



Montana Fish, Wildlife & Parks

January 15, 2007

Karen L. Johnson, Chief
Fluids Adjudication Section
Bureau of Land Management
Montana State Office
5001 Southgate Drive
Billings, Montana 59101-4669

REF; BLM MTM 96204, Notice of Oil and Gas Lease Sale, January 30, 2006

Dear Mrs. Johnson:

We are in receipt of your notice of competitive oil and gas lease sale scheduled to occur on January 30, 2007. After examination of the proposed properties and their attached stipulations and analysis, we have information that we believe the BLM should consider prior to completing the scheduled lease sale. As you can understand some of our most significant concerns relate to grouse leking areas and big game winter range although other concerns exist. Fish Wildlife and Parks prides itself on having very experienced biologists located throughout the state that provide on the ground localized management based on a very complete understanding of the needs of the local fish and wildlife resource. As such, many of the comments have slight variations based on local conditions, and I encourage your staff to use these variations to your benefit.

Due to the extent of the information that we have and will continue to provide for future proposed sales, I would again extend an offer to have our information management staff meet with your staff in the near future to explore the ways that we could become more efficient at commenting on your lease sales. I think that it could be beneficial if we could, among other topics, discuss how we might receive the list of proposed parcels in digital format, how we might expedite the availability of digitized stipulations as they are attached geographically to proposed parcels so that our analysis and your updating process could be more efficient, and finally how we might update critical winter range information statewide. In that regard, I look forward to you future correspondence.

I would appreciate your review of the following information and trust that it will be incorporated into the stipulations and information package for the areas that are in question. If you have any questions, please do not hesitate to let me know.

T6N R49E Secs 4, 10, 12, 14.

There is a sharp-tailed grouse lek located in the NW1/4 of Section 13 T6N R49E, and the lease falls within the 4-mile sage grouse lek buffers determined from the sage grouse lek area polygons. Recommend following BLM stipulations requiring no surface occupancy within 1/4 mile of lek and no surface use from March 1 to June 15 within 2 miles of a lek to protect grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for long term maintenance of grouse populations in the area.

T6N R49E Secs. 8, 22, 24, 26, 28, and 30

There are sage grouse leks located in Section 7 and in the NE 1/4 of Section 32; T6N R49E. Recommend no surface occupancy and use in Sections 8 and 28 T6N R49E to protect sage grouse breeding and nesting habitat. The other sections fall within the 4-mile sage grouse lek buffers determined from the sage grouse lek area polygons. Recommend following BLM stipulations requiring no surface occupancy within 1/4 mile of a lek and no surface use from March 1 to June 15 within 2 miles of a lek to protect grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for long term maintenance of grouse populations in the area.

T7N R49E Secs. 2, 4, 10, 18, 20, 26, 28, 32, 34

There is a sharp-tailed grouse lek located in the NW 1/4 NE 1/4 of Section 15; T7N R49E, and the lease falls within the 4-mile sage grouse lek buffers determined from the sage grouse lek area polygons. Recommend following BLM stipulations requiring no surface occupancy within 1/4 mile of a lek and no surface use from March 1 to June 15 within 2 miles of a lek to protect grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for long term maintenance of grouse populations in the area.

T6N R50E Secs. 2, 4, 10, 14, 26, 28, 30, 32, 34

All sections lie within critical mule deer winter range. Recommend no surface use from December 1 to March 31 to protect crucial mule deer winter range from disturbance during the winter use season, and to facilitate long-term maintenance of these populations. This lease also falls within the 4-mile sage grouse lek buffers determined from the sage grouse lek area polygons. Recommend following BLM stipulations requiring no surface occupancy within 1/4 mile of a lek and no surface use from March 1 to June 15 within 2 miles of a lek to protect grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for long term maintenance of grouse populations in the area.

T7N R50E Secs. 2, 4, 6, 10, 12, 14, 18

There is a sharp-tailed grouse lek located in the SE ¼ NW ¼ of section 18; T7N R50E. Recommend no surface occupancy in section 18; T7N R50E to protect sharp-tailed grouse breeding and nesting habitat. All sections also fall within critical mule deer winter range. Recommend no surface use from December 1 to March 31 to protect crucial mule deer winter range from disturbance during the winter use season, and to facilitate long-term maintenance of these populations.

T6N R52E Secs. 20, 26, 28, and 34

There is a sage grouse lek located in Section 28; T6N R52E. This lek is also within a mile of Section 34; T6N R52E. Recommend no surface occupancy and use on Sections 28 and 34; T6N R52E. All sections lie within critical mule deer winter range. Recommend no surface use from December 1 to March 31 to protect crucial mule deer winter range from disturbance during the winter use season, and to facilitate long-term maintenance of these populations. Sections 20 and 26; T6N R52E also fall within the 4-mile sage grouse lek buffers determined from the sage grouse lek area polygons. Recommend following BLM stipulations requiring no surface occupancy within ¼ mile of a lek and no surface use from March 1 to June 15 within 2 miles of a lek to protect grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for long term maintenance of grouse populations in the area.

T7N R52E Secs. 26, 28, 30, and 34

There are sage grouse leks located in the NE ¼ of Section 31; T7N R52E and in the NE ¼ of Section 29; T7N R52E. These leks are located within 1 mile of Sections 28 and 30; T7N R52E. Recommend no surface occupancy and use in Sections 28 and 30; T7N R52E. All sections lie within critical mule deer winter range. Recommend no surface use from December 1 to March 31 to protect crucial mule deer winter range from disturbance during the winter use season, and to facilitate long-term maintenance of these populations. Sections 26 and 34; T7N R52E also fall within the 4-mile sage grouse lek buffers determined from the sage grouse lek area polygons. Recommend following BLM stipulations requiring no surface occupancy within ¼ mile of a lek and no surface use from March 1 to June 15 within 2 miles of a lek to protect grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for long term maintenance of grouse populations in the area.

T7N R50E Secs. 24, 26, 30, 32, 34; T8N R50E Secs. 4, 6, 8, 10, 12; T8N R50E Secs. 18, 20, 24, 26, 30, 34; T8N R51E Secs. 22, 28, 30, 32, 34; T8N R52E Secs. 4, 6, 8, 18, 20; T8N R52E Secs. 10, 12, 14, 22, 26; T8N R52E Secs. 28, 30, 32; T6N R53E Secs. 2, 8, 10, 14, 24

All of the above leases fall within critical mule deer winter range. Recommend no surface use from December 1 to March 31 to protect crucial mule deer winter range from disturbance during the winter use season, and to facilitate long-term maintenance of these populations.

T6N R51E Secs. 2, 4, 6, 14, 24; T6N R51E Secs. 28, 30, 32; T7N R51E Secs. 10, 12; T7N R51E Secs. 12, 36; T7N R51E Secs. 32, 34; T7N R51E Sec. 36; T7N R52E Secs. 2, 4, 6, 10, 22, 24; T7N R52E Secs. 14, 20

All of the above leases fall within the 4-mile sage grouse lek buffers determined from the sage grouse lek area polygons. Recommend following BLM stipulations requiring no surface occupancy within $\frac{1}{4}$ mile of a lek and no surface use from March 1 to June 15 within 2 miles of a lek to protect grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for long term maintenance of grouse populations in the area.

T7N R51E Secs. 14, 18, 20, 28, 30; T6N R52E Secs. 2, 4, 6, 8, 10, 12; T6N R52E Secs. 14, 18, 22, 24; T7N R52E Secs. 6, 8, 14, 20; T6N R53E Secs. 4, 6, 8, 10, 20; T6N R53E Secs. 12, 32, 34; T6N R53E Secs. 18, 22, 26, 28

All of the above leases fall within the 4-mile sage grouse lek buffers determined from the sage grouse lek area polygons and all fall within critical mule deer winter range. Recommend following BLM stipulations requiring no surface occupancy within $\frac{1}{4}$ mile of a lek and no surface use from March 1 to June 15 within 2 miles of a lek to protect grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for long term maintenance of grouse populations in the area.

Recommend no surface use from December 1 to March 31 to protect crucial mule deer winter range from disturbance during the winter use season, and to facilitate long-term maintenance of these populations.

T8N R53E Secs. 23, 25, 26, 32, 34

There is a sharp-tailed grouse lek located in the south $\frac{1}{2}$ NE $\frac{1}{4}$ of section 26; T8N R53E. Recommend no surface occupancy in Section 26; T8N R53E to protect sharp-tailed grouse breeding and nesting habitat.

T13N R3W Sec. 8

This section is part of critical white tailed and mule deer, and elk winter range and needs to have appropriate winter range stipulation applied.

T9N R25E Secs. 10, 15, 22; T9N R25E Secs. 18, 19, 20; T9N R26E Secs. 8, 14, 18

There is an active sage-grouse display ground on T09N, R26E, Section 18. This ground had 18 males in 2006. Just to the north of this ground about 200 yards is an active sharp-tailed grouse display ground that had at least 15 males on it in 2006. There should be no surface disturbance in the entire $\frac{1}{4}$ section where these two display grounds are located.

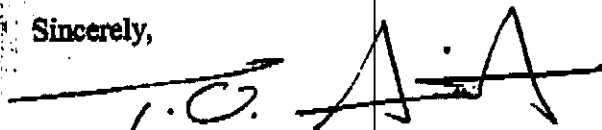
It is likely that one of the limiting factors for sage grouse in this portion of FWP Region 5 is the occurrence and quality of sagebrush. If development takes place, stands of sagebrush should be avoided and efforts should be made to minimize the construction of power lines and fences with wooden posts. Surface occupancy should be prohibited from March 1 to June 15 in grouse nesting habitat on all of these leases.

T6N R49E Secs. 8, 30; T26N R55E Sec. 26; T26N R59E Sec. 11

This area is a high density mule deer winter/spring range and fawning habitat. There should be a timing restriction from December 1 to June 15 each year.

I hope your staff finds this information helpful and I look forward to our future correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read 'T.O. Smith', written over a horizontal line.

T.O. Smith
Comprehensive Fish and Wildlife
Conservation and Energy Coordinator
406 444 3889
406 465 4000