

STATE CAPITOL CHEYENNE, WY 82002

### Office of the Governor

#### STATE OF WYOMING EXECUTIVE DEPARTMENT EXECUTIVE ORDER

2010- 4 (Replaces 2008-2)

#### **GREATER SAGE-GROUSE CORE AREA PROTECTION**

WHEREAS the Greater Sage-Grouse (Centrocercus urophasianus) inhabits much of the sagebrush-steppe habitat in Wyoming; and

WHEREAS the sagebrush-steppe habitat type is abundant across the state of Wyoming; and

WHEREAS the state of Wyoming currently enjoys robust populations of Greater Sage-Grouse; and

WHEREAS the state of Wyoming has management authority over Greater Sage-Grouse populations in Wyoming; and

WHEREAS the Greater Sage-Grouse has been the subject of several petitions to list the species as a threatened or endangered species pursuant to the Endangered Species Act; and

WHEREAS the United States Department of the Interior has determined that listing the Greater Sage-Grouse as a threatened or endangered species is warranted over all of its range, including the populations in Wyoming; and

WHEREAS the United States Department of the Interior has determined that listing the Greater Sage-Grouse as a threatened or endangered species is currently precluded by higher priority listing actions; and

WHEREAS the Greater Sage-Grouse is currently considered a "candidate" species under the auspices of the Endangered Species Act; and

WHEREAS the United States Department of the Interior is required to review the status of all candidate species every year; and

WHEREAS the listing of the Greater Sage-Grouse would have a significant adverse effect on the economy of the state of Wyoming, including the ability to generate revenues from state lands; and

WHEREAS the listing of the Greater Sage-Grouse would have a significant adverse effect on the custom and culture of the state of Wyoming; and

Boulder Residents
Exhibit 17

Page 1

PHONE: (307) 777-7434

TTY: 777-7860

FAX: (307) 632-3909

WHEREAS the Wyoming State Legislature and other agencies have dedicated significant state resources to conserve Greater Sage-Grouse populations in Wyoming; and

WHEREAS the state of Wyoming has developed a "Core Population Area" strategy to weave the many on-going efforts to conserve the Greater Sage-Grouse in Wyoming into a statewide strategy; and

WHEREAS on April 17, 2008, the Office of the Governor requested that the U.S. Fish and Wildlife Service review the "Core Population Area" strategy to determine if it was a "sound policy that should be moved forward" and on May 7, 2008, the U.S. Fish and Wildlife Service responded that the "core population area strategy, as outlined in the Implementation Team's correspondence to the Governor, is a sound framework for a policy by which to conserve greater sage-grouse in Wyoming"; and

WHEREAS new science, information and data continue to emerge regarding "Core Population Areas" and the habitats and behaviors of the Greater Sage-Grouse, which led the Governor's Sage Grouse Implementation Team to re-evaluate the original "core population areas" and protective stipulations for Greater Sage-Grouse.

NOW, THEREFORE, pursuant to the authority vested in me by the Constitution and Laws of the State, and to the extent such actions are consistent with the statutory obligations and authority of each individual agency, I, Dave Freudenthal, Governor of the State of Wyoming, do hereby issue this Executive Order providing as follows:

- 1. Management by state agencies should, to the greatest extent possible, focus on the maintenance and enhancement of Greater Sage-Grouse habitats, populations and connectivity areas identified in Attachment A. Absent substantial and compelling information, these Core Population Areas should not be altered for at least five (5) years.
- 2. Existing land uses within Core Population Areas should be recognized and respected by state agencies. It is assumed that existing activities in Core Population Areas will not be managed under Core Population Area stipulations. Examples of existing activities include oil and gas, mining, agriculture, processing facilities, housing and other uses that were in place prior to the development of the Core Population Areas. Provided these activities are within a defined project boundary (such as a recognized oil and gas unit, mine plan, subdivision plat, etc.) they should be allowed to continue within the existing boundary, even if the use exceeds recommended stipulations (see Attachment B).
- 3. New development or land uses within Core Population Areas should be authorized or conducted only when it can be demonstrated that the activity will not cause declines in Greater Sage-Grouse populations.
- 4. Development consistent with the stipulations set forth in Attachment B shall be deemed sufficient to demonstrate that the activity will not cause declines in Greater Sage-Grouse populations.
- 5. Funding, assurances (including efforts to develop Candidate Conservation Agreements and Candidate Conservation Agreements with Assurances), habitat enhancement, reclamation efforts, mapping and other associated proactive efforts to assure viability of Greater Sage-Grouse in Wyoming should be focused and prioritized to take place in Core Population Areas.
- 6. To the greatest extent possible, a non-regulatory approach shall be used to influence management alternatives within Core Population Areas. Management alternatives

- should reflect unique localized conditions, including soils, vegetation, development type, predation, climate and other local realities.
- 7. For activities outside of Core Population Areas, no more than a one-quarter (1/4) mile no surface occupancy standard and a two (2) mile seasonal buffer should be applied to occupied leks. Incentives to enable development of all types outside Core Population Areas should be established (these should include stipulation waivers, enhanced permitting processes, density bonuses, and other incentives). Development scenarios should be designed and managed to maintain populations, habitats and essential migration routes where possible. It is recognized that some incentives may result in reduced numbers of sage grouse outside of Core Population Areas.
- 8. Incentives to accelerate or enhance required reclamation in habitats adjacent to Core Population Areas should be developed, including but not limited to stipulation waivers, funding for enhanced reclamation, and other strategies. It is recognized that some incentives may result in reduced numbers of sage grouse outside of the Core Population Areas.
- 9. Existing rights should be recognized and respected.
- 10. On-the-ground enhancements, monitoring, and ongoing planning relative to sage grouse and sage grouse habitat should be facilitated by sage grouse local working groups whenever possible.
- 11. Fire suppression efforts in Core Population Areas should be emphasized, recognizing that other local, regional, and national suppression priorities may take precedent. However, public and firefighter safety remains the number one priority for all fire management activities.
- 12. State and federal agencies, including the U.S. Fish and Wildlife Service, Bureau of Land Management, U.S. Forest Service, and other federal agencies shall work collaboratively to ensure a uniform and consistent application of this Executive Order to maintain and enhance Greater Sage-Grouse habitats and populations.
- 13. State agencies shall work collaboratively with local governments and private landowners to maintain and enhance Greater Sage-Grouse habitats and populations in a manner consistent with this Executive Order.
- It is critical that existing land uses and landowner activities continue to occur in core 14. areas, particularly agricultural activities on private lands. For the most part, these activities on private lands are not subject to state agency review or approval. Only those activities which state agencies are required by state or federal statute to review or approve are subject to consistency review. This Executive Order in no way adds or expands the review or approval authority of any state agency. It is acknowledged that such land uses and activities could have localized impacts on Greater Sage-Grouse. To offset these impacts, Core Population Areas have been mapped to include additional habitat beyond that strictly necessary to prevent listing of the species. The additional habitat included within the Core Population Area boundaries is adequate to accommodate continuation of existing land uses and landowner activities. As a result, state agencies are not required to review most existing land uses and landowner activities in Core Population Areas for consistency with this Executive Order. Attachment C contains a list of existing land uses and landowner activities that do not require review for consistency.
- 15. It will be necessary to construct significant new transmission infrastructure to transport electricity generated in Wyoming to out-of-state load centers. New transmission lines constructed within Core Population Areas will be consistent with this Executive Order if they are constructed between July 1 and March 14 (or between July 1 and November 30 in winter concentration areas) and within one half (1/2) mile either side of existing 115 kV or larger transmission lines. New

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- transmission outside this one (1) mile wide corridor within Core Population Areas should be authorized or conducted only when it can be demonstrated that the activity will not cause declines in Greater Sage-Grouse populations.
- 16. For purposes of consistency with this Executive Order there is established a transmission line corridor through Core Population Areas in south central and southwestern Wyoming as illustrated on Attachment D. This two (2) mile wide corridor represents the state of Wyoming's preferred alternative for routing transmission lines across the southern portion of the state while reducing impacts to Core Population Areas and other natural resources. New transmission lines constructed within this corridor shall be considered consistent with this Executive Order if construction occurs within the corridor between July 1 and March 14 (or between July 1 and November 30 in winter concentration areas). New transmission lines sited outside this corridor within Core Population Areas should be authorized or conducted only when it can be demonstrated by the state agency that the activity will not cause declines in Greater Sage-Grouse populations.
- 17. State agencies shall report to the Office of the Governor within ninety (90) days detailing their actions to implement this Executive Order.

Given under my hand and the Executive Seal of the State of Wyoming this August, 2010.

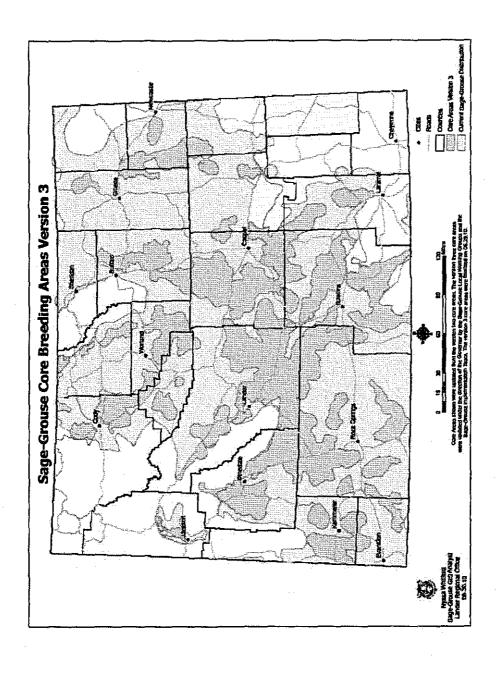
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Dave Freudenthal

Governor

# **ATTACHMENT A**



#### ATTACHMENT B

## Permitting Process and Stipulations for Development in Sage-Grouse Core Areas

#### PERMITTING PROCESS

Point of Contact: The first point of contact for addressing sage-grouse issues in any permit application should be the Wyoming Game and Fish Department (WGFD). Project proponents (proponents) need to have a thorough description of their project and identify the potential effects on sage-grouse prior to submitting an application to the permitting agency (details such as a draft project implementation area analysis, habitat maps and any other information will help to expedite the project). Project proponents should contact WGFD at least 45-60 days prior to submitting their application. More complex projects will require more time. It is understood that WGFD has a role of consultation, recommendation, and facilitation, and has no authority to either approve or deny the project. The purpose of the initial consultation with the WGFD is to become familiar with the project proposal and ensure the project proponent understands recommended stipulations and stipulation implementation process.

Maximum Disturbance Process: All activities will be evaluated within the context of maximum allowable disturbance (disturbance percentages, location and number of disturbances) of suitable sage-grouse habitat (See Appendix A for definition of suitable sage-grouse habitat and disturbance of suitable sage-grouse habitat) within the area affected by the project. The maximum disturbance allowed will be analyzed via a Project Impact Analysis Area (PIAA) process conducted by the Federal Land Management Agency on federal Land and the project proponent on non-federal (private, state) land. Unsuitable habitat occurring within the project area will not be included in the disturbance cap calculations.

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Project impact analysis area (PIAA) delineation:
 Determine all leks that may be affected by the project by placing a four-mile boundary around the project boundary (as defined by the proposed area of disturbance related to the project). All occupied leks located within the four-mile boundary will be considered affected by the project.

A four-mile boundary will then be placed around the perimeter of each affected lek. The area within the boundary of affected leks and the project boundary creates the PIAA for each individual project. Disturbance will be analyzed for the PIAA as a whole and for each individual affected lek within the PIAA. Any portion of the PIAA occurring outside of core area will be removed from the analysis.

- 2. Disturbance analysis: Total disturbance acres within the PIAA will be determined through an evaluation (Appendix A) of:
  - a. Existing disturbance (sage-grouse habitat that is disturbed due to existing anthropogenic activity and wildfire).
  - b. Approved permits (that have approval for on the ground activity) not yet implemented.
- 3. Habitat Assessment: A habitat assessment will be conducted to create a baseline survey identifying:
  - a. Suitable and unsuitable habitat within the PIAA
  - b. Sage-grouse use of suitable habitat (seasonal, densities, etc)
  - c. Priority restoration areas (which could reduce 5% cap)
    - i. Areas where plug and abandon activities will eliminate disturbance
    - ii. Areas where old reclamation has not produced suitable habitat
  - d. Areas of invasive species
  - e. Other assurances in place (CCAA, easements, habitat contracts, etc.)
- 4. Determination of existing and allowable suitable habitat disturbance: Acres of disturbance within suitable habitat divided by the total suitable habitat within the PIAA times 100 equals the percent of disturbed suitable habitat within the PIAA. Subtracting the percentage of existing disturbed suitable habitat from 5% equals new allowable suitable habitat disturbance until plant regeneration or reclamation reduces acres of disturbed habitat within the PIAA.

**Permitting**: The complete analysis package developed by consultation and review outlined herein will be forwarded to the appropriate permitting agency. Wyoming Game and Fish Department recommendations will be included, as will other recommendations from project proponents and other appropriate agencies.

**Excepted Activities:** A list of "deminimus" activities, including standard uses of the landscape, is being developed and will be completed by 01 July 2010 as further guidance for these recommendations.

#### **GENERAL STIPULATIONS**

These stipulations are designed to maintain existing suitable sage-grouse habitat by permitting development activities in core areas in a way that will not cause declines in sage-grouse populations. General stipulations are recommended to apply to all activities in core areas, with the exception of de minimus actions defined herein or specifically identified activities. The specific industry stipulations are considered in addition to the general stipulations.

- 1. Surface Disturbance: Surface disturbance will be limited to 5% of suitable sage-grouse habitat per an average of 640 acres. The PIAA process will be used to determine the level of disturbance. Distribution of disturbance may be considered and approved on a case-by-case basis. Unsuitable habitat should be identified in a seasonal and landscape context, on a case-by-case basis, outside the 0.6 mile buffer around leks. This will incentivize proponents to locate projects in unsuitable habitat to avoid creating additional disturbance acres. Acres of development in unsuitable habitat are not considered disturbance acres. The primary focus should be on protection of suitable habitats and protecting from habitat fragmentation. See Appendix A for a description of suitable, unsuitable habitat and disturbance.
- 2. Surface Occupancy: Within 0.6 miles of the perimeter of occupied sage-grouse leks there will be no surface occupancy (NSO). NSO, as used in these recommendations, means no surface facilities including roads shall be placed within the NSO area. Other activities may be authorized with the application of appropriate seasonal stipulations, provided the resources protected by the NSO are not adversely affected. For example, underground utilities may be permissible if installation is completed outside applicable seasonal stipulation periods and significant resource damage does not occur. Similarly, geophysical exploration may be permissible in accordance with seasonal stipulations.
- 3. Seasonal Use: Activity (production and maintenance activity exempted) will be allowed from July 1 to March 14 outside of the 0.6 mile perimeter of a lek in core areas where breeding, nesting and early brood-rearing habitat is

- present. In areas used solely as winter concentration areas, exploration and development activity will be allowed March 14 to December 1. Activities in unsuitable habitat may also be approved year-round (including March 15-June 30) on a case-by-case basis (except in specific areas where credible data shows calendar deviation). Activities may be allowed during seasonal closure periods as determined on a case-by-case basis.
- 4. Transportation: Locate main roads used to transport production and/or waste products > 1.9 miles from the perimeter of occupied sage-grouse leks. Locate other roads used to provide facility site access and maintenance > 0.6 miles from the perimeter of occupied sage-grouse leks. Construct roads to minimum design standards needed for production activities.
- 5. Overhead Lines: Bury lines when possible, if not; locate overhead lines at least 0.6 miles from the perimeter of occupied sage-grouse leks. New lines should be raptor proofed if not buried.
- 6. Noise: Limit new noise levels to 10 dBA above ambient noise (existing activity included) measured at the perimeter of a lek from 6 PM to 8 AM during initiation of breeding (March 1 to May 15). Actual thresholds may be adjusted upon completion of current research being conducted in core habitat.
- 7. Vegetation Removal: Vegetation removal should be limited to the minimum disturbance required by the project. All topsoil stripping and vegetation removal in suitable habitat will occur between July 1 and March 14 in areas that are within 4.0 miles of an occupied lek. Initial disturbance in unsuitable habitat between March 15 and June 30 may be approved on a case-by-case basis.
- 8. Sagebrush Treatment: Sagebrush eradication is considered disturbance and will contribute to the 5% disturbance factor. Sagebrush treatments that maintain sagebrush canopy cover at or above 15% total canopy cover within the treated acres will not be considered disturbance. Treatments that reduce sagebrush canopy cover below 15% will be allowed if all such treated areas make up less than 20% of the suitable sagebrush habitat within the PIAA, and any point within the treated area is within 60 meters of sagebrush habitat with 10% or greater canopy cover. Treatments to enhance sagebrush/grassland will be evaluated based upon the existing habitat quality and the functional level post-treatment.

- 9. Monitoring/adaptive response: For all activities allowed in Core Areas, sage-grouse monitoring will be conducted to evaluate the response of the affected populations (PIAA identified leks) to the permitted activity. Monitoring plans will be coordinated and modified by the permitting agency with input from WGFD. Monitoring will include the evaluation of affected leks and at least three reference leks (one control area) outside the PIAA. If declines in affected leks (using a three-year running average during any five-year period relative to trends on reference leks) are determined to be caused by the project, the operator will propose adaptive management responses to increase the number of birds. If the operator cannot demonstrate a restoration of bird numbers to baseline levels (established by pre-disturbance surveys, reference surveys and taking into account regional and statewide trends) within three years, operations will cease until such numbers are achieved.
- 10. Reclamation: Reclamation should re-establish native grasses, forbs and shrubs during interim and final reclamation to achieve cover, species composition, and life form diversity commensurate with the surrounding plant community or desired ecological condition to benefit sage-grouse and replace or enhance sage-grouse habitat to the degree that environmental conditions allow. Seed mixes should include two native forbs and two native grasses with at least one bunchgrass species. Where sagebrush establishment is prescribed, establishment is defined as meeting the standard prescribed in the individual reclamation plan. Landowners should be consulted on desired plant mix on private lands. The operator is required to control noxious and invasive weed species, including cheatgrass. Rollover credit, if needed, will be outlined in the individual project reclamation plan.

Credit may be given for completion of habitat enhancements on bond released or other minimally functional habitat when detailed in a plan. These habitat enhancements may be used as credit for reclamation that is slow to establish in order to maintain the disturbance cap or to improve nearby sagegrouse habitat.

11.Existing Activities: Areas already disturbed or approved for development within Core Areas prior to Executive Order 2008-02 are not subject to new sage-grouse stipulations with the exception existing operations may not initiate activities resulting in new surface occupancy within 0.6 mile of the perimeter of a sage-grouse lek. Any existing disturbance will be counted

- toward the calculated disturbance cap for a new proposed activity. The level of disturbance for existing activity and rollover credit may exceed 5%.
- **12.Exceptions:** Any exceptions to these general or specific stipulations will be considered on a case by case basis and must show that the exception will not cause declines in sage-grouse populations.

#### SPECIFIC STIPULATIONS (To be applied in addition to general stipulations)

1. <u>Oil and Gas:</u> Well pad densities not to exceed an average of one pad per square mile (640 acres) and suitable habitat disturbed not to exceed 5% of suitable habitat within the PIAA. As an example, the number of well pads within a two mile radius of the perimeter of an occupied sage-grouse lek should not exceed 11, distributed preferably in a clumped pattern in one general direction from the lek.

#### 2. Mining

- a. For development drilling or ore body delineation drilled on tight centers, (approximately 100'X100') the disturbance area will be delineated by the external limits of the development area. Assuming a widely-spaced disturbance pattern, the actual footprint will be considered the disturbance area.
- b. Monitoring results will be reported annually in the mine permit annual report and to WGFD. Pre-disturbance surveys will be conducted as required by the appropriate regulatory agency.
- c. The number of active mining development areas (e.g., operating equipment and significant human activity) are not to exceed an average of one site per square mile (640 acres) within the PIAA.
- d. Surface disturbance and surface occupancy stipulations will be waived within the Core Area when implementing underground mining practices that are necessary to protect the health, welfare, and safety of miners, mine employees, contractors and the general public. The mining practices include but are not limited to bore holes or shafts necessary to: 1) provide adequate oxygen to an underground mine; 2) supply inert gases or other substances to prevent, treat, or suppress combustion or mine fires; 3) inject mine roof stabilizing substances;

- and 4) remove methane from mining areas. Any surface disturbance or surface occupancy necessary to access the sites to implement these mining practices will also be exempt from any stipulation.
- e. Coal mining operations will be allowed to continue under the regulatory and permit-specific terms and conditions authorized under the federal Surface Mining Control and Reclamation Act.

#### 3. Connectivity:

- a. The suspension of federal and state leases in connectivity corridors is encouraged where there is mutual agreement by the leasing agency and the operator. These suspensions should be allowed until additional information clarifies their need. Where suspensions cannot be accommodated, disturbance should be limited to more than 5% (up to 32 acres) per 640 acres of suitable sage-grouse habitat within connectivity corridors.
- b. For protection of connectivity corridors, a controlled surface use (CSU) buffer of 0.6 miles around leks or their documented perimeters is required. In addition, a March 15 June 30 timing limitation stipulation is required within nesting habitat within 4 miles of leks.
- 4. Process Deviation or Undefined Activities: Development proposals incorporating less restrictive stipulations or development that is not covered by these stipulations may be considered depending on site-specific circumstances and the proponent must have data demonstrating that the alternative development proposal will not cause declines in sage-grouse populations in the core area. Proposals to deviate from standard stipulations will be considered by a team including WGFD and the appropriate land management and permitting agencies, with input from the U.S. Fish and Wildlife Service. Project proponents need to demonstrate that the project development would meet at least one of the following conditions:
  - a. No suitable habitat is present in one contiguous block of land that includes at least a 0.6-mile buffer between the project area and suitable habitat;
  - b. No sage-grouse use occurs in one contiguous block of land that includes at least a 0.6 mile buffer between the project area and adjacent occupied

- habitat, as documented by total absence of sage-grouse droppings and an absence of sage-grouse activity for the previous ten years;
- c. Provision of a development/mitigation plan that has been implemented and demonstrated by previous research not to cause declines in sage-grouse populations. The demonstration must be based on monitoring data collected and analyzed with accepted scientific based techniques.
- **5.** <u>Wind Development:</u> Wind development is not recommended in sage-grouse core areas.

## Appendix 1 Suitable Sage-Grouse Habitat Definition

Sage-grouse require somewhat different seasonal habitats distributed over large areas to complete their life cycle. All of these habitats consist of, are associated with, or are immediately adjacent to, sagebrush. If sage-grouse seasonal habitat use maps do not exist for the project site the following description of suitable habitat should be used to determine areas of unsuitable sage grouse habitat for development siting purposes. An abbreviated description of a complex system cannot incorporate all aspects of, or exceptions to, what habitats a local sage-grouse population may or may not utilize. The references provided below will assist where more detailed site evaluations are required.

Suitable sage-grouse habitat (nesting, breeding, brood-rearing, or winter) is within the mapped occupied range of sage-grouse, and:

- has 5% or greater sagebrush canopy cover as measured by the technique developed by interagency efforts. "Sagebrush" includes all species and sub-species of the genus Artemisia except the mat-forming sub-shrub species: frigida (fringed) and pedatifida (birdfoot); or
- 2) is riparian, wet meadow (native or introduced) or areas of alfalfa or other suitable forbs (brood rearing habitat) within 60 meters of sagebrush habitat with 10% or greater canopy cover and the early brood rearing habitat does not exceed 20% of the suitable sagebrush habitat present within the PIAA, Larger riparian/wet meadow, and grass/forb producing areas may be considered suitable habitat as determined on a case by case basis; or
- 3) is a burned or treated sagebrush site being managed to return to its ecological site potential via succession that will allow it to meet a minimum 5% sagebrush canopy cover within 10 to 15 years.

To evaluate the 5% disturbance cap per average 640 acres or PIAA, suitable habitat is considered disturbed when it is removed and unavailable for immediate sage-grouse use.

- a. Long-term removal occurs when habitat is physically removed through activities that replace suitable habitat with long term occupancy of unsuitable habitat such as a road, well pad or active mine.
- b. Short-term removal occurs when vegetation is removed in small areas, but restored to suitable habitat within a few years of disturbance, such as a successfully reclaimed pipeline, or successfully reclaimed drill hole or pit.
- c. Suitable habitat rendered unusable due to numerous anthropogenic disturbances less than 1.2 miles apart that preclude use by sage-grouse.

#### **ATTACHMENT C**

# Existing Land Uses and Landowner Activities in Greater Sage-Grouse Core Population Areas That Do Not Require State Agency Review for Consistency With Executive Order No. 2010-4

- Existing animal husbandry practices (including branding, docking, herding, trailing, etc).
- Existing farming practices (excluding conversion of sagebrush/grassland to agricultural lands).
- 3. Existing grazing operations that utilize recognized rangeland management practices (allotment management plans, NRCS grazing plans, prescribed grazing plans, etc).
- 4. Construction of agricultural reservoirs capable of storing less than 20 acre-feet and drilling of agricultural and residential water wells (including installation of tanks, water windmills and solar water pumps) more than 0.6 miles from leks. Within 0.6 miles from leks no review is required if construction does not occur March 15 to June 30 and construction does not occur on the lek. All water tanks shall have escape ramps.
- 5. Agricultural and residential electrical distribution lines more than 0.6 miles from leks. Within 0.6 miles from leks no review is required if construction does not occur March 15 to June 30 and construction does not occur on the lek. Raptor perching deterrents shall be installed on all poles within 0.6 miles from leks.
- 6. Agricultural water pipelines if construction activities are more than 0.6 miles from leks. Within 0.6 miles from leks no review is required if construction does not occur March 15 to June 30 and construction is reclaimed.
- 7. New fencing more than 0.60 miles from leks and maintenance on existing fence. For new fencing within 0.60 miles of leks, fences with documented high potential for strikes should be marked.
- Irrigation (excluding the conversion of sagebrush/grassland to new irrigated lands).
- 9. Spring development if the spring is protected with fencing and enough water remains at the site to provide mesic (wet) vegetation.
- Herbicide use within existing road, pipeline and power line rights-of-way. Herbicides application using spot treatment. Grasshopper/Mormon cricket control following Reduced Agent-Area Treatments (RAATS) protocol.
- 11. Existing county road maintenance.
- 12. Cultural resource pedestrian surveys.
- 13. Emergency response.

