From:	pat_deibert@fws.gov
To:	Laura_Romin@fws.gov
Cc:	Larry_Crist@fws.gov; Nicole_Alt@fws.gov
Subject:	Re: our response/recommendations for Utah Plan
Date:	Wednesday, November 14, 2012 11:12:49 AM
Attachments:	Utah State Plan GSG_11142012 pd.doc

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a few comments attached. Overall I think it looks good!

p

(See attached file: Utah State Plan GSG_11142012 pd.doc)

Pat Deibert
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got leks?

Laura Romin/R6/FWS/DOI

Laura Romin/R6/FWS/DOI	ToPat Deibert/R6/FWS/DOI@FWS
	ccLarry Crist/R6/FWS/DOI@FWS
	Subjectour response/recommendations for Utah Plan
11/14/2012 10:27 AM	

Hi Pat,

Attached is our draft response. Larry would like to be able to send it to Kathleen et al. today, so we appreciate your time in review. Any comments/edits will be much appreciated! Thanks!

Laura.

[attachment "Utah State Plan GSG_11142012.doc" deleted by Pat Deibert/R6/FWS/DOI]

Kathleen, Alan, John:

Thank you for meeting with us yesterday to walk through your draft Strategic Plan for the Conservation of greater sage-grouse in Utah. We believe, as you do, that the development and successful implementation of a statewide conservation plan is the best approach toward conserving greater sage-grouse and their habitats. Although Utah does not have a high percentage of the overall rangewide sage grouse population, conservation in Utah is important for protecting connectivity corridors for this species. In addition, sage-grouse provide important recreational (e.g., hunting, wildlife viewing) components for the public's enjoyment. As you know, our agency is charged with reviewing the status of greater sage-grouse in 2015. It is our hope that the development of this and other State Plans, and ongoing efforts to implement conservation actions will successfully address threats to the greater sage-grouse and preclude a need to list the species under the Endangered Species Act.

Your draft Plan approaches greater sage-grouse conservation goals and objectives to some extent consistent with the Draft COT report. Priority sage-grouse management areas (SGMAs) are identified, defined as the best-of-the-best habitats statewide. Overall, you estimate that these SGMA s encompass the highest sage-grouse breeding density areas, supporting greater than 90% of the Utah aggregate population of sage-grouse [not counting populations that may occur on some tribal lands]. It is important to realize, though, that large acreages of suitable sage-grouse habitats are not included in these SGMAs, some areas were omitted from the SGMAs due to ongoing or projected human development scenarios, and that the SGMA delineations are often based on reliable, but still relatively limited research information associated with lek counts and bird movements. Overall, the SGMAs represent viable, but minimum protection for sage-grouse in the State.

Therefore, we believe the focus of this State Plan must be on ensuring that the SGMAs are prioritized for sage-grouse conservation, based on best available information. Where scientific data is incomplete, we believe it is appropriate to err on the side of the species to ensure we are not inflicting long-term or permanent impacts and maximizing conservation in the SGMAs. If we receive more information that shows that sage-grouse are not affected by certain activities, it may be appropriate at that time to revise the Plan. However, available literature indicates that this species is very sensitive to human developments and activities, and natural disturbances such as wildfire.

With this in mind, our initial review of your draft Plan concentrates on ensuring that we maintain sufficient protection measures in the realm of a tiered approach to avoidance, minimization, and mitigation. We discussed many of these specifics with you when we met yesterday, and summarize these below to facilitate completion of the Plan. The specifics include 1) additional information that we requested to evaluate the efficacy of some of the Plan's recommendations, 2) edits that you agreed still needed to be made to the Plan, and 3) measures that we believe must still be incorporated or revised in the Plan to ensure its long-term effectiveness. Please note that

these comments represent our initial review given the time constraints associated with your planning process. We will need time to coordinate any formal responses or future plan approval with other FWS Ecological Services offices and our Regional Director. We are available to work with you on evaluating and resolving some of these remaining items.

ADDITIONAL INFORMATION REQUESTED

- SGMA mapping – at our meeting yesterday you indicated that there were some changes to the SGMA map (e.g., merging of Parker Mountain and Emery SGMAs). Please provide the current version to us for review.

- Carbon SGMA – we recently received information from BLM that the Emma Park sage grouse population is connected by at least some movements of birds between Anthro Mountain and the Tavaputs area. Before removing the Anthro and Tavaputs areas from the Carbon SGMA we recommend that the UDWR reevaluate the available information to ensure that this decision does not compromise the viability of sage-grouse populations in northeastern Utah.

- Information on the effects of wind turbines and transmission lines to greater sage-grouse – received from you November 14, 2012.

- Information on % nesting within 3 miles vs. 4 miles of a lek, and whether this varies dependent on geography or elevation.

EDITS TO THE PLAN

- Pg. 12, section 5.5.1: Provide a better definition for *de minimis* surface activities. In yesterday's meeting we discussed your intent that you are primarily referring to vents that provide safety for mines. Please clarify that the *de minimis* surface activities are not meant to include roads, transmission lines, conveyors, or other surface facilities that could represent tall structures, linear facilities, or facilities that produce noise levels that are >10db above ambient conditions.

- Pg. 17. Section 6.5.3: The second bullet from the previous section 6.5.1.2 (Nesting and Brood Rearing) should be included for this section, Winter Habitat—incorporating mitigation at a 4:1 ratio starting with the first acre disturbed, and a requirement that mitigation must be successful before the proposed disturbance occurs.

OTHER MEASURES THAT SHOULD BE INCORPORATED/REVISED

- We discussed the feasibility of tracking disturbance inside SGMAs, relative to the 5% disturbance cap. We recommend you evaluate the Density Disturbance Calculation Tool utilized by Wyoming: http://ddct.wygisc.org/ Utilizing this tool, or a

modification thereof, and GIS capabilities should allow us to track disturbances and the effectiveness of management strategies for sage-grouse within the SGMAs.

- Pg. 6, section 3.5.2: this section states that SGMA boundaries can be adjusted annually, or more frequently, based on large-scale events such as wildfire. We do not believe that natural events such as wildfire should lead to reductions in the SGMA boundaries. Hypothetically, if a wildfire reduced the SGMA suitable habitat by 50%, it would not be appropriate to then reduce the SGMA boundary accordingly. The reduction in the SGMA boundary would result in greater impacts to the remaining SGMA habitat (given a 5% disturbance cap), and would effectively allow development to proceed without restriction on the burned habitats. This approach would not facilitate efforts to restore burned habitats, and would result in an overall statewide reduction in available sage-grouse habitats. To remedy this situation, we recommend that wildfire acreages be maintained within the SGMA boundaries and "count" toward the 5% disturbance cap. Including wildfire as part of the disturbance cap is consistent with conservation practices in Wyoming.

- Pg. 12, section 5.6.2: We do not agree that siting linear features in existing corridors (which may be miles wide) or in concert with existing linear corridors is considered mitigation for that linear feature. Siting new lines in existing corridors is a strategy to minimize impacts to the species. All unavoidable impacts must still be mitigated sufficiently. We recommend a two-tiered approach to assessing mitigation requirements for transmission and distributions lines: 1) lines constructed within corridors that have existing transmission lines should mitigate at a 4:1 ratio for the direct impacts associated with the line (this includes the acreage of the poles plus the width of the line), 2) lines constructed outside of existing corridors, or within undeveloped corridors should mitigate at a 4:1 ratio for the direct impacts associated with the line, and include measures to offset impacts from increases in invasive species, predators, potential grouse collisions with lines, and human access. The approach with the least impacts is to site transmission and distribution lines within established, already developed corridors.

Comment [UF&WS1]: I think this should be part of the transmission lines construction within existing corridors as well. Where the difference between the two would be is that lines constructed outside established, occupied coridors would have to be constructed or mitigated to the point that we have no net loss of populations.

- Pg. 13, section 5.7.5: At our meeting yesterday, you requested information from us regarding siting specifications for wind energy. Due to the large extent of wind turbines and wind farms, and consistent with Wyoming's approach to siting these facilities, it is appropriate to avoid development of wind turbines and associated infrastructure within the SGMA's until research has been completed that shows wind development does not negatively affect sage-grouse populations or their habitat.

- Pg. 16, section 6.5.1.1: A minimum 1.0 mile lek exclusion buffer should be included for all surface facilities regardless if placed in habitat or non-habitat locations (however, see our above comment regarding a more restrictive exclusion measure for

wind turbines/farms). This recommended exclusion buffer is supported by the disturbance distances cited in literature that we referenced in our comments to you, by email dated 9/6/2012.

- Section 6.5, 5% disturbance cap and section 7.0: The 5% disturbance cap must include all existing disturbances (including natural disturbances such as wildfire) across all land ownerships. We believe that our recommendation provides the maximum flexibility we can provide while still conserving the species. We believe the 5% must include existing disturbance because 1) major developed areas, and even areas projected for development (e.g., oil and gas development) have already been removed from the SGMAs, resulting in smaller SGMAs more prone to the effects of ongoing development, and 2) the ~~COT~~ NTT report recommends a 3% disturbance limit in priority habitats regardless of land ownership.