

COMMITTEE REPORTS

SPECIES, HABITAT, OPERATIONS COMMITTEE

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The SHOC Committee meets bi-monthly meetings to discuss important issues related to species and/or their habitat that may impact operations in the Permian Basin.

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

Dunes Sagebrush Lizard (DSL)

- Current TCP participants met with DOI and FWS personnel on January 9, 2020 to get an update on the DSL, the TCP, and the CCAA.
- DOI wants to get conservation plan or plans in place to support a non-listing decision that is biologically supported. DOI/FWS plans to transfer the “Skinny TCP” to another entity. The Skinny TCP will initially be limited to current participants and the take will be limited.
- DOI/FWS wants to get the new CCAA out the door; however the CCAA needs an administrator/permit holder if the Comptroller of Texas decides not to hold the permit. The DOI/FWS wants frac sand mining companies to be included in the CCAA.

Lesser Prairie Chicken (LPC)

- Some Committee members met with the State Directors, WAFWA, and FWS in Denver on February 6, 2020 to develop list of LPC O&G CCAA concerns that may need to be addressed as a result of the audit conducted in mid-2019.
- FWS discussed several issues: 1) Net Conservation Benefit and whether the CCAA meets the criteria; 2) habitat restoration vs. habitat enhancement; and 3) LPC listing
- CCAA is under the umbrella of the Rangeland Plan; however, it is important to differentiate the requirements of each plan. WAFWA is preparing an annual report (due April 20th) that highlights just the CCAA requirements and accomplishments. A response to the audit will also be included.
- A second meeting was held via webinar on March 26th during which compliance concerns raised in the audit were discussed at length. Industry is concerned that there is a lack of attention on the funding needs to sustain the program. An investment committee is being formed.
- PBPA encourages additional industry partners to get involved in this CCAA realignment process.

Texas Hornshell Mussel (THM)

- THM CCAA stakeholder workgroup was formed, which includes 2 O&G industry reps, to work on emergency response planning. Initial meeting held and guidance document being developed.

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 in advance of the FWS listing decision in December 2020.

Texas Parks and Wildlife Department

- On January 22nd, PBPA submitted comments in support of the TPWD proposed amendments to the state Threatened and Endangered Species lists. Copy of letter was sent to committee members.

Fish and Wildlife Services

- FWS proposed new rules on the Migratory Birds Treaty Act, which concludes that MBTA prohibitions on pursuing, hunting, taking, capturing, killing, or attempting to do the same, apply only to actions directed at migratory birds, their nests, or their eggs.
- Committee voted to not submit comments on the proposed rules.

The most recent SHOC meeting was February 19th and the April meeting was canceled. The next scheduled meeting will be held on June 10, 2020.