

SAGE-GROUSE UPDATE

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FREQUENTLY ASKED QUESTIONS (FAQS)

WHAT IS THE 'HAF'?

The Sage-Grouse Habitat Assessment Framework, or the HAF, is a multi-scale habitat assessment tool developed for landscape level conservation of sagebrush habitat in the West. Through policy-maker and manager use of the HAF, the developers of the tool aim to shift conservation efforts to the landscape level to cumulatively reduce impacts from development and disturbance within the sagebrush ecosystem. The desired outcome of implemented ecosystem conservation measures is to maintain viable, connected sage-grouse populations via the conservation of habitats at multiple scales.

“The vision of the Habitat Assessment Framework (HAF) is to proactively implement conservation in priority landscapes to provide the greatest benefit to sage-grouse populations. This approach will allow managers to integrate conservation action at a project level that make sense at the population level.”¹

Sound familiar? Identifying priority landscapes and integrating conservation action at the project level is the basis of the State of Wyoming’s Core Population Area strategy. The hopeful outcome of the strategy is viable and connected sage-grouse populations.

The HAF is comprised of three volumes, including a (I) Conceptual Overview, (II) Sage-grouse Habitat Requirements and Data Descriptions, and (III) Measurement Techniques and Data Forms. You can access the HAF on the Wyoming Game and Fish Department website ‘Sage-grouse Info’ page or by pasting the following link into your internet browser:

http://gf.state.wy.us/wildlife/wildlife_management/sagegrouse/pdf/SG%20Habitat%20Assessment%20August%202010.pdf

¹ Stiver, S.J., E.T. Rinkes, and D.E. Naugle. 2010. Sage-grouse Habitat Assessment Framework. U.S. Bureau of Land Management. Unpublished Report. U.S. Bureau of Land Management, Idaho State Office, Boise, Idaho.



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WHAT IF THE LOCATION OF A PROPOSED PROJECT CAUSES THE DDCT TO EXTEND INTO TWO DIFFERENT CORE AREAS? WHAT ABOUT FROM A CORE AREA TO A CONNECTIVITY AREA?

There are few places statewide that this situation may occur. It is rare, but it has happened. Some individual core areas are extremely close to other core areas but are not connected. Reasons for the separation may include a large anthropogenic disturbance (e.g., oil and gas field, highway, or interstate) or topographic feature, such that sage-grouse that lek and nest in one core area do not typically utilize another core area that may be less than 4 miles away. An example of this is the Hanna and South Rawlins core areas. These two core areas are separated by only about a mile at their closest point. However, Interstate 80 is the anthropogenic feature that runs east-west in between them. In this case, the DDCT would be clipped to whichever core area the proposed project is within.

In addition to these two core areas, there are a few others that are relatively close in distance, in which a DDCT done for a proposed project on the edge of one may extend into another. It is a good idea for the proponent to evaluate what disturbance or landscape features may exist in the non-core area in between, and it is suggested the DDCT is clipped to the primary core area. If you're not sure why the two core areas are separated, check with the WGFD.

One major exception to the above procedure is for a DDCT that overlaps the Natrona and Buffalo core areas, which are actually connected but split by Interstate 25. These two core areas are intentionally separate but joined to connect Sage-grouse Management Zones I and II (see Western Association of Fish and Wildlife Agencies Greater Sage-Grouse Comprehensive Conservation Strategy 2006 for more information on sage-grouse management zones). If the location of a proposed project is such that the DDCT overlaps both the Natrona and Buffalo core areas, DO NOT clip the DDCT area boundary to the primary core area. There is no non-core area in between these two core areas, and the DDCT should include both.

If your DDCT overlaps either the Buffalo core area and the Buffalo connectivity area or the North Gillette core

area and the North Gillette connectivity area, clip the DDCT area boundary to the edge of the core or connectivity area, depending on which area your project is in. Sage-grouse core area and sage-grouse connectivity area were intentionally developed as separate areas and are managed for different objectives. If the project is in core, then clip to core. If the project is in connectivity, then clip to connectivity.

WHAT IF THE DDCT AREA FOR A PROPOSED PROJECT EXCEEDS 5% SURFACE DISTURBANCE OR 1/640 DENSITY CALCULATION BEFORE ACCOUNTING FOR THE PROPOSED DISTURBANCE?

This situation has occurred in certain areas where either on-the-ground disturbance was already high prior to establishing the core areas or habitat suitability within a core area has resulted in the Executive Order 2011-5 thresholds being met very rapidly with relatively few additional disturbances.

Executive Order 2011-5 and the BLM acknowledge the tension between approving permits that are consistent with the core area protection strategy and respecting valid and existing rights to develop a lease. A leaseholder with valid and existing rights prior to August 2008 or a leaseholder with leases lacking updated core area stipulations will likely not be denied the right to develop the resources on their lease. However, agencies and proponents are still expected to use the DDCT and submit results to the appropriate agency so the level of disturbance in a particular area may be tracked and so conversation regarding minimizing disturbance through project design may occur.

Although development stipulations outlined in the Executive Order may be exceeded prior to the development of the proposed project, the goals remain the same: Minimize the project footprint as much as possible; co-locate the project within existing disturbance or in mapped, unsuitable sage-grouse habitat; mitigate habitat loss by proactively reclaiming habitat in advance of project development and after project development; and develop the project in a way that will not cause declines in sage-grouse populations.

FAQS CONT'D

If the DDCT for your project appears to exceed the thresholds as a result of your project, then it is recommended that you consult with the federal surface administrator (i.e., BLM, U.S. Forest Service) or the WGFD to determine if and what options exist.

WHAT DO I NEED TO SUBMIT WITH MY DDCT?

Every DDCT is different as each is developed under unique circumstances according to a specific project proposal. Reviewers of DDCTs are challenged to maintain consistency in their review while evaluating a number of DDCTs that may widely vary in size and shape as a result of project location, lek locations, and core area boundaries. Proponents should submit the following clearly marked files as a part of their DDCT package:

1. DDCT area shapefiles (the DDCT area delineated for the specific proposed project).
2. Project/permit area boundary shapefiles (digitized for the specific proposed project).
3. Disturbance shapefiles (digitized disturbance including both existing and permitted disturbance within the DDCT area). Using various colors when submitting a map or layer package to differentiate among existing, permitted, proposed project, and pre-1994 habitat conversion disturbance aids the reviewing process.
4. Project description, including a legal description and timeline.
5. Map (hardcopy or .pdf) that clearly depicts the layers above, and also includes core/connectivity area boundaries and lek perimeters, all overlaid on current NAIP imagery. Again, using various colors when submitting a hardcopy map to differentiate among existing, permitted, proposed project, and pre-1994 habitat conversion disturbance aids the reviewing process.



HAVE A QUESTION?

Email it to

sagegrouse_update@ewyoming.gov

Items 1, 2, and 3 may be submitted as an ArcGIS geodatabase or ArcGIS map or layer package. If 2009 NAIP imagery was used, the proponent need not submit it as part of their DDCT package.

STATE AGENCY POLICY

Executive Order 2011-5 states that “State and federal agencies, including the U.S. Fish and Wildlife Service, Bureau of Land Management, U.S. Forest Service, and other federal agencies shall work collaboratively to ensure a uniform and consistent application of this Executive Order to maintain and enhance Greater Sage-Grouse habitats and populations”, and that “State agencies shall work collaboratively with local governments and private landowners to maintain and enhance Greater Sage-Grouse habitat and populations in a manner consistent with this Executive Order” (pg. 3, #12, 13).

The role of federal agencies as surface and mineral estate administrators or funding administrators in the core area strategy is pretty straightforward, as is the role of the Wyoming Game and Fish Department (WGFD), which is strictly consultative as described in the Executive Order. What is the role of other state agencies, and what policy changes have they made to achieve Executive Order directives? Not all state agencies are impacted by Executive Order 2011-5, but those that deal with leasing and permitting relating to surface disturbing activities have needed to address these activities that occur in sage-grouse core areas.

WYOMING OFFICE OF STATE LANDS AND INVESTMENTS (OSLI)

The OSLI sends all proposed projects on State lands and State lands leases within sage-grouse core areas to the WGFD to review and provide recommendation with regard to Executive Order 2011-5 permitting process and stipulations for development. The OSLI requires DDCTs and applies appropriate stipulations to permits and leases in core areas.



Figure 1—Wyoming NAIP imagery with sage-grouse core areas (green hatch) and connectivity areas (orange hatch) overlaid.

STATE AGENCIES, CONT'D

WYOMING STATE ENGINEER'S OFFICE (SEO)

The SEO requires project proponents to contact the WGFD regarding project compliance with Executive Order 2011-5 before approval of an appropriation permit when a proposed water development is within a sage-grouse core area. SEO policy gives project proponents three options: 1) Move the project outside of core area, 2) Conduct a biological assessment to show that project development will not cause declines in sage-grouse populations, or 3) Show that the project is being located in already disturbed habitat.

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY (WDEQ)

The DEQ is requiring proponents seeking to submit a Storm Water Construction General Permit (CGP) Notice of Intent (NOI) for a Large CGP (surface disturbances between 5-300 acres) in core area to follow the Executive Order 2011-5 permitting process (DDCT) and contact the WGFD regarding project compliance with the executive order before the NOI will be accepted.

WYOMING OIL AND GAS CONSERVATION COMMISSION (WOGCC)

The WOGCC is requiring proponents on State surface and requesting proponents on fee surface follow the Executive Order 2011-5 permitting process (DDCT) and include a DDCT with each Application for Permit to Drill (APD) or Sundry Notice in core area.

WYOMING DEPARTMENT OF TRANSPORTATION (WYDOT)

WYDOT road projects often cross tracts of land under different surface ownerships given the linear nature of the agency's projects. The agency contacts the WGFD on road projects that will occur in core area, and often mitigates the potential impacts by restricting surface disturbing activity to an existing right-of-way.

WYOMING PUBLIC SERVICE COMMISSION (PSC)

The PSC regulates public utilities in Wyoming and has required that utility projects, particularly transmission, comply with Executive Order 2011-5.



MEASURING SUCCESS

The core area strategy has been a landmark effort among many stakeholders in Wyoming to protect sage-grouse populations and conserve sagebrush habitat statewide to prevent further declines in sage-grouse populations and to prevent any need for the bird to be federally listed as

threatened or endangered. This landscape approach to conservation is not without its challenges and sacrifices. The success or shortcoming of the strategy will be apparent in 2015 when the listing potential of the greater sage-grouse is reevaluated by the U.S. Fish and Wildlife

MEASURING SUCCESS, CONT'D

Service, but the short-term successes are not as obvious. Aside from actual population numbers that estimate the health of sage-grouse populations from year to year, an important component of the strategy's success lies with individual project proponents.

Measuring the number of projects that have been voluntarily withdrawn, altered, or not even proposed as a result of the core area strategy is a difficult if not impossible task. But, these instances are one sign of the strategy's success, and are affirmation that many proponents are willing to forgo developing in certain areas or are willing to collaborate with federal and state agencies to strategically plan a project such that it complies with Executive Order 2011-5 as opposed to incurring the potential alternative consequences that a listed bird may bring. Additionally, some proponents are going a step further to reclaim or enhance sage-grouse habitat within

core areas in advance of developing a project in order to achieve no net loss of habitat.

We would like to highlight some of the projects that have been adjusted to meet the guidelines set forth in Executive Order 2011-5, as well as the proactive steps that some proponents have taken to improve sage-grouse habitat upfront, prior to developing a project. Also, we'd like to recognize the number of leases that have been allowed to expire within core areas since the signature of the original executive order in 2008. Please take a minute to call or email us with your example(s).

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KEEPING YOU IN THE LOOP

- ◆ 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.
- ◆ Wyoming sage-grouse RMP amendments for six BLM field offices are scheduled to be completed by the end of 2012. For more information on the amendment and timeline, visit: <https://www.blm.gov/epl-front-office/eplanning?planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=18703>
- ◆ The National Greater Sage-grouse Planning Strategy has set in motion a BLM effort to conduct rangewide planning for the greater sage-grouse. This conservation strategy will involve amending some 70 field office Resource Management Plans (RMPs) from the Great Basin to the Dakotas by 2015 and an interim Instruction Memorandum. For more information, visit: http://www.blm.gov/wo/st/en/prog/more/fish_wildlife_and/sage-grouse-conservation/energy.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
- ◆ The Wyoming NRCS is currently accepting applications from landowners for the Environmental Quality Incentives Program (EQIP) Sage-Grouse Initiative (SGI). EQIP is a Farm Bill conservation program that provides financial and technical assistance to farmers and ranchers to implement conservation practices on their land. Landowners interested in improving habitat for sage-grouse on their land should submit their application by December 1, 2011: <http://www.wy.nrcs.usda.gov/news/FB2011Sept.html>

WHAT ARE WE WORKING ON NOW?

Our working group (BLM, WGFD, USFS, NRCS, and 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.

STORM WATER CONSTRUCTION PERMITS

The WDEQ recently adjusted its policy on processing applications for storm water construction general permits for projects that require a large construction general permit in order to be consistent with Executive Order 2011-5. The WDEQ is holding a series of 1/2 day training opportunities statewide to update folks on the new construction permit and the new policy. For more information contact the WDEQ Storm Water Program Staff or visit http://deq.state.wy.us/wqd/WYPDES_Permitting/WYPDES_Storm_Water/stormwater.asp.

DDCT TOOLS AND DATA

We are continuing to work with GIS folks from the NRCS, BLM State Office, WGFD, and Wyoming Geographic Information Science Center (WyGIS) to develop 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.

WyGIS has begun the development of the application, and the data steward position is being advertised through the University of Wyoming Human Resources Department. The web application is expected to be operational at the end of 2011 or beginning of 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. The BLM model does not run in 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.