

COMMITTEE REPORTS

SPECIES, HABITAT, OPERATIONS COMMITTEE

Karen Sinard, Occidental Oil and Gas Corporation

The SHOC submits the following Committee Report detailing significant issues that are being followed and worked by SHOC member companies.

Dunes Sagebrush Lizard (DSL)

- DOI has finally worked out a plan with the frac-sand miners to enroll under the CCAA. Sand miners will not have avoidance requirements like upstream O&G; however, there are many other considerations that sand miners will follow. No changes have been made to the O&G requirements under the CCAA. The entity that will hold the permit is unknown.
- Draft CCAA will be published in the Federal Register in early July with a 30-day comment period. This timing coincides with FWS' settlement with CBD to make a decision on whether or not to accept the petition to list the DSL by June 30th
- Skinny TCP will be transferred to the new permit holder around the same time (end of the month). Skinny TCP will be limited to current participants and "Take" will be limited to the current cap of ~2100 ac.
- FWS has completed their review of the petition to list the DSL and has concluded that listing may be warranted. FWS will begin in-depth review to determine whether the DSL should be listed.

Lesser Prairie Chicken (LPC)

- Some Committee members met with the State Directors, WAFWA, and FWS via webinar on March 26, 2020 to work through the realignment process in response to the audit conducted last July.
- FWS presented their concerns with defensibility of the CCAA: 1) Net Conservation Benefit and whether the CCAA meets the criteria; 2) habitat restoration vs. habitat enhancement; and 3) LPC listing criteria and new science.
- CBD Press Release and news article came out in April 2020 about the audit and findings.
- Two workgroups have been formed with a focus on financial durability and CCAA defensibility. Workshops for both groups were held virtually in June.
- WAFWA has provided financial data for years 2014-2019. Industry is reviewing the data to ensure that the CCAA realignment addresses any concerns.
- Updated receipt format for submitted projects since enrollment is available for Participants. Contact WAFWA, Sean Kyle, sean.kyle@wafwa.org, if you want to receive an updated receipt.
- WAFWA Virtual Summer meeting and LPC CCAA session will be held July 10th.
- PBPA encourages additional industry partners to get involved in this CCAA realignment process.

Monarch Butterfly

- On April 3, 2020, the Nationwide CCAA for the Monarch Butterfly was issued by FWS. Energy and transportation companies can elect to enroll rights-of way and associated lands in the agreement to conserve habitat for the monarch.
- FWS listing decision deadline for the Monarch is December 15, 2020. Enrollment in the CCAA is open until the Monarch becomes a listed species.
- Although CCAA does not lend itself to upstream oil and gas operations, some vegetative management enhancements could be implemented to help pollinators.

Burrowing Owls

- Burrowing owls are a listed species of concern by Texas and FWS.
- WAFWA has developed a conservation program for burrowing owls that is mutually beneficial to species by providing artificial burrows/habitat and to O&G operations with reduced drilling delays.
- WAFWA estimates that 40 additional species benefit from the conservation work for the owls.

The most recent SHOC meeting was June 10th and the next scheduled meeting will be held August 12th.