

7/31/08

Stipulations for Development in Core Sage Grouse Population Areas.

Goal for stipulations is to maintain existing habitat function by permitting development activities that will not cause declines in sage grouse populations.

A. Oil and Gas Lease Stipulations:

1. One well pad per 640 acres. No more than 11 well pads within 1.9 miles of the perimeter of occupied sage grouse leks with densities not to exceed 1 pad per 640 acres (Holloran 2005). Clustering of well pads may be considered and approved on a case-by-case basis.
2. Surface disturbance will be limited to < 5% of sagebrush habitat per 640 acres. Distribution of disturbance may be considered and approved on a case-by-case basis.
3. No Surface Occupancy within 0.6 mi of the perimeter of occupied sage grouse leks (Carr 1967, Wallestad and Schladweiler 1974, Rothenmaier 1979, Emmons 1980, Schoenberg 1982 as analyzed by Colorado Greater Sage Grouse Conservation Plan Steering Committee 2008).
4. Locate main haul trunk roads used to transport production and/or waste products to a centralized facility or market point \geq 1.9 miles from the perimeter of occupied sage grouse leks (Lyon and Anderson 2003). Locate other roads used to provide facility site access and maintenance \geq 0.6 miles from the perimeter of occupied sage grouse leks. Construct roads to minimum design standards needed for production activities while minimizing surface disturbance and traffic.
5. Locate electrical supply lines at least 750 m (0.5 miles) from the perimeter of occupied sage grouse leks. Design electrical lines to be raptor- proof by installing anti-perching devices, or burying them when possible.
6. Exploration and development activity will be allowed from July 1 to March 14. In Core Population Areas that also contain sage grouse winter concentration areas,

exploration and development activity will be allowed only from July 1 to December 1 in the winter concentration areas.

7. Limit noise sources to 10 dBA above natural, ambient noise (~39 dBA) measured at the perimeter of a lek from March 1 to May 15 (Inglefinger 2001, Nicholoff 2003).

B. Wind Energy

There is no published research on specific impacts of wind energy on sage grouse. Wind energy facilities should be designed to reduce habitat fragmentation and mortality to sage grouse. Tubular tower designs to reduce raptor perches and noise reduction to minimize disturbance to nesting birds are encouraged. Design criteria for these projects should include minimizing the facility footprint (including the road network required to service the generators) in sage-grouse habitat. Leasing in Core Population Areas should only be approved through a review process as described below. Wind farm permitting should include a requirement to acquire data on sage grouse response to development and operation.

C. In-situ Uranium

There is no published research on specific impacts on sage grouse. Since development scenarios (well density, roads, activity) are similar to oil and gas, assume impacts are similar to oil and gas development. Use same stipulations used for oil and gas. In-situ uranium permitting should include a requirement to acquire data on sage grouse response to development and operation.

D. Sagebrush treatment

Sagebrush eradication projects should not be authorized. Treatments to enhance sagebrush/grassland may be considered through the review process described below.

E. Reclamation

Reclamation should re-establish native grasses, forbs and shrubs during interim and final reclamation to achieve cover, species composition, and life form diversity commensurate with the surrounding plant community or desired condition. Landowners should be consulted on desired plant mix on private lands

F. Transmission Line Rights of Way

To the extent possible, new rights of way should be authorized parallel and adjacent to existing rights of way. Above ground towers should be designed to minimize raptor perching. Any new rights of way not sited parallel and adjacent to existing rights of way should be routed at least 750 m (0.5 miles) from the perimeter of occupied sage grouse leks.

G. Other Activities

Applications to conduct any other surface activity not described previously will be evaluated on a case by case basis and forwarded, as necessary, to the Wyoming Game and Fish Department Habitat Protection Program Supervisor for consideration of stipulations needed to prevent declines in sage grouse populations in core sage grouse population areas. All surface activities should be designed to reduce habitat fragmentation and mortality to sage grouse. Design criteria for all activities should include minimizing the footprint of the activity in sage-grouse habitat.

Review Process

Development proposals incorporating less restrictive stipulations may be considered depending on site-specific circumstances. The company proposing to

develop within Core Population Areas and requesting exceptions to the standard stipulations bears the responsibility to demonstrate that the alternative development proposal will not cause declines in sage grouse populations occupying the proposed area of development.

Proposals to deviate from standard stipulations will be considered by a team including the Wyoming Game and Fish Department and appropriate land management agencies, with input from the U.S. Fish and Wildlife Service. Project proponents need to demonstrate that the project area meets at least one of the following conditions:

- 1) No suitable habitat is present in one contiguous block of land that includes at least a 0.6-mile buffer between the project area and suitable habitat;
- 2) No sage grouse use occurs in one contiguous block of land that includes at least a 0.6 mile buffer between the project area and adjacent occupied habitat, as documented by total absence of sage grouse droppings and an absence of sage grouse activity for the previous ten years;
- 3) Provision of a development/mitigation plan that has been implemented and demonstrated not to cause declines in sage grouse populations through credible monitoring data compiled and analyzed during the implementation period.

References and Literature Cited

Carr, H. D. 1967. Effects of sagebrush control on abundance, distribution, and movements of sage grouse. Job Completion Report. W-37-R-20.Job 8a. Colorado Game, Fish and Parks Department, Colorado, USA.

- Colorado Greater Sage-Grouse Conservation Plan Steering Committee. 2008. The Colorado Greater Sage-Grouse Conservation Plan. Colorado Division of Wildlife. Denver, CO. Unpublished Report.
- Emmons, S. R. 1980. Lek attendance of male sage grouse in North Park, Colorado. Thesis, Colorado State University, Fort Collins, Colorado, USA.
- Holloran, M. J. 2005. Greater sage-grouse (*Centrocercus urophasianus*) population response to natural gas field development in western Wyoming. Dissertation. University of Wyoming, Laramie, USA.
- Inglefinger, F. M. 2001. The effects of natural gas development on sagebrush steppe passerines in Sublette County, Wyoming. M.S. Thesis, Univ. of Wyoming, Laramie. 110pp.
- Lyon, A. G. and S. H. Anderson. 2003. Potential gas development impacts on sage grouse nest initiation and movement. *Wildlife Society Bulletin* 31:486-491.
- Nicholoff, S. H., compiler. 2003. Wyoming Bird Conservation Plan, Version 2.0 Wyoming Partners In Flight. Wyoming Game and Fish Department, Lander, Wy.
- Rothenmaier, D. 1979. Sage grouse reproductive ecology: breeding season movements, strutting ground attendance and nesting. Thesis, Univ. of Wyoming, Laramie, Wyoming, USA.
- Schoenberg, T. J. 1982. Sage grouse movements and habitat selection in North Park, Colorado. Thesis, Colorado State University, Fort Collins, Colorado, USA.
- Wallestad, R. O., and P. Schladweiler. 1974. Breeding season movements and habitat selection of male sage grouse. *Journal of Wildlife Management* 38:634-637.