

State of Utah
 Department of Natural Resources
 Division of Wildlife Resources

Contract No. 70 2024
Amend No.

CONTRACT INFORMATION

Date 6/30/2015

Vendor No. [REDACTED]
 Vendor Utah Division of Oil, Gas and Mining
 Address 1594 W. North Temple
 City Salt Lake City Utah 84116

Description of work to be completed.

Execute the terms of the Governor's Executive Order EO/2015/002: Implementing the Utah Conservation Plan For Greater Sage-grouse

Receivable Payable Land Acquisition MOU Easement/Right of Way

NUMBER OF FTE'S PER THIS CONTRACT:

# of AJ's	0
# of AL's	0
# of B's	0
Total number of FTE's	0

DELIVERABLES (Reports, products, materials):

	Due Date:
See attached	

Effective Date Upon final signature
 Expiration Date When EO is no longer active

Total Amount to be Received/Paid:

Description	Amount
TOTAL	\$ -

Is this a new Project number? Yes No

A budget change form will need to be submitted with all contracts, including amendments.

Unit	Appr	Activity	Function	Program	Object	Amount	SLO Use
TOTAL						\$0.00	

Contract Monitor: Ben Nadolski

Division Chief / Regional Supervisor Approval:

Michael F. Long

70 2024

MEMORANDUM OF UNDERSTANDING
between the
UTAH DIVISION OF WILDLIFE RESOURCES,
UTAH PUBLIC LANDS POLICY COORDINATING OFFICE
and
UTAH DIVISION OF OIL, GAS AND MINING
for Implementation of the Utah Conservation Plan for Greater Sage-grouse

This memorandum of understanding, hereinafter the MOU, is made and entered into by and between the Utah Division of Wildlife Resources, hereinafter referred to as UDWR, the Utah Public Lands Policy Coordinating Office hereinafter referred to as PLPCO, and the Utah Division of Oil, Gas and Mining, hereinafter referred to as DOGM, and individually and collectively known as the PARTY or PARTIES.

I. PURPOSE:

The purpose of this AGREEMENT is to formalize coordination between the UDWR, PLPCO, and DOGM for compliance with Executive Order EO/2015/002 and implementation the Conservation Plan for Greater Sage-grouse in Utah, dated February 14, 2013, as amended.

II. STATEMENT OF MUTUAL INTERESTS AND BENEFITS:

The Executive Order *Implementing the Utah Conservation Plan for Greater Sage-grouse* was issued by Governor Gary Herbert on February 25th, 2015 instructing any state agency whose operations affect greater sage-grouse to coordinate implementation of the Conservation Plan for Greater Sage-grouse in Utah through PLPCO, with the assistance of UDWR.

Pursuant to the terms of the Executive Order, state agencies will maintain, improve and enhance greater sage-grouse habitat, opportunity areas, and the species' populations within the specific Sage Grouse Management Areas established in the Conservation Plan. Agencies will follow the Management Protocol and Mitigation provisions established by Section 6 of the Conservation Plan.

III. PARTIES TO THE AGREEMENT

UDWR is a Division of the Utah Department of Natural Resources and has responsibility for the management of wildlife in the State of Utah, and staff with expertise in evaluating greater sage-grouse habitat and potential impacts to said habitat that may affect sage-grouse populations.

DOG M, a Division of the Utah Department of Natural Resources, facilitates the development of oil, natural gas, and mineral resources while ensuring industry compliance with regulations and site restoration.

PLPCO, within the Office of the Governor, serves to develop and coordinate the State's public lands policy initiatives, coordinate efforts between agencies and track agency actions to comply with planning efforts.

IV. DOGM WILL:

1. Continue to use processes within the Minerals Program that check any proposed Notice of Intention to identify if the proposed lands are included in sage-grouse management areas. If so, UDWR staff will be contacted and a site inspection coordinated to address the Conservation Plan. The Minerals Program webpage includes both the Conservation Plan and Executive Order to inform their stakeholders of the importance of addressing threats facing sage-grouse populations. The website also includes the sage-grouse management areas map.
2. Continue to operate the Coal Program under a state primacy delegation from the Office of Surface Mining in conjunction with the Surface Mining Control and Reclamation Act. The Program will add the Conservation Plan as a factor to be reviewed as part of the existing program. The Coal Program has adopted rules which include a plan for protection of wildlife resources throughout the life of the mine (R64-301-330) and include division consultation with state and federal agencies with responsibilities for wildlife (R645-301-322.100).
3. Develop a process within the Oil and Gas Program to check a proposed APD with fee surface to determine if the proposed well site is within a sage-grouse management area in accordance with the then current map. UDWR staff will be notified for inclusion in the onsite pre-drill evaluation to address the Conservation Plan. The fee surface owner will also be invited to the onsite visit. SITLA staff will be invited, as has historically been the case concerning proposed APDs on state-owned lands, for participation in the onsite pre-drill evaluation, and UDWR will be notified. The Oil and Gas Program will add the Conservation Plan, the Executive Order, and the sage-grouse management areas map onto their website.
4. Coordinate with UDWR on all new DOGM regulatory actions proposed within SGMAs, to enable compliance with the Conservation Plan and to satisfy the requirements of the Executive Order. DOGM will implement the recommendations of UDWR for compliance with the Conservation Plan, subject to the statutory requirements to avoid waste of the mineral resource and protect "correlative rights" on private property during resource production.

5. Implement the management protocol in the Conservation Plan which includes: 1) avoidance of the disturbance, 2) minimization of the disturbance if the disturbance cannot be avoided, and 3) mitigation of the disturbance is required if a disturbance cannot be avoided.
6. Review the conservation recommendations for each regulatory action which DWR may provide. DWR's recommendations will be based upon the management protocol within the Conservation Plan. If DOGM determines that the recommendations will lead to waste, DOGM will inform DWR, DNR and PLPCO in writing, giving details of the determination. All entities will meet to review the situation, and determine the appropriate response based upon the management protocol, which response will include compensatory mitigation as necessary.
7. Keep office and field notes, as appropriate, about the consultations sufficient to demonstrate the issues discussed, the specific areas within the SGMA involved, resolution of the issues discussed, and outcomes achieved. These notes will be retained in the project file for as long as such files are normally retained.
8. Continue activities, use and maintenance of specific projects and facilities existing within the SGMAs prior to adoption of the Utah Conservation Plan for Greater Sage-grouse (February, 2013) without consultation with UDWR.
9. Report annually to PLPCO detailing actions to comply with Executive Order EO/2015/002. The reporting should include a summary of the consultations for the year

V. UDWR WILL:

1. Provide DOGM with a tabular list of individuals and contact information for each SGMA within the state, updated whenever personnel or their contact information change.
2. Consult with DOGM to evaluate areas in which new or upgraded projects or actions are proposed and to provide technical assistance and recommendations for compliance with the Conservation Plan for Greater Sage-grouse in Utah.
3. UDWR will keep sufficient office or field notes about the consultations to demonstrate the issues discussed, the specific geographic and habitat types within the SGMA involved, resolution of the issues discussed, and

outcomes achieved. These notes will be available in a database of all such consultations related to the Conservation Plan, and will be permanently retained.

4. Compile an annual summary report of all such consultations, and submit to PLPCO at the appropriate time.

VI. PLPCO WILL:

1. Receive annual reports from state agencies and track compliance of executive order EO/2015/002.

VII. THE PRINCIPAL CONTACTS FOR THIS AGREEMENT ARE:

Jason Robinson
Upland Game Coordinator
Utah Division of Wildlife Resources
1594 W. North Temple, Suite 2110
Salt Lake City, Utah 84116
801-538-4786

John Harja
Senior Policy Advisor
Public Lands Policy Coordination Office
5110 State Office Building
350 North State Street
Salt Lake City, UT 84114
801-537-9802


Steve Schneider
Administrative Services and Policy Coordinator
Utah Division of Oil, Gas and Mining
1594 W. North Temple, Suite 2110
Salt Lake City, Utah 84116
801-538-5328

70 2024

IN WITNESS WHEREOF, the PARTIES hereto have executed this AGREEMENT as of the last date written below

UTAH DIVISION OF WILDLIFE RESOURCES

ACTING DIRECTOR



Greg Sheehan, Director

 6/30/15

Financial Mgr. Date
Division of Wildlife Resources
6/30/15

Date

UTAH PUBLIC LANDS POLICY COORDINATING OFFICE



Kathleen Clarke, Director

6/29/15

Date

UTAH DIVISION OF OIL, GAS AND MINING



John Baza, Director

6/12/2015

Date