70 2022

MEMORANDUM OF UNDERSTANDING
between the
UTAH DIVISION OF WILDLIFE RESOURCES,
UTAH PUBLIC LANDS POLICY COORDINATING OFFICE
and
UTAH DEPARTMENT OF TRANSPORTATION
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 Department of Transportation, hereinafter referred to as UDOT, and individually and collectively known as the PARTY or PARTIES.

I. PURPOSE:

The purpose of this MOU is to formalize coordination between the UDWR, PLPCO, and UDOT 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. The Protocol requires agencies to avoid disturbance to habitat or the populations to the greatest extent possible. If avoidance of the disturbance is not possible, the Protocol requires minimization and mitigation, at the rates prescribed, for the effects of the disturbance.

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.

UDOT builds and maintains Utah's transportation infrastructure on designated state highways in the State of Utah. UDOT also administers funds that are used on local government roadways from the Local Government Assistance Program.

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.

III. UDOT WILL:

1. Early in the planning process for any new or expansions to existing state highways within the SGMAs, UDOT will consult with UDWR about recommendations for action necessary to eliminate or reduce impacts to sage-grouse habitat or populations from the proposed project.

2. 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.

3. Continue activities, use and maintenance of state highways and facilities existing within the SGMAs prior to adoption of the Utah Conservation Plan for Greater Sage-grouse (February, 2013) without consultation with UDWR.

4. Report annually, by April 26, to PLPCO detailing actions to comply with Executive Order EO/2015/002. The reporting should include a summary of the consultations for the year.

IV. UDWR WILL:

1. Consult with UDOT to evaluate areas in which new or expansions to existing state highways are proposed and to provide technical assistance and recommendations for compliance with the Conservation Plan for Greater Sage-grouse in Utah.

2. 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.

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

IV. PLPCO WILL:

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

V. THE PRINCIPAL CONTACTS FOR THIS AGREEMENT ARE: 70 2022

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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

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

6/30/15
Date

UTAH PUBLIC LANDS POLICY COORDINATING OFFICE

Kathleen Clarke, Director

6-16-2015
Date

UTAH DEPARTMENT OF TRANSPORTATION

Shane M. Marshall, P.E., Deputy Director

4/21/15
Date