

APPENDIX 1

**DECISIONS FROM THE 2008 SPECIAL STATUS
SPECIES RESOURCE MANAGEMENT PLAN
AMENDMENT**

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Lands and Realty

Within sand dune lizard habitat, new surface disturbance in dune complexes will not be authorized. Exceptions to this requirement will be considered based on the proposed surface use and proposed mitigations indicating the proposal will not adversely affect sand dune lizard habitat.

In order to provide opportunities for expansion of lesser prairie-chicken habitat within the Planning Area and to reduce the impacts of electric power lines, applicants for electric power lines rights-of-way could participate in a power line removal credit (PLRC) program. Under this program applicants could remove 1.5 miles of idle power lines (wire and poles) within prairie-chicken habitat management unit (Core Management Area, Primary Population Area, Sparse and Scattered Population Area, and Isolated Population Area) and habitat type (occupied or suitable/potentially suitable) before receiving authorization to construct 1.0 mile of new power line in a similar or lower value habitat type. Appendix 2, Monitoring and Implementation, contains the details of the implementation of the PLRC program. The PLRC program will not be applicable in unsuitable habitat, regardless of the management unit (CMA, PPA, SSPA and IPA).

Other mitigation measures that will be considered include, but are not limited to, those shown below. These mitigation measures are ranked in order of effectiveness of reducing impacts from power lines:

- Burying new distribution power lines within 2 miles of occupied lesser prairie-chicken habitat (measured from the lek) and in suitable lesser prairie-chicken habitat within 2 miles of an active lek. See Table 2-4, Robel Impact Distances. (see Appendix 2, Monitoring and Implementation.)
- Using internal combustion engines to power equipment at the well. Such engines will be muffled to 75 db measured at 30 feet from the source.
- Constructing new power lines in locations which avoid occupied and suitable lesser prairie-chicken habitat.
- In cases where overhead power lines already exist in occupied or suitable lesser prairie-chicken habitat, new power lines could be constructed immediately adjacent to an existing line but only to the extent of the existing overhead power lines. Where sections of the new power line cannot follow the existing line, it will have to be buried, or mitigated according to the PLRC program described above.

- Constructing all infrastructure supporting development of a well (including roads, power lines and pipelines) within the same corridor.

Minerals

Core Management Area – Existing Oil and Gas Leases

TABLE 3 ROBEL IMPACT DISTANCES	
DISTURBANCE	IMPACT RADIUS
Oil or gas wellheads	.1 mile
Sand/dirt 2-track roads	0
Caliche roads, oil field access roads	.1 mile
Paved roads	.5 mile
Compressor stations	.75 mile
Houses	.5 mile
Power lines	.25 mile
Center-pivot fields	.25 mile
SOURCE: Pecos District Office Files, 2006	

For existing leases, Plans of Development (PODs) and appropriate Conditions of Approval (COAs) will be required to ensure orderly development with a minimum of surface impact in lesser prairie-chicken habitat. PODs may not be required for every existing lease on the Planning Area, but are required when requested by the BLM. Included in PODs and COAs will be specifications for minimizing impacts associated with new development and for reclaiming developed areas. The

purpose of a POD is to require planning by the operator and BLM to ensure orderly development as a means to reduce or eliminate impacts to special status species habitat. A POD will incorporate applicable Best Management Practices (BMPs, see Appendix 1) and disclose to the fullest extent possible all future well locations; the location and arrangement of well infrastructure (e. g., tank batteries, compressors, power lines and poles); road locations; and rights-of-way.

Primary Population Area – Existing Oil and Gas Leases

For existing leases, PODs will be required unless waived by the authorized officer. Subsequent COAs may also be required. Included in PODs and COAs will be specifications for various strategies for minimizing impacts associated with new development and for reclaiming disturbed areas. A POD will incorporate applicable BMPs and disclose all future well locations; the location and arrangement of well infrastructure (e. g., tank batteries, compressors, power lines and poles); road locations; and ROWs.

Sparse and Scattered Population Area – Existing Oil and Gas Leases

For existing leases, PODs will be required unless waived by the authorized officer. Subsequent COAs may also be required as described for the Primary Population Area section above. Timing and noise stipulations will also be applied.

Isolated Population Area – Existing Oil and Gas Leases

For existing leases, PODs will be required unless waived by the authorized officer. Subsequent COAs may also be required as described for the Primary Population Area section above.

Isolated Population Area – Habitat Evaluation Areas

Habitat suitability analyses will be conducted in the 17 Habitat Evaluation Areas (see Map 1). These areas will be prioritized for reclamation potential and for potential to re-established connectivity to adjacent isolated habitat blocks. Until the evaluation of an area is complete, new oil and gas leasing will be deferred. It may be determined, through the suitability analysis process, that these areas will be discretionarily closed to future oil and gas leasing. Criteria for closing these areas or making them available for lease can be found in Appendix 3. Lessees of existing oil and gas leases will be required to provide a POD unless waived by the authorized officer.

Deferment of leasing in the 17 Habitat Evaluation Areas will continue until the habitat suitability analysis is complete, pending available funding and partners willing to work with BLM.

Sand Dune Lizard – Existing Oil and Gas Leases

For existing leases within the sand dune lizard boundary (see Map 1) the lessee will be responsible for occupancy and habitat suitability surveys required prior to permitting surface disturbing activities. Surveys will be considered Conditions of Approval (COAs) and conducted by BLM employees or BLM approved contractors and personnel. Depending on the results of the survey, proposed well sites may not be available to be developed and directional drilling may be necessary to develop all spacing units within a lease. Shinnery oak flats adjacent to dune complexes are the preferred location for proposed well sites.

Surveys for occupied sand dune lizard habitat will follow scientific protocol. The recommended time period for sand dune lizard surveys is June 1 through September 30 between the hours of 9:00 a.m. and 5:00 p.m., but avoiding the heat of mid-day. Since surveys must be completed before any surface disturbing activities will be approved, lessees that do not complete surveys in the proper time frame will have to wait up to 8 months, October 1 through May 31, before conducting surveys. Depending on the results of the surveys, prospective well locations may be moved up to 200 meters to avoid sand dune lizard habitat.

Existing leases will require PODs, when requested, which will incorporate the results of the habitat surveys. The purpose of a POD is to assist the operator and BLM with planning for orderly development as a means to reduce or eliminate impacts to special status species habitat. A POD will also incorporate applicable best management practices and disclose all future well locations to the fullest extent possible; the location and arrangement of well infrastructure (e. g., tank batteries, compressors, power lines and poles); road locations; and ROWs.

If the lessee can demonstrate through the use and application of peer-reviewed science that the rationale behind a stipulation is no longer necessary, waivers, exceptions, or modifications to the lease may be considered by the Authorized Officer. The lease will be subject to the Pecos District land use plans in effect at the time of consideration. Granting of a waiver, exception or modification is a discretionary action which the operator should not routinely expect.

Waivers, exceptions, modifications will also be subject to other applicable regulatory and environmental compliance requirements. BLM reserves the right to impose other stipulations in the same area of this leasehold if a waiver, exception or modification is granted.

Should occupied sand dune lizard habitat be found outside the Lizard Habitat Boundary (shown on Map B-1) but within the Planning Area, the management prescriptions described above will be applied to existing oil and gas leasing.

Power Line Removal Credit Program (from Appendix 2, 2008 RMPA)

In order to provide opportunities for expansion of lesser prairie-chicken habitat within the Planning Area, applicants for electric power lines could participate in power line removal credit (PLRC). Under this program applicants would remove 1.5 miles of idle power lines (wire and poles) within lesser prairie-chicken habitat management unit (CMA, PPA, SSPA and IPA) and habitat type (occupied or suitable/potentially suitable) before receiving authorization to construct 1.0 miles of new power line.

The priority for removing idle power lines is, in order, Core Management Area, Primary Population Area, the Habitat Evaluation Areas, Sparse and Scattered Population Area, and Isolated Population Area. Within these management areas, the priority for removing idle power lines is, in order, occupied, and suitable habitat. For purposes of this program potentially suitable habitat would be treated as suitable habitat. The PLRC program would not be applicable in unsuitable habitat, regardless of the management unit (CMA, PPA, SSPA and IPA).

Applicants would be able to substitute power line removal in higher priority areas for construction of new power lines in lower priority areas. For example, 3 miles of power lines removed in occupied habitat within the PPA would meet the requirements for constructing 2 miles of new power lines in suitable habitat within the PPA and lower priority management units. For an illustration of how the priorities would be applied and the credits allocated see the matrix below.

The Habitat Evaluation Areas are included in the matrix because of their importance as potential building blocks for the expansion of lesser prairie-chicken populations. The Habitat Evaluation Areas which have high potential for reclamation and as habitat for re-establishment of chicken populations would remain as depicted in the matrix below. Those Habitat Evaluation Areas determined to be lacking high conservation value would be managed according to the IPA prescriptions. Criteria for evaluating the Habitat Evaluation Areas can be found in Appendix 8.

Credits accrued by removing power lines (wire and poles) are not dependant on surface ownership. Credits accrued by removing power lines on either State or private surface can be used for new construction on BLM managed surface.

Idle power lines removed by an applicant can be counted or “banked” for future consideration providing the applicant reports the removal to BLM. Applicants may trade, buy or sell credits, providing the applicant reports transactions to BLM. BLM Carlsbad Field Office Realty Program would be the office of record for the PLRC.

Implementing the PLRC

Prior to applying for removal credits, participants would submit to BLM baseline data of overhead power lines within the Planning Area under their control. This data must be in a format compatible with BLM's Geographic Information System (GIS).

To apply for removal credits, a participant would:

- Submit to BLM data files compatible with BLM's GIS. These files would include
 - participant's name;
 - a unique identifying name or number (This is up to the power line participant. If the participant already has a system to identify power lines or segments, then by all means continue to use the system of identification.)
 - the location of line removed. (The linear distance and location of power lines removed are the key components of the information.)
- After verification, BLM would then overlay the data onto the Planning Area, calculate the linear distance of the removed power lines, and credit the removal to the appropriate management category (see the matrix below). BLM would then total the amount of removal by management category and communicate to the participant the amount of credits available for use.
- Participants participating in the Power Line Removal Credit program would be responsible for communicating to BLM the location and length of new construction within the Planning Area. Data files which include the information described above would be appropriate. BLM would debit the participant's account for removed idle lines and provide an accounting of remaining credits to the participant.

REMOVAL/NEW CONSTRUCTION MATRIX

Mgmt Unit	Occupied	Suitable
CMA	R	B
PPA	B	B
HEA	B	B
SSPA	B	B
IPA	B	B
Mgmt Unit	Occupied	Suitable
CMA	N	N
PPA	N	N
HEA	N	R
SSPA	B	B
IPA	B	B

Mgmt Unit	Occupied	Suitable
CMA	N	R
PPA	B	B
HEA	B	B
SSPA	B	B
IPA	B	B
Mgmt Unit	Occupied	Suitable
CMA	N	N
PPA	N	N
HEA	N	N
SSPA	R	B
IPA	B	B

Mgmt Unit	Occupied	Suitable
CMA	N	N
PPA	R	B
HEA	B	B
SSPA	B	B
IPA	B	B
Mgmt Unit	Occupied	Suitable
CMA	N	N
PPA	N	N
HEA	N	N
SSPA	N	R
IPA	B	B

Mgmt Unit	Occupied	Suitable
CMA	N	N
PPA	N	R
HEA	B	B
SSPA	B	B
IPA	B	B
Mgmt Unit	Occupied	Suitable
CMA	N	N
PPA	N	N
HEA	N	N
SSPA	N	N
IPA	R	B

Mgmt Unit	Occupied	Suitable
CMA	N	N
PPA	N	N
HEA	R	B
SSPA	B	B
IPA	B	B
Mgmt Unit	Occupied	Suitable
CMA	N	N
PPA	N	N
HEA	N	N
SSPA	N	N
IPA	N	R

NOTES: **R** = for every 1.5 miles of idle power lines Removed, 1.0 mile of new power lines could be built in the management unit; **B** = 1.0 miles of new power line construction could be Built in this management area, **N** = No credits available and no new power line construction would be authorized.