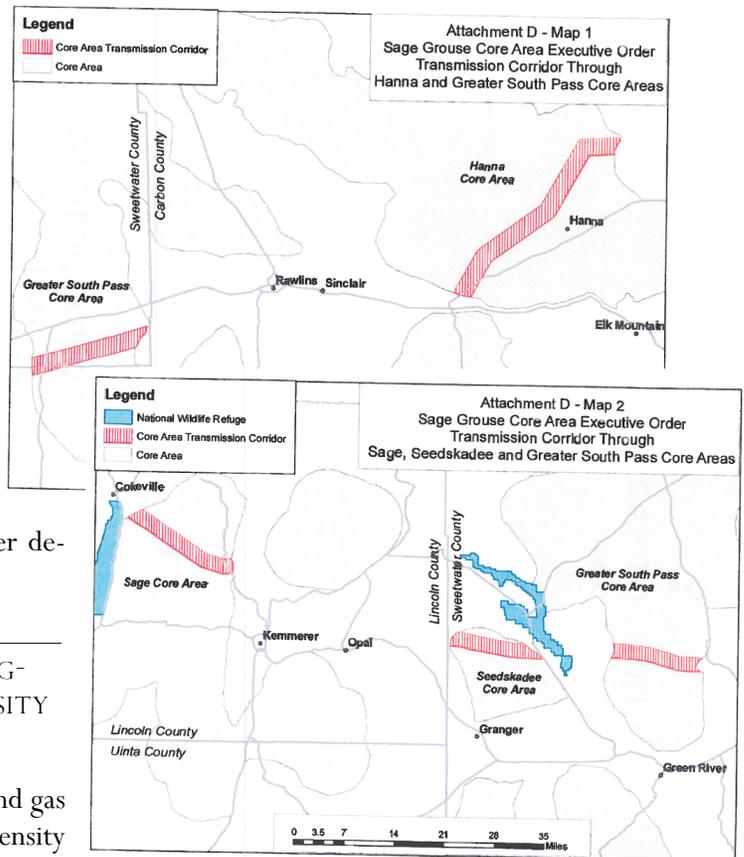
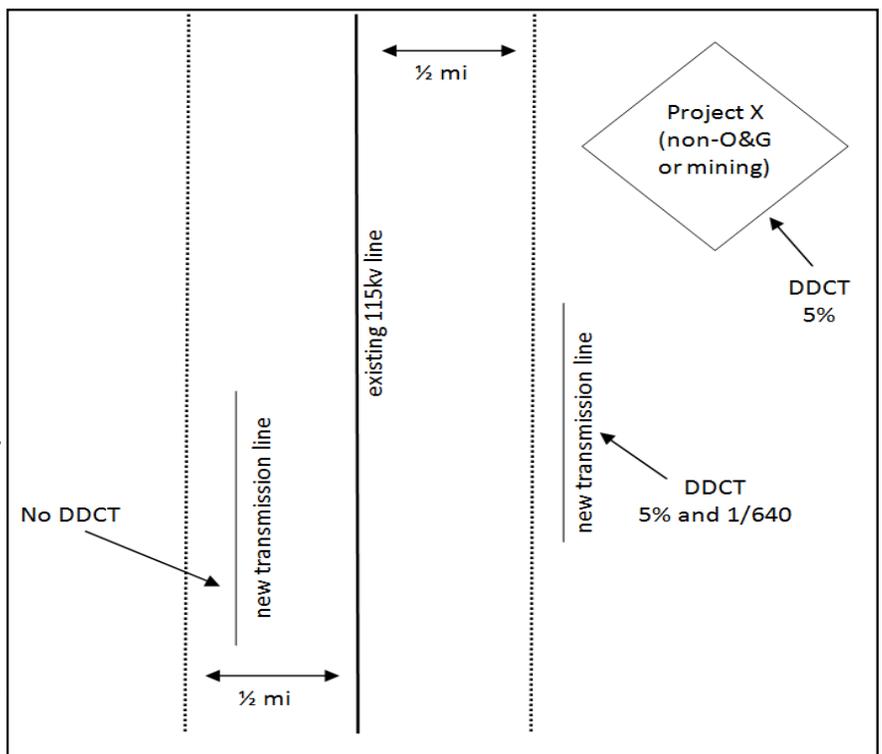


Figure 1 (above)—Transmission corridors in sage-grouse core area designated by Executive Order 2011-5, Attachment D, Map 1 and 2.



THE SAGE-GROUSE DDCT CHECK-OFF: WHAT TO SUBMIT, HOW TO SUBMIT, AND WHAT TO EXPECT AS FAR AS PROCESS, TIMEFRAME, AND RESPONSE

With more and more DDCTs coming in for agency review, consistent inputs have become equally important as consistent outputs. Specific information is needed in order to complete a thorough and accurate review of a DDCT for a project. The last edition of the newsletter (#6) described *what* to submit with a DDCT in terms of the ArcGIS information that is needed, a project description, and maps. Prior to that, newsletter #5 described a “check-off” sheet that was developed for DDCT reviewers to help ensure consistent review (Figure 3). Project proponents are also encouraged to use the *Sage-Grouse Executive Order 2011-5 DDCT Check-off* to develop the description of their project and DDCT area with information on when, how, and where the project will be implemented.

Completing the DDCT process is one component of compliance with Executive Order 2011-5. If a DDCT is completed and submitted but no description is provided of the project design or stipulations that will be applied to its implementation, then the reviewer may not be able to make a determination about the project’s overall compliance with Executive Order 2011-5.

The other component is applying the stipulations for development, both general and specific, outlined in Attachment B of Executive Order 2011-5 to the implementation of the project. A description of what the proponent intends to do (e.g., construct a 5 acre well pad and drill an oil and gas well), how they intend to do it (e.g., bring in equipment on a new access road that will be sited >0.6mi from the perimeter of any occupied leks and designed to minimum needed standards), and when they intend to do it (e.g., in accordance with Executive Order 2011-5 seasonal stipulations for use, noise, and vegetation removal) aids the review process. If the project description does not mention that new electrical lines will be buried, raptor-proofed, or sited appropriately, the reviewer does not know whether this part of the project has been considered and cannot make an accurate determination about compliance without additional information.

Using the DDCT Check-off for developing a project narrative gives the proponent a good idea of information the reviewing agency is going to be looking for, in addition to disturbance and DDCT boundary shapefiles. It’s the “does it apply to this project and whattayagonnado about it to comply with the Executive Order” guide to DDCT review.

As far as submitting, DDCTs are being sent to the Wyoming Game and Fish Department (WGFD) Habitat Protection Program (HPP). DDCTs and associated documents may be sent:

Electronically by email to HPP staff:

Mary Flanderka, Amanda Losch, or
Gwen Booth

Hardcopy by mail (shapefiles on a CD) to:

Wyoming Game and Fish Department
Habitat Protection Program
5400 Bishop Blvd.
Cheyenne, WY 82006

WGFD HPP coordinates with regional WGFD personnel, WGFD technical experts, and other agency staff to review each project and DDCT for compliance with Executive Order 2011-5 using the DDCT Check-off as a guide. The Department is able to review and provide a response for most projects within 30 days; however, the timeframe is often dependent on the completeness and specificity of the DDCT package that is submitted.

The Sage-Grouse Executive Order 2011-5 Check-Off is available on the ftp_piaa site and the WGFD website:

http://gf.state.wy.us/web2011/Departments/Wildlife/pdfs/SG_EO_CHECKOFF0000658.pdf

Sage-Grouse Executive Order 2011-5 DDCT Check-Off

This worksheet is a tool for reviewers of the Greater Sage-Grouse Core Area Protection Executive Order 2011-5 Density/Disturbance Calculation Tool (DDCT) (Attachment B-Permitting Process) to help determine the completeness and accuracy of the DDCT inputs and outputs provided by a project proponent.

| Part I | Item | Was it addressed? | Comments |
|--------|--|-------------------|----------|
| 1. | Is the DDCT boundary correctly delineated? | Yes – No – N/A | |
| 2. | Is the disturbance accurately accounted for? | Yes – No | |
| | a. Are all existing permitted activities within the DDCT area accounted for? | Yes – No – N/A | |
| | b. Are permitted but not yet implemented activities digitized and assessed as disturbance? | Yes – No | |
| 3. | Is the project located in a northeast WY core area? (i.e., Buffalo, North Gillette, Thunder Basin, Newcastle, Douglas, North Glenrock, or Natrona north of Hwy 20/26 and north of Casper Mtn.) | Yes – No – N/A | |
| | a. If yes, has the pre- and post-1994 disturbance been accounted for? | Yes – No | |
| 4. | Were there any large sagebrush disturbing fires within the DDCT area? | Yes – No | |
| | a. If yes and included as disturbance, has a management plan been implemented to restore the area to functional sage-grouse habitat? | Yes – No | |
| 5. | Was the entire DDCT area considered suitable by the proponent? | Yes – No | |
| | a. If no, was the habitat assessment for suitable/unsuitable sage-grouse habitat done correctly? | Yes – No | |

| Part II | Item | Was it addressed? | Comments |
|---------|---|-------------------|----------|
| 1. | Is the DDCT disturbance calculation output within the 5% surface disturbance threshold? | Yes – No | |
| 2. | Is all surface occupancy > 0.6mi from the perimeter of occupied leks? | Yes – No – N/A | |
| 3. | Are seasonal stipulations (TLS) for development activities being applied throughout the project area within sage-grouse core area? | Yes – No | |
| | a. Has winter concentration area been identified in the project area? | | |
| 4. | Are main roads associated with the project located ≥ 1.9 miles from the perimeter of occupied leks? | Yes – No – N/A | |
| 5. | Are new electrical lines being planned? | Yes – No | |
| | a. If yes, will new lines be buried? | Yes – No | |
| | b. If lines are not buried are will they be > 0.6mi from perimeter of any occupied leks? | Yes – No – N/A | |
| | c. If lines are not buried will they be raptor proofed? | Yes – No – N/A | |
| 6. | March 1 – May 15: Will noise (activity) occur between 6PM and 8AM? | Yes – No | |
| | a. If yes, were ambient noise level measurements taken at sunrise at the lek perimeter to limit the new noise to 10 dBA above baseline? | Yes – No | |

| | | | |
|-----|---|----------------|--|
| | thresholds? | | |
| 9. | Has the proponent agreed to monitor affected and surrounding (control) leks? | Yes – No | |
| | a. Does the proponent indicate a willingness to use adaptive management if there are declines on monitored leks determined to be caused by the project? | Yes – No | |
| 10. | Does the reclamation plan comply with Executive Order 2011-5? | Yes – No – N/A | |
| 11. | Are there any deviations from Executive Order 2011-5 stipulations? | Yes – No – N/A | |
| | a. If yes, is there a likelihood that local sage-grouse populations will decline? | Yes – No | |

| Part III | Item | Was it addressed? | Comments |
|----------|---|-------------------|----------|
| 1. | If the project includes oil and gas development and/or mining activity is the 1 /640 density calculation accurate and meet Executive Order 2011-5 guidelines? | Yes – No – N/A | |
| 2. | Are there additional mitigation efforts? | Yes – No | |

Figure 3—Sage-Grouse Executive Order 2011-5 Check-Off.

MEASURING SUCCESS: FMC CORPORATION

Wyoming's is a State with many resources. Statewide, it is not uncommon that resources commercially developed by people and needed by wildlife overlap. Developing resources in a way that avoids or minimizes impacts to wildlife is often recommended by wildlife managers. Among other things, avoiding or mitigating wildlife and habitat impacts takes foresight, planning, and coordination with state wildlife agency personnel and/or federal land management agencies.

With the knowledge that habitat loss and fragmentation of sagebrush ecosystems is one of the greatest threats to greater sage-grouse in the West, some companies have been stepping up to the task of designing projects in a way that minimizes habitat disturbance and have staff thinking outside of the box to help ensure the successful reclamation of disturbed habitat.

FMC Corporation's Green River operations are based in southwest Wyoming where it is the largest producer of natural soda ash in the world, mining the largest known trona deposit in the world. While mining is underground, minor surface disturbing activities occur. In light of Executive Order 2011-5 and even prior, FMC has taken steps to address surface disturbance in its operations, conduct habitat mapping, review reclamation practices, and look for opportunities to enhance reclamation efforts.

More specifically, the company is in the process of creating internal guidance to minimize disturbance in sage-grouse habitat, as well as habitat for other species. FMC has initiated a biological review and approval process for proposed projects that will involve surface disturbance. The review includes, but is not limited to: Evaluating habitat quality, disturbance siting, documenting pre-disturbance site conditions, and documenting vegetation species and distribution. Company personnel, who include staff with mining, operational and engineering, wildlife biology, management, and reclamation backgrounds, are working to institutionalize this process.

FMC has proactively initiated a habitat mapping and wildlife survey project for FMC Granger and FMC Westvaco. With some of its operations occurring in sage-grouse core area, the company has been working with state agencies and the BLM to comply with the core area strategy. They conducted aerial surveys of the Seedska-dee core area, which FMC colloquially refers to as the "Granger" core area, to search for undocumented leks in the spring of 2011, and have been photo documenting reclaimed habitat that has met the Executive Order 2011-5 definition of suitable habitat. Although sometimes restrained by state and federal requirements, FMC is thinking outside of the box and evaluating current reclamation practices to look for opportunities to improve reclamation efforts.

COMPANY:

FMC CORPORATION

OPERATIONS/PRODUCT (WY):

MINING SODIUM CARBONATE/BICARBONATE
PRODUCTS

LOCATION (WY):

SOUTHWEST WYOMING

KEEPING YOU IN THE LOOP

- ◆ The DDCT Process Manual has been updated (1/20/12) and posted on the ftp_piaa site and WGFD website: <http://gf.state.wy.us/web2011/wildlife-1000382.aspx>
- ◆ A new DDCT model for ArcGIS 10 has been posted on the ftp_piaa site.
- ◆ WGFD sage-grouse lek files have been updated with 2011 data. Please log-on to the ftp_piaa site and download the new lek perimeter file (GISfiles—>sage-grouse—>ddct_occlekperi102011) for use with the DDCT.
- ◆ The BLM Washington Office released the Greater Sage-Grouse Interim Management Policies and Procedures IM and the BLM National Greater Sage-Grouse Land Use Planning Strategy IM in December 2011. Available on the BLM website: http://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2012.html
- ◆ The Wyoming BLM State Office issued IM WY 2010-019 Greater Sage-Grouse Habitat Management Policy on Wyoming BLM Administered Public Lands including the Federal Mineral Estate on February 10.
- ◆ The U.S. Forest Service Medicine Bow-Routt National Forests and Thunder Basin National Grassland is now a cooperating agency with Wyoming BLM in the sage-grouse RMP amendment process. Wyoming sage-grouse RMP amendments for six BLM field offices and Forest Service units are scheduled to be completed in 2013. For more information on the amendment and timeline, visit: <https://www.blm.gov/epl-front-office/eplanning?planAndProjectSite.do?methodName=dispatchToPattern Page¤tPageId=18703>
- ◆ The Wyoming BLM and U.S. Forest Service Medicine Bow-Routt National Forests and Thunder Basin National Grassland held a series of public information and scoping meetings Jan. 30—Feb. 15 to discuss greater sage-grouse conservation measures in Wyoming, to give an update on the status of the sage-grouse RMP amendment process, and to collect scoping comments on the Forest Service Land and Resource Management Plan (LRMP) amendment process. More information available at: http://www.blm.gov/wy/st/en/info/news_room/2012/january/18sg-mtgs.html
- ◆ Information on Candidate Conservation Agreements with Assurances (CCAAs) is available from the USFWS Wyoming Ecological Services field office online at: http://www.fws.gov/wyominges/Pages/LandownerTools/CCAA/CCAA_Home.html
- ◆ **Save the Date:** Noise Model Training is being scheduled for early May 2012. Stay tuned for more details...



WHAT ARE WE WORKING ON NOW?

Our working group (BLM, WGFD, USFS, NRCS, and other Wyoming State Agencies) continues to meet on a regular basis to discuss issues that come up regarding the implementation of the core area strategy. We are continuing to hammer out workable solutions to issues brought to our attention from folks in the field, and work to provide clarity on policy and process questions as they arise.

IT'S RECLAIMED, BUT IS IT SUITABLE?

The interagency group has been working to develop a method to measure whether or not habitat in core area that has been reclaimed also fits the definition of suitable sage-grouse habitat. If deemed suitable, the reclaimed area would no longer be counted as disturbance. Reference sites, Ecological Site Descriptions, or pre-disturbance vegetation species data will be necessary to determine suitability. Measurements of sagebrush, desirable native grasses, and desirable native forbs will be needed. More information to come when the method for measuring suitability is finalized.

DDCT TOOLS AND DATA

The Wyoming Geographic Information Science Center (WyGIS) continues to work on the development of a web-based DDCT application where projects can be uploaded, digitized, calculated, and stored. The web application proposal is designed to create data consistency, both in inputs and in outputs, and alleviate data access issues related to using the DDCT on a statewide scale. A dedicated "data steward" is an integral component of this proposal, and this position was advertised and filled.

The web application is expected to roll out in Spring 2012. We will plan another training event for use of the new application.

In the meantime, you can continue to use the DDCT model that was developed by the BLM (available on the ftp_piaa site in the 'GISfiles' folder). The model runs in ArcGIS 9.2 and 9.3 and no longer requires X-tools. There is now a model available for ArcGIS 10.

FTP_PIAA SITE INSTRUCTIONS

USING INTERNET EXPLORER:

1. Open Internet Explorer and enter <ftp://gf.state.wy.us/> in the browser.
2. Enter username: ftp_piaa and password: piaa123.
3. Go to right side of toolbar and click Page (next to print button).
4. Scroll down and click 'Open FTP Site in Windows Explorer'.
5. Re-enter username and password.

USING WINDOWS EXPLORER:

1. Left click Windows Start button on bottom left corner of screen.
2. Go to Computer and enter ftp://gf.state.wy.us/ in the browser.
3. Enter username: ftp_piaa and password: piaa123.

TIP: Download documents to your desktop before opening or printing.

REMINDER: Download the latest data from the ftp site each time you do a DDCT.

TROUBLE SHOOTING:

1. Open Internet Explorer browser and go to Tools on the right side of toolbar.
2. Scroll down to Internet Options.
3. Go to the Advanced tab and check the following boxes under Browsing:
 - a. Enable FTP Folder View
 - b. Use Passive FTP
4. Try accessing the ftp site again.