

Notes from NWCOS Habitat Working Group meeting March 16, 2006

Attending: T. Wright, Geoff, Jeff, Wes, Dean, Reed, Jeremy, Tim, Brad, Marianna.

Possible future tasks for this working group:

1. Define “functional:” habitat, or create a process for arriving at what functionality is.
2. Create some targets/outcomes for sage brush biome.
3. Continue to work with Energy working group on “how to develop” issues, focusing on minimizing habitat fragmentation.

During the meeting the group got rolling on some possible strategies to limit fragmentation in the RMP. These are all only ideas which still have some unresolved issues. None of these ideas were agreed up by consensus during the meeting, only discussed. It is important to note that Marianna was the only participant representing energy interest, so the group recognized that the Energy working group must deal with these issues as well. I detail below what some of these ideas were. The group recognized issues with some of these proposals, and possible solutions to those issues were also discussed to varying degrees. When talking about restricting development, the group continually reminded themselves that there must be some incentive there for operators as well. Tim mentioned that excepting timing restrictions and requiring better habitat protections might be such an incentive.

The group noticed that there was little language in the current goals and objectives about how BLM wants development to look like. There is some of this language in the section on Vermillion Basin, but not over the whole resource area. The group wanted to discuss expanding those objectives for other areas. (Examples of those objectives in the current alternatives, include: “Manage for minimal surface disturbance by focusing development near existing trails, ROWs, canyons and washes and clustering wells where feasible; Manage to minimize visual intrusions; Control infrastructure by requiring pre-planning, including transportation planning”). Maybe adding verbiage such as “if possible” would provide some guidance without asking operators to do the impossible if geology or other constraints were involved.

The importance of encouraging operators to come to BLM with a Plan of Development (POD) for several proposed APDs at one time was noted. This way development could be planned over the long term and infrastructure could be coordinated. The group acknowledged that this is may not be possible until some exploration drilling is done, which must be allowed. However, can there be a *threshold level* of exploratory wells drilled per lease (depending on the geology of that area) before BLM would *require* a POD? More would exploratory wells might be allowed if the abandoned wells were properly reclaimed. The idea of ongoing, continual refinement of a POD, getting more specific over time, was an important idea.

There was some talk about laying down some constraints on surface disturbance. Some members in the group pointed out a concern that the current RMP does little to protect wildlife *habitat*. Limiting surface disturbance could be phrased in maximum percentage of land disturbed, or

surface spacing no more than 160. There could be incentives built in for operators, such as excepting timing stipulations. There are issues with this approach, such as picking arbitrary numbers and recognizing valid existing rights to develop a lease. However, the idea of setting a limit on surface spacing was fleshed out a little further. The group recognized that because of geologic and other constraints, operators often need to go to tighter surface spacing than 160. A few ideas to address this issue were posed, such as “exception criteria” to this requirement. One exception criterion might be that several wells in a localized area with tighter spacing might be deemed to be more beneficial to resources. Another might be that off-site mitigation will occur, or that the geology is such that it prohibits 160 spacing. There could be additional requirements that would have to be met if an operator wanted to drill at a tighter surface spacing, such as requiring a POD.

Reed read some language that he thought was similar to language in the White River RMP that might get at limiting fragmentation. He used a current Black Footed-Ferret stip as an example. The new language relevant to sage brush ecosystems might read as follows: “No surface-disturbing activities will be allowed that may significantly alter the ~~prairie dog complex~~ the sage brush biome, making it non-functional for sage brush obligate species ~~unsuitable for reintroduction of the black-footed ferret.~~”

Brad brought up an idea about setting a “floor” or threshold level of functional sage brush blocks. Purely as an example, it might work like this: Say there are currently 10 functional blocks of sage brush habitat of over 10,000 acres in the Great Divide area. BLM would agree to keep 5 of these (or how many were determined to be critical for sage brush obligate species) intact over the life of the RMP. There could be threshold levels or restrictions depending on how many of these 10 blocks were remaining. For example, if monitoring showed that over a ten-year period, only 6 of these blocks remained, a new level of restrictions could be enforced, such as making BMPs mandatory. Then, if after another 5 years we found only 4 blocks were intact, we would limit surface disturbance more severely. There are, of course, several issues with this idea, such as rewarding immediate development and punishing the “last man standing.” In other words, a limited number of operators could “use up” these blocks, leaving no room for future development.