

THE LESSER PRAIRIE-CHICKEN RANGE-WIDE CONSERVATION PLAN

Lesser Prairie-Chicken Interstate Working Group
 David Klute, CPW; Sean Kyle, TPWD; Jim Pitman, KDWP; Grant Beauprez, NMGF; Allan Janus, ODWC; Bill Van Pelt, WAFWA;

LPC Range-Wide Conservation Plan

Objectives

- Preclude the need for a federal listing through voluntary conservation
- Maintain State G&F Agency management of the LPC
- Provide incidental take coverage under 4(d) and CCAA
- Pre and post-listing document with a pathway to delisting

Project Website:
http://www.wafwa.org/html/rangewide_lpc_conservation_plan.shtml

LISTED AS THREATENED
May 12, 2014

Population Goal

- 10-yr avg. of 67,000 birds
 - 2012 estimate of ~34,500
 - 2013 estimate of ~17,700

Focal Areas & Connectivity Zones

- Designed to support the majority of the population
- Less than 25% of the total area

Ecotype	Population Goal
Shortgrass	25,000
Mixed Grass	24,000
Sand Sage	10,000
Shinnery Oak	8,000

The Range-wide Plan Agreements

CCAA

- Candidate Conservation Agreement with Assurances
- Assurances for oil permit under Section 101 of CAA
- Oil and Gas only
- Pre-listing enrollment only

Closed to New Enrollments

WCA

- WAFWA Conservation Agreement
- Assurances through the 4(d) Rule
- All industries
- Pre and post-listing enrollment

Operationally, they function the same.

Enrollment Fees

- Pay annually for three years
- Enrollment fees are applied to future impacts or mitigation
- Pay one enrollment fee based on impact type (which ever is greatest)

Enrollment Fees by Impact Type	
Petroleum wells and infrastructure	\$2.25/acre
Wind Turbines and infrastructure	\$2.25/acre
Transmission lines	\$20,000*
Cell/Radio towers	\$15,000*
Primary roads	\$15,000*
Pipelines and Compressors (Downstream & Midstream)	\$10,000*
Distribution lines	\$5,000*
Secondary roads	\$5,000*

** Flat fee not based acreage*

Conservation Measures

Minimizing Impacts

See Range-wide Plan for a complete description of CMs

- Timing restrictions
 - 3:00 am-9:00 am from March 1-July 15 within 1.25 miles of leks
- Noise restrictions for new infrastructure
 - ≤75 dB @ 30 ft
 - Within 1.25 miles of leks
- Bury new power lines
 - Within 1.25 miles of leks
- Reseeding with native vegetation



WAFWA Voluntary Mitigation Framework

Assessing Impact Units

$$\text{Impact Acres} \times \text{Habitat Quality} \times \text{CHAT Multiplier} \times \text{Endowment Multiplier}$$

- Only for new infrastructure
- Mitigation must be completed prior to impact



WAFWA Voluntary Mitigation Framework

Assessing Impact Units

Impact Acres x Habitat Quality x Impact Multiplier x Endowment Multiplier

- Impact acreage is determined by impact buffers defined in the RWP
- Siting within pre-existing impact buffers reduces new impacts and mitigation fees.

WAFWA Voluntary Mitigation Framework

Assessing Impact Units

Impact Acres x Habitat Quality x Impact Multiplier x Endowment Multiplier

- Four consistent habitat variables
 - Easy to measure and repeatable
 - Don't vary widely with changing weather
- Habitat quality is a proportion (0 to 1)

WAFWA Voluntary Mitigation Framework

Assessing Impact Units

Impact Acres x Habitat Quality x Impact Multiplier x Endowment Multiplier

- Incentivizes avoidance
- Define the mitigation ratio of 2:1 in all categories

CHAT Category	Impact Multiplier	Offset Multiplier
CHAT 1	2.5	1.25
CHAT 2	2.1	1.05
CHAT 3	1.8	0.9
CHAT 4	1.6	0.8

WAFWA Voluntary Mitigation Framework

Assessing Impact Units

Impact Acres x Habitat Quality x Impact Multiplier x Endowment Multiplier = 25

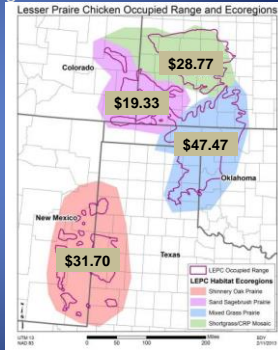
- One-time fee ensures coverage for incidental take in-perpetuity
- Funds are invested in a non-wasting endowment fund
- Ensures conservation payments in-perpetuity to offset impacts

WAFWA Voluntary Mitigation Framework

Calculating Mitigation Fees

- Fees = Impact units X per acre habitat management cost
- Based on USDA practice costs
 - Restoration = native seeding and brush control
 - Maintenance = grazing, fire, CRP costs, and easement costs
- + 12.5% admin cost

87.5% of funds go to conservation on private lands



Farming and Ranching Enrollment

- Performance-based system
 - Use same habitat metrics as the industry side
- Contract options
 - Short-term or long-term
- Payments
 - Incentive of easement payment at enrollment
 - payments for restoration
 - annual payments based on habitat quality



WAFWA Mitigation Delivery System

Practices and Offset Payments

Short Term Enrollment Incentives: Up to \$3.38/acre (5yr) & Up to \$6.75/acre (10yr)

Rangeland Management Plan



Up to \$27/acre

Mechanical Brush Control



Up to \$460/acre*

** 10yr contract required*

Planted Grass Management Plan



Up to \$58/acre

Native Range Planting



Up to \$248/acre*

** 10yr contract required*

WAFWA Conservation Delivery System

Perpetual Conservation Easements

- Negotiable payment up to 50% of fair market value
- Participant required to implement recurring 10-year conservation plan
 - Same annual performance-based payments



Implementation

- Impacts
 - ~10,000 million acres enrolled
 - Conservation measures required on all enrolled land
 - 161 companies
 - Oil and gas, pipeline, wind, electric
 - ~\$47 million committed 2014-2016

- Offsets
 - Contracts
 - 7 10-year contracts



- New enrollments being reviewed and processed

