From:	Amy Defreese
To:	Martin, Spencer
Subject:	FW: Greater sage-grouse Avoidance and Minimization Measures - Additional FWS comments to measures presented December 2014
Date:	Tuesday, January 20, 2015 12:39:37 PM
Attachments:	20150116_Utah Field Office Comments with revisions_GSG Avoidance & Minimization Measures_TWE.xlsx

Hi Spencer,

Here is the email I sent to BLM (Renee Chi) last Friday. Hopefully it is somewhat self-explanatory. We talked about one particular measure that elicited a number of comments from the Utah Field Office. That is the one highlighted in the attachment.

If you have any questions, give me a call!

Thanks,
Amy

From: Amy Defreese [mailto:amy_defreese@fws.gov]
Sent: Friday, January 16, 2015 2:13 PM
To: Renee Chi
Subject: TWE: Greater sage-grouse Avoidance and Minimization Measures - Additional FWS comments to measures presented December 2014

Hi Renee,

Thank you for your time yesterday discussing Utah Field Office comments to the greater sage-grouse avoidance and minimization measures for the TransWest Express project. The subject measures are those presented to us in a webinar dated December 5, 2014. We provided comment on December 19, 2014.

As we discussed, the Service agrees it is important to maintain continuous communication between the resource agencies (BLM, FWS, and UDWR) and TWE regarding specific structure designs and locations where the line will cross the Strawberry greater sage-grouse PAC. We believe agency biologists with local knowledge can provide crucial site-specific input to guide the selection of lattice versus tubular steel towers, and where perch discouragers will provide the most benefit.

Rather than outline all of the unique landscape or population characteristics that may affect a decision regarding structure design and location, we would recommend a measure that requires TWE to coordinate with the agencies before making decisions that affect greater sage-grouse in the Strawberry PAC. We are envisioning some kind of trigger that would prompt a collaborative process for decision-making.

Sincerely,
Amy Defreese

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Utah Field Office Comments to proposed greater sage-grouse avoidance and minimization measures developed through the NEPA process - Transwest Express project

Avoidance and Minimization Measure provided during TWE UT GRSG FEIS Presentation_20141205	Utah Field Office Comment	Utah Field Office Revision (January 16, 2015)
In addition to conforming to existing BLM surface use restrictions and timing limitations, a suite of GRSG impact avoidance and minimization measures has been developed through the NEPA process.	We do not know what existing BLM surface use restrictions and timing limitations may be, and we expect they will vary across BLM field districts. It would be helpful to know where field districts may have measures that are more, or less, restrictive than what is proposed here so that we can make a more informed comment. Consequently, we recommend identifying, by field office or district, what the existing restrictions and limitations are. What happens when a measure proposed here is more restrictive than a pre-existing BLM surface use restriction and timing limitation? This situation should be addressed so that folks on the ground know how to handle it, and don't automatically resort to the easier option.	
Portions of the transmission line sited within 4 miles of any occupied/active leks, would have towers sited in locations that reduce the visibility of each tower from these leks.	No comment	
To minimize fragmentation of suitable sage-grouse habitat, the approved transmission line ROW would be micro-sited in coordination with applicable state and federal wildlife management agencies to minimize impacts to breeding, brood rearing, and wintering habitats.	No comment	
To limit raptor and corvid predation on sage-grouse, the BLM authorized officer in coordination with USFWS and applicable state agencies would require TWE to install self-supporting tubular steel towers with perch discouragers in high quality sage-grouse habitat (i.e., Wyoming - within sage grouse core habitat and within 4 miles of active leks; Colorado - within preliminary priority habitat; Utah - within occupied habitat and within 4 miles of active leks) taking into account site-specific factors (e.g., co-location with existing t-lines having lattice towers and no perch discouragers, topographic/terrain features that affect line of sight to leks, and general habitat quality).	We recommend that this measure apply to the following areas: 1) Priority Areas of Conservation (PACs) in Utah (occupied and unoccupied habitat), or alternatively, "Priority Habitat and associated opportunity areas as identified in BLM's LUP". Regardless, we recommend that TWE be required to install self-supporting tubular steel towers with perch discouragers where the line may cross through breeding, nesting, brood-rearing and wintering habitat. We recommend that you drop the clause for "within 4 miles of active leks". Wintering grouse are subject to avian predation and should be protected with this measure. Recommend incorporating the following language regarding perch discouragers: "Perch deterrents/discouragers are a tool to manage where birds perch in order to minimize the risk of eletrocutions. In some cases, they may also be useful in decreasing avian predation on sensitive prey species by reducing avian use of power lines. The effectiveness of perch deterrents/discouragers in meeting either purpose is based on appropriate design, proper siting and a commitment for long-term maintenance. TWE will work with BLM, UDWR, and USFWS to identify appropriate design, locations and long term management for perch deterrents/discouragers in greater sage-grouse habitat." We disagree with some of the examples of site specific factors that might preclude the use of self-supporting turbular steel towers with perch discouragers. 1) Although the line of sight from the transmission tower *to a lek* may be relevant in the consideration of lekking birds, it is not relevant in the consideration of nesting birds. Recommend that you rephrase this factor to say "topographic/terrain features that affect line of sight to lekking, nesting, brood-rearing, and wintering greater sage-grouse"; and 2) even if habitat is marginal or poor, it may be valuable for restoration opportunities and long-term recovery of the species. We shouldn't preclude greater sage-grouse use by adding predators to an area where they didn't exist before. Recommend striking the phrase "general habitat quality".	The Strawberry PAC includes greater sage-grouse populations and habitat that do have uniform characteristics across the landscape. Within this PAC and prior to choosing structure types and locations, we recommend that TWE coordinate with UDWR local biologists and USFWS-Utah Field Office.
To limit corvid predation on sage-grouse, TWE would develop a Raven Management Plan that outlines active adaptive management strategies for controlling raven predation and nesting within the Project ROW including the post-construction monitoring for ravens and removal of raven nests.	Recommend adding raptor predation as an activity to manage with various adaptive management strategies. Raptors will use tall structures to prey upon greater sage-grouse throughout the year. So, instead of calling it a Raven Management Plan, call it a Raven and Raptor Management Plan that outlines active adaptive management strategies for controlling raptor and corvid predation and nesting within the Project ROW including post-construction monitoring for grouse mortality, avian predators, and nests.	
To limit the potential for sage-grouse collisions with guy wires, TWE would be required to use alternative tower types such as self-supporting tubular monopole structures instead of guyed lattice structures within high quality sage-grouse habitat (as defined under SSWS-5.3, subject to site-specific agency discretion.	This measure seems to add confusion to the direction given in Measure 3, which is to use self-supporting tubular monopole structures in certain gsg habitats. Recommend removing this measure or providing clarification as to why it is different from Measure 3 above.	
In high quality habitat areas where site-specific conditions do not allow for self-supporting tubular transmission structures to be constructed, TWE would be required to outfit all guy wires with agency-approved bird diverters/wire markers.	Recommend that this measure apply to 1) Priority Areas of Conservation (PACs) in Utah (occupied and unoccupied habitat), or alternatively, "Priority Habitat and associated opportunity areas as identified in BLM's LUP". The measure should apply regardless of distance from a lek. Recommend that TWE and BLM identify which site-specific conditions might preclude self-supporting tubular transmission structures and consequently warrant use of guy wires. These conditions should be outlined clearly and specifically to ensure accurate application when site-specific engineering is conducted and structures are ordered/purchased.	
In areas of occupied sage-grouse habitat, TWE would be required to outfit all guy wires and newly-constructed fencing with agency-approved bird diverters/wire markers in coordination with applicable federal land management and/or state wildlife agencies.	Guy wires and fences should be marked not only in occupied sage-grouse habitat, but in unoccupied opportunity areas as well. Recommend that you add "unoccupied opportunity areas" to the areas where this measure applies.	
To limit disturbance to lekking and nesting activity, construction and maintenance activities within 4 miles of occupied/active leks would not exceed 10 decibels above ambient noise levels within 2 hours of sunrise and sunset between March 1 and June 15.	We have a number of concerns with this measure as it is written: 1) It lumps lekking and nesting activity together; 2) It does not address the sensitivity of wintering birds to noise; 3) It seems like a lot to expect that an environmental monitor and the construction crews are going to be able and willing to manage their construction activities to meet a 10 dBA above ambient conditions standard - especially on a project this size. We are picturing a monitor trying to tell a construction crew that their levels are 20 dBA too high, and they need to manage their construction equipment to reduce noise levels by that much. It doesn't seem practical; 4) the dawn/dusk restriction makes sense for lekking birds, but not for nesting birds; and 5) Not sure it is necessary to put a 4 mile buffer on leks. See next comment for recommendations. Recommendations: 1) Separate measure to address lekking with one set of rules, and nesting with another set of rules; 2) Add restrictions on construction and maintenance activities (noise and human activity) to occupied wintering habitat from November 15 - March 15; 3) Strike the 10 decibel above ambient conditions language and simply say that there will be no discrete anthropogenic disturbance or activities disruptive to GRSG in seasonal habitats; 4) Do not apply the dawn/dusk restriction to nesting birds; and 5) Establish an appropriate spatial buffer for leks to be applied during the lekking season.	
To limit the potential for adverse impacts resulting from contact with construction and maintenance equipment, vehicles, and personnel, TWE would implement a vehicle speed limit of 15 mph on roads without posted speed limits in areas of occupied sage-grouse habitat.	No comment.	

To minimize the potential for adverse impacts to occupied sage-grouse foraging and brood-rearing habitat, TWE would coordinate with all applicable federal and state wildlife management agencies prior to application of all herbicides, which would be used in accordance with the COM Plan .	Recommend that there be more specific language used in this measure that outlines recommendations for any use of herbicides.	
General Comment	We understand that greater sage-grouse suffer mortality from collisions with transmission lines themselves (as opposed to guy wires). We recommend that TWE be required to mark the lines to minimize the risk of collisions when the birds are moving large distances at a greater height above ground.	