

**UINTAH BASIN  
LOCAL  
WORKING  
GROUP**

**Date:** 11/17/15

**Place:** DNR office, Vernal, Utah

**Present:** Scott Chamberlain (SITLA), Stephanie Tomkinson (QEP), Greg Todd (Duchesne Co Commission), Bob Christensen (USFS), Eric Olsen (Deseret Power), Brad Dickson (Deseret Power), Terrell Thayne (UDAF-GIP), Natasha Hadden (BLM), Jim Spencer (NRCS), Leah Lewis (NRCS/SGI), John Spencer (Simplot), Jim Brown (Dept of Ag), Pat Rainbolt (UDWR), Miles Hanberg (UDWR), Quincy Bahr (BLM), Boyd Kitchen (USU Extension), Dixie Sadlier (BLM), Lorien Belton (USU Extension facilitator)

**Information Presented/Discussion Highlights**

*Brief updates*

Lorien noted that this is the first meeting of UBARM since the September USFWS decision not to list the greater sage-grouse. All were aware of the decision.

Round robin updates included information from DWR on new guzzlers, from SITLA on new funding for sage-grouse project from that agency, from Forest Service on continuing lop and scatter projects on Anthro Mountain, and from Deseret Power, who manages a limestone quarry on Forest Service land.

There are currently 4 GPS backpacks on sage-grouse on Anthro. In the past, some Anthro birds disappeared in winter (the radio collars could not be located). One of the newly collared birds has gone as far as Big Wash. Natasha, who had collared birds there in the past, had birds go to Emma Park and Fruitland. More information after the winter of GPS collars will be very helpful for understanding more of the population dynamics.

The Grazing Improvement Program is working closely with Miles and Brian on projects, as well as looking for upcoming opportunities. The end of November is the deadline to apply.

BLM has collars out on Goslin Mountain and Bear Top (approximately 10 GPS collars). Natasha Hadden (Gruber) is now with BLM, having left the SGI biologist position. Leah Lewis took Natasha's position, but is working in the Vernal office of NRCS. Leah is working on applications for SGI. Her focus is currently on leasees; i.e. projects on federal or state lands, with SGI partners. SGI has about \$4-\$5 million to spend this year. There were no applications in the Basin last year. Currently, Leah has 5 applications. She can coordinate with federal agencies. SGI cannot pay to maintain practices (like fences) but can pay to improve grazing practices or related activities.

Simplot has a consultant putting together a conservation mitigation plan.

Boyd White noted that he has met with the Uintah Cattlemen's association, newly revived this

year, who are interested in sage-grouse issues. They may have a winter meeting at which is would be useful to have sage-grouse information. Boyd will be the point of contact for the group and let UBARM know if any information or connections would be helpful for the cattlemen's group.

### *Colorado sage-grouse updates*

Brian Holmes, from Colorado Parks and Wildlife, provided updates (via Lorien) on the adjacent Colorado sage-grouse populations. The Northwest Colorado population did very well in 2015, hitting record highs and re-occupying several historic leks. The much smaller Meeker-White River population remained stable.

### *BLM update*

Quincy Bahr presented to the group on the newly released sage-grouse plan amendments for BLM land use plans. Forest Service has a separate record of decision, which was not discussed at this meeting.

The presentation and discussion is summarized below:

- The intent of the BLMs planning effort was to develop regulatory mechanism to avoid the listing, similar to the intent of the state's plan
- The plan applies only where BLM has decision-making authority. This includes where BLM manages the mineral estate. Where private land has federal mineral estate underneath it, the BLM would only apply the management from the plan amendments to the minerals portions.
- In the case where tribal minerals are administered by BLM, the plan does not apply. Only minerals owned and managed by BLM are covered.
- In the Uintah Basin, the primary difference in areas considered between state and federal plans are the "GHMA" areas in Duchesne and Uintah. The BLM plan includes some areas as "general" that are not in any state SGMA.
- Buffers are treated differently than in the past.
  - To be clear, buffers are NOT allocations. They are managed during implementation.
  - The literature on buffers was widely divergent. The USGS compiled a report that includes a table of minimum and maximum buffers found in the literature, and also recommended upper and lower limits, based on the summary information from the literature reviews. The BLM plans take the lower recommended buffer as a starting point.
  - There will be justifiable departures from buffers based on local data or site-specific information. For example, the buffer from big roads is 3.1 miles, but a different buffer can be used if it achieves the same or a better result for sage-grouse conservation as the 3.1 miles buffer.
- In GHMA (general habitat), allocations are the same as those in the 2008 land use plan

(full mineral stipulations still NSO within ¼ mile of a lek).

- “No new allocations” in an area refers to the fact that there are no changes to WHAT is allowed to occur WHERE. It does NOT mean that nothing new will be allowed, nor that there will be no new management considerations for sage-grouse.
- In the case of phosphate mining (an example of “non-energy leasable” minerals), a mine can consider expanding in PHMA if it is adjacent to existing facilities.
- Because of where TransWest Express high-voltage powerline was in the process or EIS and approval, they do not have to follow the new plan amendments. They must follow the separately negotiated terms. Energy gateway south has that same exemption so long as they follow the same route as TWE; they must follow the new land-use plan amendments if they go outside of those Right-of-Ways (ROWs), such as on Diamond Mountain, where it is to be subsurface only.
- There is a 3% disturbance cap.
  - More information can be found in Appendix E.
  - 2-tracks, agriculture, and fire do NOT count toward disturbance. Stock ponds and other similar small agricultural developments are not included in the disturbance list, for example.
  - Only the types of disturbance listed are to be counted as disturbance for this purpose. BLM also considers disturbances on both BLM and non-BLM-administered lands when making calculations, though BLM only has management authority over areas with BLM administered surface and mineral estates.
  - The State of Utah includes more types of disturbance in the disturbance mapping related to the state sage-grouse plan, and also has a higher disturbance limit (5%). Disturbance caps apply only in PHMA.
  - The state and BLM are working together so they can use the same datasets, to the degree possible, for efficiency.
  - Disturbance will be measured at two scales: The area used to calculate the amount of disturbance is considered both at a project scale and also a very large scale (the “biologically significant unit,” or BSU). The Anthro Mountain area is included in a BSU associated with Carbon, not with the Uintah Basin. In the Vernal field office, the denominator of the BSU includes Brown’s Park, Diamond Mountain, Three Corners, Blue Mountain, and Halfway Hollow. Landownership or habitat value/use by grouse is not differentiated: all land goes into the denominator for calculations.
  - Disturbance only includes the physical footprint, not impacts such as noise. (There are other management actions that address things like noise.)
  - The BLM has preliminary disturbance inventory completed. The current Diamond Mountain BSU is at 1.7% disturbance.
  - At the project scale, the best available local data will be used to calculate the disturbance (for example, in Emma Park, the disturbance layer shows more powerlines than are actually there. The actual on-the-ground data will be used if needed.)
- Habitat goals: The BLM’s goals are decadal, so approximately 10% of the total goal will be the aim each year. They only apply to BLM lands, but are otherwise fairly similar to

- Utah state sage-grouse plan goals.
- Sagebrush removal is one potential tool still in the toolbox, but will only be used very carefully after consideration and documentation of the appropriateness.
  - Mitigation and net conservation gain
    - Originally, the intent was just “no net loss of habitat” but the FWS reminded the planners that with the existing conditions, sage-grouse had been warranted for listing.
    - “Net conservation gain” is more flexible than calculating an exact mitigation ratio (such as the 4:1 ratio the state of Utah has in their plan), allowing consideration of site-specific differences in habitat quality being impacted by disturbance and/or improved.
    - See Appendix F for additional information on mitigation, in the “compensation” section.
    - There will eventually be a mitigation bank, probably administered through WRI, but until that is set up, companies can still make positive improvements to habitat, and document their work extensively.
    - One item currently in discussion is whether conservation easements will count toward mitigation. The legislature will consider bills in the upcoming session to improve our ability to use mitigation as a tool.
  - Livestock grazing
    - BLM used adjusted Connolly guidelines based on local research. It does not set heights for grass and forbs, though those will have to be set during implementation based on more specific site-data.
    - The basic premise is that proper livestock grazing and sage-grouse habitat are completely compatible.
    - No allotments were closed, and no AUMs have been reduced thorough the Record of Decision. More info on grazing can be found on pages 2-21 through 2-24.
    - “Improper grazing” as a threat is not that different than existing standards for protective sensitive species generally, in “Standard 3” from existing regulations
    - In the Uintah Basin, the area is split into north and south of Hwy 40
    - Additional information can be found in section MA-LG-6
    - The USFWS was concerned about the time gap between a problem occurring on the ground and getting appropriate actions in place to deal with it. To address that concern, the top of page 2-23 explains that adaptive management will be written into new renewals/modification, essentially providing a threshold with a trigger that has different management options. (i.e. new leases will include the normal and also an “in-case” management option which can be implemented without lengthy bureaucratic paperwork.)
    - For many grazing improvements (infrastructure), the core premise is that as long as grazing related actions do not harm grouse (like ponds, fences, etc.), it will be fine.
  - Adaptive management
    - The plan amendments include “hard” and “soft” triggers for responses in case populations start to decline. They include management decisions which will be

able to be implemented to address the problems without having to go through a very long additional process that might be too late. The details of the process are still being worked out.

- There is a hard trigger for powerlines here.
- Additional details
  - The plan is in effect now, but some additional information will be coming on:
    - Grazing (livestock management analysis prioritization)
    - Fluid mineral leasing prioritization
    - mitigation

Quincy (or Renee Chi in the state BLM office) can answer additional questions as they arise.

### **Follow-up Needed**

- Boyd White will see if the Uintah Cattlemen are interested in additional sage-grouse information at their next meeting.

### **Next Meeting:**

The next meeting will likely be sometime in the middle of January, depending on UPCD meeting timelines.