

Sage-grouse Habitat Conservation Advisory Council

Meeting 1: Establishing the need, clarifying objectives, and providing background information
Location: Capitol Building, Room 152, 1301 E. 6th Ave., Helena, MT
Dates: May 21 – 23, 2013

May 21, 2013

9:00	Welcome and Introductions	Lt. Governor Walsh
9:30	Overview of intent, goal, & considerations	Lt. Governor Walsh Jeff Hagener, FWP
	Question and Answer session	
10:15	BREAK	
10:30	USFWS listing decision and perspective	Pat Diebert, USFWS Jodi Bush, Brent Esmoil & Jeff Berglund, USFWS
12:00	LUNCH	
1:00	Sage-grouse conservation state process in ID	Don Kemner, IFGD
2:00	BREAK	
2:30	Sage-grouse conservation state processes, WY and UT	Bob Budd, WY Wildlife and Natural Resources Trust
4:00	Housekeeping details	Jeff Hagener & Catherine Wightman, FWP
4:30	Adjourn	

May 22, 2013

8:30	Basic sage-grouse ecology	Catherine Wightman, FWP
9:15	Sage-grouse conservation issues	Rick Northrup, FWP
10:30	BREAK	
11:00	Sage-grouse conservation strategies, FWP	Catherine Wightman, FWP
12:00	LUNCH	
1:00	Sage-grouse conservation strategies, BLM	Theresa Hanley & John Carlson, BLM
2:00	Sage-grouse conservation strategies, USFS	Mary Manning, USFS
2:15	BREAK	
2:45	Sage-grouse conservation strategies, NRCS	Joyce Swartzendruber, NRCS Pete Husby, NRCS
3:30	Sage-grouse conservation strategies, DNRC	John Tubbs, DNRC
4:00	Public comment period	
4:30	Adjourn	

May 23

8:30	Identify highest priority conservation issues for Advisory Council to address	Discussion led by J. Hagener
9:45	BREAK	
10:00	Identify final product (e.g., statute, ex. order, conservation agreement)	Discussion led by J. Hagener
11:00	Agree on process for Advisory Council	Discussion led by J. Hagener
12:00	Adjourn	

Proposed Meeting Topics and Dates for Future Meetings (to be refined at Meeting 1):

Meeting 2: Transmission and Infrastructure (power lines, pipelines, roads)

Proposed Dates: June 11-12, 2013

- Overview of sage-grouse research relative to transmission and infrastructure – FWP &/or others
- Introduction to power lines and associated infrastructure
- Pipelines and associated infrastructure - oil industry
- Roads and associated construction – MDOT
- Summary of recommendations in BLM RMPs relative to transmission – John Carlson
- Summary of recommendations from other states relative to transmission – FWP
- Identify draft MT recommendations – discussion led by co-chairs

Meetings 3 (3 days): Oil and Gas development & Mining

Proposed Dates: June 25-27, 2013

- Overview of sage-grouse research relative to oil, gas, mining and SGI – Dave Naugle and Tim Griffith
- Oil development needs, process, current regulations – oil industry
- Gas development needs, process, current regulations– gas industry
- Mining industry needs, process, current regulations – mining industry
- Summary of recommendations in BLM RMPs relative to oil, gas, mining – BLM
- Summary of recommendations from other states relative to oil, gas, mining – FWP
- Identify draft MT recommendations – discussion led by co-chairs

Meeting 4: Wind energy

Proposed Dates: July 16-17, 2013

- Overview of sage-grouse research relative to wind energy – FWP &/or Chad LeBeau (WY study)
- Wind energy needs, process, regulations – someone from wind industry (NaturEner, Invenergy, ??)
- Summary of recommendations in BLM RMPs relative to wind – BLM
- Summary of recommendations from other states relative to wind – FWP
- Identify draft MT recommendations – discussion led by co-chairs

Meeting 5: Agricultural Conversion/Working Lands

Proposed Dates: July 30 – 31

Location: Matador Ranch or APF or other facilities in sagebrush habitat

- Overview of sage-grouse research relative to grazing & agriculture – Lorelle Berkeley & others
- Introduction to agricultural operations/needs and constraints – Stockgrowers Assoc. or ??
- Farm Bill policies, opportunities, constraints – Joyce Swartzendruber/Bruce Nelson
- Summary of recommendations in BLM RMPs relative to grazing/ag conversion - BLM
- Summary of recommendations from other states relative to grazing/ag conversion – FWP
- Identify draft MT recommendations – discussion led by co-chairs

Meeting 6: Mitigation options

Proposed Dates: Aug 13 -14, 2013

- On-site mitigation and development plans – FWP/USFWS
- Offset mitigation possibilities – Jeff Berglund
- Summary of recommendations in BLM RMPs relative to mitigation - BLM

- Summary of recommendations from other states relative to mitigation – FWP
- Identify draft MT recommendations – discussion led by co-chairs

Meeting 7: Adaptive management/Implementation/Compliance monitoring/Reporting

Proposed Dates: Sept 4 – 5, 2013

- Adaptive management & strategy implementation
- USFWS needs for reporting – USFWS
- Identify strategy for compliance monitoring & reporting – discussion led by co-chairs

Meeting 8: Review Draft Recommendations

Proposed Dates: Sept 24 – 25, 2013

Meeting 9: Finalize Draft Recommendations

Proposed Dates: Oct 8 – 9, 2013

- Oct 30 target release for Public Comment – 30 day review period
- FWP will assemble and draft response to Public review

Final Meeting: Finalize Recommendations

Proposed Dates: Jan 7 – 8, 2014

- Address significant comments from public process
- Finalize document for Governor's signature by January 31, 2014

Sage Grouse Advisory Committee – Next Steps

Process

- The U.S. Fish and Wildlife Service has found sage grouse to be warranted for listing under the federal Endangered Species Act.
- Per court settlement, the USFWS has agreed to either publish a proposed listing rule by September 2015 or remove sage grouse from the Candidate species list. Beginning in September 2014, they will start assembling the most current information and will be analyzing that information over the course of the year to determine whether or not to propose listing.
- It is imperative that any information and conservation measures that can influence the listing decision be available to the USFWS by September 2014. Ideally, it is important to be able to demonstrate effectiveness of conservation measures.
- This provides the State a small window of opportunity to put in place adequate measures to address threats identified by the US Fish and Wildlife Service and demonstrate to the USFWS that Montana, as well as other sage grouse states, are implementing conservation measures to the extent that listing is not warranted.
- Towards that end, the Governor issued an Executive Order creating an Advisory Council to develop such measures and “provide to the Governor recommendations on policies and actions for a state-wide strategy to preclude the need to list the Greater sage grouse under the ESA by no later than January 31, 2014.”
- A 12-person advisory council was appointed in the spring, and began meeting on May 21. They have met 7 times to date (about every 3 weeks), and have 2 additional meetings scheduled to finalize a draft by Oct. 15. Representatives from USFWS, BLM, and DNRC are also participating at every meeting, and DEQ, Forest Service, Board of Oil and Gas are participating some.
- Most meetings to date have focused on specific topics that have been identified as the primary threats to sage grouse, including oil and gas development, electric transmission lines, pipelines, wind energy, agriculture conversion, grazing, fire, and invasive species. They have also begun discussing avoidance, mitigation, and adaptive management measures.
- The next meeting (September 24-25) is dedicated to drafting and reviewing recommendations.
- The draft will be put out for public comment shortly thereafter, and public meetings will be held (probably the week of November 18th in Dillon, Miles City, Billings, Baker, Glasgow, Malta, and Lewistown.
- Public Comment will be compiled and integrated as appropriate, with the goal of a final draft to the Governor’s office by the end of January.

Implementation

- The Council’s recommendations are leaning towards emulating the process that has been in place in Wyoming and has been acknowledged as acceptable by the USFWS.

- Similar to Wyoming, Montana has identified core area habitat where the best of the best remains. For MT, core habitat encompasses 9 million acres (out of 33 million acres of total sage grouse habitat) and comprises approximately 72% of the known sage grouse population.
- The Wyoming policy limits disturbance to core area sage grouse habitat to not more than 5%, and not more than 1 disturbance per 640 acres.
- Wyoming has developed a Density and Disturbance Calculation Tool (DDCT) that is used to evaluate proposed projects and determine whether it fits within the cap. Every project in a core area that requires a state or federal permit requires it be run through the DDCT to ensure it doesn't exceed the 5% cap.
- All existing disturbances (e.g., roads, wells, etc.) count against the 5% cap. Grazing operations are not included as a disturbance.
- If disturbance is at or will exceed the cap, the proponent can implement reclamation measures to bring that disturbance total down and make room under the cap. In very limited instances, where circumstances wouldn't allow meeting the 5% cap (e.g., coal mines), there is potential for off-site mitigation to more than offset the disturbance.
- In WY, there is also a Sage Grouse Oversight Team (appointed by the Governor) that oversees implementation of the plan and addresses any potential "conflicts" and questions about interpretation.

Resources Needed (based on Wyoming figures) – Note: all of this is "new" work and staffing not currently budgeted for

- Development of web-based mapping and project submission interface where projects can be submitted – 2 people full time for 3-6 months + required hardware and software
- Implementation of web-based mapping and project submission data – 1.5 full time GIS/data management staff – permanent
- 5.25 FTE + operational costs to process and review project proposals, issue project approvals, coordinate the oversight team, and coordinate with permitting agencies (in Wyoming this is done by Wyoming Game and Fish Department)

For more information:

FWP web site: <http://fwp.mt.gov/fishAndWildlife/management/sageGrouse/habitatConservation/>

Advisory Committee agendas, handouts, and presentations are all available on this web site.

Wyoming DDCT: <http://ddct.wygisc.org/>