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Sam Brownback, Governor

Kraig Schultz  
KDWPT District Wildlife Biologist  
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To whom it may concern:

After reviewing the proposed wildlife stipulations and attending the Oil and Gas Scoping meeting in Elkhart we have a few comments we would like to make. First of all, we support Alternative 3, the USFS proposed Action.

Under the No Surface Occupancy Stipulation on page 5 we feel the 2 mile buffer around leks that have shown activity since 2003 is an adequate buffer. Most nesting activity occurs within 2 miles of an active lek. The 2 mile buffer should provide sufficient distance to vertical structures that hens have a nest site selection avoidance to. Also, the leks that may not have recent activity could develop activity when drought conditions diminish or cease.

Under the Controlled Surface Use Stipulation on page 11 we support that the entire sandsage prairie south of the Cimarron River be included as potential habitat for Lesser Prairie Chickens. Historically Lesser Prairie Chickens inhabited most of the sandsage prairie south of the Cimarron River on the Cimarron National Grasslands. Recently, mainly due to weather being not conducive to nesting and brood rearing, they have reduced their occupied range on the Cimarron National Grasslands. We believe that under more desirable weather conditions, the Lesser Prairie Chickens should increase in numbers and begin to repopulate many of the areas they currently are not occupying.

Also, we would like a more defined definition and the process of mitigation, reclamation and monitoring measures mentioned in paragraph 2. How will KDWPT be involved in this process?

Under the Timing Limitation Stipulation on page 18 we support the dates from March 15 through July 15 for the Lesser Prairie Chickens. Male Lesser Prairie Chickens begin showing up on leks in mid-March. Hens begin nesting in mid-April and can continue into mid-July if a renesting effort is made. The March 15<sup>th</sup> to July 15<sup>th</sup> timeframe will cover almost all the breeding and nesting activities for Lesser Prairie Chickens.

Also, under the Timing Limitation Stipulation for Lesser Prairie Chickens, we would like to have the term "No Surface Use" better defined.

Thank you for allowing Kansas Department of Wildlife, Parks and Tourism to be involved in the process and to make comments.

Thank you,

A handwritten signature in blue ink, appearing to read "Kraig Schultz".

Kraig Schultz  
District Wildlife Biologist