From:	Kelly, Katherine
To:	Sarah Neimeyer; Stephenne Harding; John Blair; Maria Najera; Karen Hyun; Michael J. Bean; James Lyons; Janice Schneider; Lauren Bogard; Ted Boling; Bret Birdsong; Tommy Beaudreau; Elizabeth A Klein; Elizabeth Washburn; Betsy Hildebrandt; Gavin Shire; Anita Bilbao; craig leff; Cynthia Moses-Nedd; Amy Lueders; Steven Ellis; Dan Ashe; neil kornze; Anna Munoz; Press_Review; Jeremy Bratt; Dylan Fuge; Stephanie Carman; Larry Gillick
Cc:	Jessica Kershaw; Androff, Blake J; sarah greenberger
Subject:	Final materials attached - embargoed until Tuesday, 12pm ET
Date:	Tuesday, September 22, 2015 12:05:35 AM
Attachments:	09-22-15 GSG Listing Decision FINAL.docx BLM-USFS Plans Fact Sheet FINAL.docx Common Q&A - BLM USFS plans FINAL.docx FWS FAQs FINAL.docx Myths v Facts FINAL.docx Withdrawals Fact Sheet FINAL.docx

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On Mon, Sep 21, 2015 at 11:50 AM, Kelly, Katherine <kate_kelly@ios.doi.gov> wrote:

> Hi folks -
>
> Thanks for everyone's contributions to ensuring we have accurate materials for tomorrow's announcement.
>
> Attached are the near-final materials. The book is closing on any fatal flaw edits by 6pm tonight. Please flag for **me and Jessica directly** (rather than reply all), if you see anything that needs to be changed. We will send around a set of FINAL materials first thing tomorrow morning.
>
> Finally, for those paying attention to the tick tock, we will be making the Secretary's announcement video live at **9am ET tomorrow** (ie that's when the news will be public). The event and materials will still go out at 12pm ET.
>
> Thanks,
>
> Kate
>
> On Mon, Sep 14, 2015 at 6:49 PM, Kelly, Katherine <kate_kelly@ios.doi.gov> wrote:
>
>> Hi folks -
>>
>> Attached are DRAFT materials for the greater sage-grouse announcement. In the interest of time, these are going through concurrent review at multiple levels/agencies, etc. at one time.
>>
>> Asks:
>>
>> 1) Please send me any edits or questions **no later than 5pm ET on Wednesday, September 16.** I will then collate edits and send around the next generation of materials for one final look this week.
>>
>> 2) It'd be great if the BLM and FWS could each send **one set of edits** on behalf of

their team, so please discuss internally on how you want to coordinate/get in front of the right people.

3) I'll state the obvious: this is all very **close hold**. Please do not forward or share these materials widely.

Attached:

USDA-DOI:

- press release (new)
- myth v fact document (updated from May announcement)

FWS:

- Q&A (new)

BLM-USFS:

- Fact sheet on the plans (updated from May announcement)
- Fact sheet on the proposed mineral withdrawal (new)
- Q&A (updated from May announcement)

Not ready for review, but being produced:

- State-by-state fact sheets that capture the entirety of the sage-grouse picture (threats, conservation efforts, the future)
- FWS fact sheet on the determination
- FWS fact sheet on the sagebrush conservation campaign
- NRCS infographic on SGI

Thank you in advance for your help!

--

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EMBARGOED UNTIL SEPTEMBER 22, 2015 @ 12:00PM ET

OFFICE OF THE SECRETARY

U.S. Department of the Interior

www.doi.gov

News Release

Date: September 22, 2015

Contact: Jessica Kershaw (Interior), Interior_Press@ios.doi.gov

Historic Conservation Campaign Protects Greater Sage-Grouse

U.S. Fish and Wildlife Service determines federal land management plans and partnerships with states, ranchers, and NGOs avert ESA listing by conserving America's "Sagebrush Sea"

DENVER, CO – An unprecedented, landscape-scale conservation effort across the western United States has significantly reduced threats to the greater sage-grouse across 90 percent of the species' breeding habitat and enabled the U.S. Fish and Wildlife Service (FWS) to conclude that the charismatic rangeland bird does not warrant protection under the Endangered Species Act (ESA). This collaborative, science-based greater sage-grouse strategy is the largest land conservation effort in U.S. history.

Secretary Jewell made the announcement earlier today on Twitter with a video that explains why the sage grouse decision is a historic and sets the groundwork for a 21st century approach to conservation.

The FWS reached this determination after evaluating the bird's population status, along with the collective efforts by the BLM and U.S. Forest Service, state agencies, private landowners and other partners to conserve its habitat. Despite long-term population declines, sage-grouse remain relatively abundant and well-distributed across the species' 173-million acre range. After a thorough analysis of the best available scientific information and taking into account ongoing key conservation efforts and their projected benefits, the FWS has determined the bird does not face the risk of extinction now or in the foreseeable future and therefore does not need protection under the ESA.

"This is truly a historic effort – one that represents extraordinary collaboration across the American West," said U.S. Secretary of the Interior Sally Jewell**. "**It demonstrates that the Endangered Species Act is an effective and flexible tool and a critical catalyst for conservation – ensuring that future generations can enjoy the diversity of wildlife that we do today. The epic conservation effort will benefit westerners and hundreds of species that call this iconic landscape home, while giving states, businesses and communities the certainty they need to plan for sustainable economic development."

Jewell made the announcement at the Rocky Mountain Arsenal National Wildlife Refuge today alongside Colorado Governor John Hickenlooper, Nevada Governor Brian Sandoval, Montana Governor Steve Bullock, Wyoming Governor Matt Mead, U.S. Department of Agriculture Under Secretary for Natural Resources and the Environment Robert Bonnie, FWS Director Dan Ashe, Bureau of Land Management (BLM) Director Neil Kornze, U.S. Forest Service (USFS) Chief Tom Tidwell, Natural Resource Conservation Service (NRCS) Chief Jason Weller, and U.S. Geological Survey Acting Director Suzette Kimball.

"Today's decision reflects the joint efforts by countless ranchers and partners who have worked so hard to conserve wildlife habitat and preserve the Western way of life," said U.S. Agriculture Secretary Tom Vilsack. "Together, we have shown that voluntary efforts joining the resources of private landowners, federal and state agencies, and partner organizations can help drive landscape-level conservation that is good for sage-grouse, ranching operations, and rural communities. Through the comprehensive initiatives on both public and private lands, the partnership has made and will continue to make monumental strides in supporting the people and wildlife that depend on the sagebrush landscape."

The FWS's September 30, 2015 deadline to review the status of the species spurred numerous federal agencies, the 11 states in the range, and dozens of public and private partners to undertake an extraordinary campaign to protect, restore and enhance important sage-grouse habitat to preclude the need to list the species. This effort featured: new management direction for BLM and Forest Service land use plans that place greater emphasis on conserving sage-grouse habitat; development of state sage-grouse management plans; voluntary, multi-partner private lands effort to protect millions of acres of habitat on ranches and rangelands across the West; unprecedented collaboration with federal, state and private sector scientists; and a comprehensive strategy to fight rangeland fires.

"We've written an important chapter in sage-grouse conservation, but the story is far from over," said Director Ashe. "By building on the partnerships we've forged and continuing conservation efforts under the federal and state plans, we will reap dividends for sage-grouse, big game and other wildlife while protecting a way of life in the West. That commitment will ensure that our children and grandchildren will inherit the many benefits that this rich but imperiled landscape has to offer."

The BLM and USFS today announced that they have issued Records of Decisions finalizing the 98 land use plans that will help conserve greater sage-grouse habitat and support sustainable economic development on portions of public lands in 10 states across the West. The land use plans were developed during over a multi-year process in partnership with the states and local partners, guided by the best available science and technical advice from the FWS. The BLM and USFS also initiated today the public comment process associated with their proposal to withdraw a subset of lands that are sage-grouse strongholds from future mining claims. More information on the plans is available here . More information on the proposed mineral withdrawal is available here.

The future of the sage-grouse depends on the successful implementation of the federal and state management plans and the actions of private landowners, as well as a continuing focus on reducing invasive grasses and controlling rangeland fire. The FWS has committed to monitoring all of the continuing efforts and population trends, as well as to reevaluating the status of the species in five years.

The greater sage-grouse is an umbrella species, emblematic of the health of sagebrush habitat it shares with more than 350 other kinds of wildlife, including world-class populations of mule deer, elk, pronghorn, and golden eagles. In 2010, the Service determined that the greater sage-grouse warranted ESA protection because of population declines caused by loss and fragmentation of its sagebrush habitat, coupled with a lack of regulatory mechanisms to control habitat loss. However, the need to address higher-priority listing actions precluded the Service from taking action to list the bird. Since that time, actions from state, federal and private partners have added needed protections, increasing certainty that this important habitat will be protected.

Roughly half of the sage-grouse's habitat is on federal lands, most of it managed by the BLM and USFS. These tend to be drier uplands where the birds mate, nest and spend fall and winter. While the federal plans differ in specifics to reflect local landscapes, threats and conservation approaches, their overall goal is to prevent further

degradation of the best remaining sage-grouse habitat, minimize disturbance where possible and mitigate unavoidable impacts by protecting and improving similar habitat.

About 45 percent of the grouse's habitat is on state and private lands, which often include the wetter meadows and riparian habitat that are essential for young chicks. Efforts by private landowners in undertaking voluntary sage-grouse conservation have been an important element in the campaign. While private lands programs differ, each works with ranchers, landowners and other partners on long-term agreements to undertake proactive conservation measures that benefit sage-grouse.

Through the NRCS-led Sage Grouse Initiative, more than 1,100 ranchers have restored or conserved approximately 4.4 million acres of key habitat. Through the recently-announced SGI 2.0 strategy, USDA expects voluntary, private land conservation efforts to reach 8 million acres by 2018. On private and federal lands, the FWS and BLM have received commitments on 5.5 million acres through Candidate Conservation Agreements. Many of these projects also improve grazing and water supplies for ranchers, benefitting cattle herds and the long-term future of ranching in the West.

States in the sage-grouse's range have been engaged in this collaborative process. For example, Wyoming has been implementing its "core area" strategy for over five years. Montana has committed to implement a similar plan that would set standards for managing private and state lands to meet sage-grouse conservation goals. Similarly, Oregon has adopted an "all lands" strategy for greater sage-grouse conservation. Colorado, Utah, Nevada, and Idaho have also developed strategies to improve state and private land management to benefit the sage-grouse.

Greater sage-grouse once occupied more than 290 million acres of sagebrush in the West. Early European settlers reported seeing millions of birds take to the skies. But the bird, known for its flamboyant mating ritual, has lost almost half of its habitat since then.

Despite losses, sage-grouse populations are still relatively large and well-distributed across the range. The FWS anticipates that some sage-grouse populations may continue to decline in parts of the range, as conservation efforts begin to take effect. Other populations appear to be rebounding as they enter a rising period in their decadal population cycle, which can fluctuate by as much 30 to 40 percent. The FWS has found conservation measures will slow and then stabilize the loss of habitat across the range, securing the species success into the future.

For more information about the greater sage-grouse and this decision, including reports, maps, myths and facts and Secretary's Jewell's video announcing the USFWS decision, please see www.doi.gov/sagegrouse.

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EMBARGOED UNTIL SEPTEMBER 22, 2015 @ 12:00PM ET

FACT SHEET: BLM, USFS Greater Sage-Grouse Conservation Effort

Overview – Effective conservation of the greater sage-grouse and its habitat requires a collaborative, landscape-scale, science-based approach that includes strong federal plans, a strong commitment to conservation on state and private lands, and a proactive strategy to reduce the risk of rangeland fires.

Since public lands make up roughly half of the remaining sage-grouse habitat, management decisions by the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) are critical. The BLM and USFS land use plans will conserve key sagebrush habitat, address identified threats to the greater sage-grouse and promote sustainable economic development in the West. The plans were a key factor in the U.S. Fish and Wildlife Service (FWS) determination that the charismatic rangeland bird does not warrant protection under the Endangered Species Act (ESA).

The plans will not only benefit the greater sage-grouse, but will also preserve the West's heritage of ranching and outdoor recreation; protect hundreds of wildlife species such as elk, mule deer and golden eagles that also rely on sagebrush habitat; and promote balance between conservation and development.

A healthy economy and a healthy ecosystem are inextricably linked. The sagebrush habitat supports a vibrant ranching economy, as well as over $1 billion in economic activity from outdoor recreation. The plans conserve the most important sage-grouse habitat while still providing access to key resources. For example, the vast majority of areas with high potential for oil, gas and renewable energy development are outside of sage-grouse habitat.

Strong federal plans are one part of the equation. States, ranchers, sportsmen, energy developers and other partners are also implementing smart, effective conservation measures that will help ensure the health of iconic sagebrush landscapes for years to come. More than 1,100 ranchers and partners across the West are working with the Natural Resources Conservation Service's (NRCS) Sage Grouse Initiative to restore more than 4.4 million acres of habitat while maintaining working landscapes. The FWS and the BLM have commitments on 5.5 million acres through Candidate Conservation agreements on private and federal lands.

The Federal Sage-Grouse Conservation Plans - The BLM and the USFS plans reflect years of collaborative work among federal, state and local partners. The following provides high-level information about key elements in the plans.

- **Landscape-Scale** – The planning effort focuses on the remaining habitat of the greater sage-grouse on BLM and USFS lands, covering 10 western states in the Great Basin and Rocky Mountain regions. Washington State's greater sage-grouse habitat is primarily on state and private lands so it was not included in the BLM-USFS planning effort.

- **Best Available Science** – Sage-grouse are one of the most-studied upland birds in North America. The plans are grounded in the best available science drawn from published literature and input from recognized experts, state and federal agencies, the US Geological Survey, the FWS and other sources. Among the more important reports guiding the development of the plans are: a first-of-its-kind "Conservation Objectives Team" report that identifies priority conservation areas for the sage-grouse and specific threats to the birds' survival, prepared by experts from both state and federal agencies; a "National Technical Team" compilation of

science prepared by the BLM that provides options for dealing with the most significant threats to the sage-grouse; and a series of reports on how to address the threats of rangeland fire and invasive species prepared in collaboration with the Western Association of Fish and Wildlife Agencies.

- **Unprecedented Coordination** – The planning involved coordination between the BLM and the USFS, which manage roughly half of the remaining sage grouse habitat; relevant state agencies, which make decisions affecting state and private lands and manage the sage-grouse; the NRCS, which provides technical assistance and financial support for conservation on private lands; and the FWS which has provided input into the BLM and USFS planning effort and supported conservation efforts across the range.

- **Locally Led Efforts** – The plans build upon the foundation for sage-grouse conservation initiated by a number of states, including Wyoming and Montana's core area strategy, Idaho's three-tiered conservation approach, and Oregon's "all lands, all threats" approach. In addition, the plans were developed in coordination with a range of stakeholders and cooperators, including farmers and ranchers, energy developers, state fish and wildlife agencies, and many others. For example, partnerships with ranchers have led to millions of acres of habitat protected and restored; mining companies have promoted efforts to improve habitat to offset impacts associated with development; and rural counties and fire protection associations have helped reduce the risk of habitat loss due to fire across the Great Basin.

- **Targeted, Multi-Tiered Approach** – The plans provide a layered management approach that offers the highest level of protection in the most valuable habitat, known as **Sagebrush Focal Areas** (SFAs), which the FWS identified as "stronghold" areas essential for the species' survival. Within SFAs, the plans seek to eliminate new surface disturbance from various sources, including new mining. In **Priority Habitat Management Areas** (PHMA), which include SFAs, the plans seek to limit or eliminate new habitat disturbance with limited exceptions. **General Habitat Management Areas** are lands outside of Priority Habitat Management areas that require some special management to protect and sustain greater sage-grouse populations, but permit more flexible management and resource development.

- **Valid Existing Rights** – The plans respect valid existing rights, including those for oil and gas development, renewable energy, rights-of-way, locatable minerals and other permitted projects.

- **Cooperative Implementation** –The plans will now be implemented by the BLM and USFS in close coordination with state and local partners, as well as continued collaboration with the Sage Grouse Task Force and local working groups.

Three Objectives – The plans are based on three objectives for conserving and protecting habitat. Individual state plans may contain variations on the elements below where different approaches or priorities were consistent with the overall sage-grouse conservation objectives:

1) ***Minimize new or additional surface disturbance*** – The most effective way to conserve the sage-grouse is to protect existing, intact habitat. This objective aims to reduce habitat fragmentation and protect key habitat areas.

- **Surface Disturbance Caps** – Research clearly shows that sage-grouse decline as the amount of nearby surface disturbance (from roads, oil and gas wells, buildings, etc.) increases. The plans balance open space and development through a disturbance cap in priority habitat that limits how much fragmentation of habitat can occur. The caps take into account both existing disturbance and new authorized disturbance.

- **Fluid Mineral Resources (oil, gas and geothermal)** – The plans will reduce surface disturbance from oil, gas and geothermal development while recognizing valid existing rights. The BLM will work with lessees, operators and proponents of proposed fluid mineral projects on existing leases to mitigate adverse impacts to sage-grouse by avoiding, minimizing and compensating for unavoidable impacts. The plans prioritize future leasing and development outside of Priority and General Habitat Management Areas, and limit surface disturbance associated with new federal leases in Sagebrush Focal Areas and Priority Habitat Management Areas. For oil and gas, approximately 90% of lands with high to medium potential are located outside of federally managed priority habitat.

- **Surface Occupancy** – Advances in drilling technology have enabled companies to access oil and gas deposits without disturbing the surface directly above those deposits, making it possible to conserve sensitive habitats while still developing subsurface resources. In states without a demonstrated all-lands regulatory approach to managing disturbance, the BLM will require no-surface occupancy measures in new federal oil and gas leases in Sagebrush Focal Areas and, with exceptions, in Priority Habitat Management Areas. Exceptions, which will be determined by federal and state sage-grouse biologists, are limited to proposed development that will have no impact or a positive impact on sage-grouse.

- **Lek Buffers** – Leks are at the heart of the sage-grouse life-cycle, serving as sites that sage-grouse return to every year to mate. Scientific literature also suggests that other activities, including nesting, occur within a limited distance from a lek site. The plans identify buffers, consistent with the distances identified in a USGS study, as areas in which disturbance should be limited or eliminated to protect sage-grouse. As the study acknowledges, there is no single distance that's appropriate for all populations and all habitats across the range, so distance variations based on local data, best available science, landscape features and existing protections will be considered during the project-specific NEPA processes.

- **Renewable Energy** – Large-scale wind and solar projects have been demonstrated to negatively impact sage-grouse populations. While allowed in general habitat, the plans steer wind and solar development projects to areas outside of priority sage-grouse habitat. The plans complement the BLM's Western Solar Plan which developed solar energy zones, all of which are located outside sage-grouse habitat.

- **Transmission** – Large-scale wind and solar energy projects require transmission to deliver electricity to demand centers. The plans require developers seek to avoid placing transmission lines and other linear developments in sage-grouse habitat. Where important habitat cannot be avoided, mitigation measures will be required.

- **Mining** – The plans minimize surface disturbance caused by mining activities, subject to valid existing rights, in priority habitat and ensure that sagebrush habitat will be an important consideration in the BLM review of proposed coal mines or coal mine expansions. The plans

also recommend that the Secretary of the Interior withdraw 10 million acres within Sagebrush Focal Areas from hardrock mining for up to 20 years. The Interior Department is beginning that separate, public withdrawal process by putting in place a temporary, 2-year prohibition for new hardrock mining location and entry. During the mineral withdrawal process, the Secretary will consider information provided by states, stakeholders and others on mineral potential, including rare earths, as well as the importance of the areas as sagebrush habitat.

2) Improve habitat condition – While restoring lost sagebrush habitat can be very difficult in the short term, particularly in the most arid areas, it is often possible to enhance habitat quality through purposeful management. Doing so is one of the key objectives of the plans.

- **Mitigation** – Consistent with valid existing rights and applicable law, the BLM will require mitigation that provides a net conservation gain to the species by avoiding, minimizing and compensating for unavoidable impacts from development. Compensatory mitigation will be designed to enhance and improve priority habitat.

- **Livestock Grazing** – The FWS recognizes that well-managed grazing can be compatible with long-term sage-grouse conservation. The BLM and USFS plans will use best available science and recognize the need to evaluate varied local ecological conditions and site potential when deciding where and how to apply different types of management. During grazing permit renewals and modifications on lands within sage-grouse habitat, the BLM will incorporate locally developed management objectives for sage-grouse habitat and rangeland health standards, consistent with ecological potential. The BLM and USFS will prioritize monitoring for compliance, review and processing of grazing permits in Sagebrush Focal Areas, followed by Priority Habitat Management Areas, with a focus on lands containing riparian areas and wet meadows.

- **Monitoring and Evaluation** – The plans call for coordinated monitoring and evaluation of population changes, habitat condition and mitigation efforts so that the effectiveness of voluntary and required conservation actions can be assessed.

- **Adaptive Management** – In response to the aforementioned monitoring and evaluation, the plans may be adjusted based on a series of pre-determined benchmarks developed with state wildlife agencies to ensure there is an immediate, corrective response to any identified threshold declines in population or habitat.

3) Reduce threat of rangeland fire to sage-grouse and sagebrush habitat – Rangeland fire can destroy sagebrush habitat and lead to the conversion of previously healthy habitat into non-native, cheatgrass-dominated landscapes. Experts have identified fire as one of the greatest threats to sagebrush habitat in the Great Basin region of Idaho, Utah, Nevada, Oregon and California.

In response to this threat, in January 2015, Secretary Jewell issued a Secretarial Order that calls for a comprehensive, science-based strategy to address the more frequent and intense wildfires. This strategy will fight the spread of cheatgrass and other invasive species that exacerbate fire risk and intensity, position wildland fire management resources for more effective initial attacks, and accelerate the restoration of fire-impacted landscapes to native grasses and sagebrush.

The strategy, which is already being implemented, also includes training for local volunteers and Rangeland Fire Protection Associations; increased recruitment of veterans for fire crews; improving

dispatch plans and the positioning of firefighting assets; and other operational elements to better protect and conserve crucial habitat.

Many elements of this strategy are implemented through the BLM-USFS plans, including:

- **Interagency, landscape-scale assessments** to prioritize at-risk habitat and identify priorities for wildland fire fuels management, preparedness, suppression and restoration based on the quality of habitat at risk from loss to fire;

- **Annual treatment and fire management programs** to be developed in coordination with interagency partners, states and other partners across jurisdictional and ownership boundaries based on priorities identified in the landscape-scale assessments; and

- **Development of strategies** to check the spread of rangeland fires where they occur to protect larger, intact blocks of habitat.

###

Common Questions & Answers
BLM-USFS Greater Sage-Grouse Conservation Plans

Thanks to an unprecedented, science-based, landscape-scale conservation effort across the western United States, the U.S. Fish and Wildlife Service concluded that the greater sage-grouse does not warrant protection under the Endangered Species Act. A key factor in the FWS analysis is the federal land management plans developed by the Bureau of Land Management and U.S. Forest Service, who manage roughly half of the sage-grouse habitat. These plans play a major role in an effort whose scale is unequaled in the history of wildlife and landscape conservation in the United States.

What action is the BLM and USFS taking today?

The Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) are issuing Records of Decisions that finalize plans for 98 land use plans in 10 states across the West: California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, Utah, South Dakota, and Wyoming.

A Record of Decision (ROD) is a written public record identifying and explaining the reasoning for the agency's decision, in this case, the final land use plans or plan amendments for protecting greater sage-grouse on BLM or USFS lands. The final land use plans or plan amendments are attached to the RODs and become effective as of the RODs' signing.

The plans seek to conserve important sagebrush habitat, address threats to the greater sage-grouse, and support sustainable economic development across the West.

What are the next steps?

The plans will be implemented by the BLM and USFS, in close coordination with state and local partners, as well as through continued collaboration with the Sage-Grouse Task Force and local working groups. The BLM and USFS will also continue to engage local partners on site- and project-specific issues.

As part of ROD implementation, the BLM and the USFS are recommending the withdrawal of lands within Sagebrush Focal Areas (SFAs) from location of mining claims, subject to valid existing rights.

Why was this planning effort needed?

In March 2010, the U.S. Fish and Wildlife Service (FWS) found that the greater sage-grouse was warranted for protection under the ESA. Higher priorities precluded the FWS from proposing a listing rule, so it has been a "candidate" species for the past five years. In its 2010 petition finding, the FWS identified the primary threat as the loss and fragmentation of sagebrush habitat, coupled with a lack of adequate regulatory mechanisms to protect habitat across the bird's range.

Roughly half of greater sage-grouse habitat is on federal public land. The principal regulatory mechanisms for BLM are Resource Management Plans (RMPs), and for the USFS, Land and Resource Management Plans (LRMPs).

What is the Greater Sage-Grouse Conservation Strategy?

The BLM and USFS developed the Greater Sage-Grouse Conservation Strategy in response to the FWS 2010 petition determination and commitment to make a listing determination by the end of Fiscal Year 2015. The BLM and USFS committed to amend 98 land use plans through a coordinated, cooperative approach to incorporate regionally appropriate, science-based conservation measures throughout the range of the greater sage-grouse. The planning strategy illustrates the BLM and USFS commitment to long-term, range-wide greater sage-grouse conservation and habitat restoration.

Where does the BLM-USFS effort fit in the bigger picture?

Effective conservation of the greater sage-grouse and its habitat requires a collaborative, science-based approach that includes strong federal plans, a strong commitment to conservation on state and private lands, and a proactive strategy to reduce the risk of rangeland fires.

The planning effort involves coordination between the BLM and the USFS, which manage roughly half of the remaining sage grouse habitat; relevant state agencies, which make decisions affecting state and private lands and manage the sage-grouse; and USDA's Natural Resources Conservation Service, which provides technical assistance and financial support for conservation on private lands. The FWS has supported the planning process through dedicated technical assistance and the development of new science and biological expertise; landscape-level private land conservation; and partnering with state and federal agencies to develop new approaches to focus efforts on the most important threats in the most important landscapes to advance conservation across the range.

How were the BLM and USFS land use plans developed?

The BLM-USFS plans build upon the foundation for sage-grouse conservation initiated by a number of states, including Wyoming and Montana's core area strategy, Idaho's three-tiered conservation approach, and Oregon's "all lands, all threats" approach. The plans also reflect guidance developed collaboratively by the BLM and USFS to reflect feedback on the draft plans from the FWS.

The plans were developed in coordination with a range of stakeholders and cooperators, including farmers and ranchers, energy developers, state fish and wildlife agencies, and many others.

Draft Environmental Impact Statements (EISs) were released for public comment and review in 2013. The final EISs were released in May 2015 and were subject to a 60-day Governor's Consistency Review period, as well as a concurrent 30-day protest period. The final plans are

the result of a robust, multi-year public process, including public scoping sessions, public meetings and a public comment period on the draft EISs.

What comments did the Final EISs receive?

The BLM and USFS received protests from 283 state and local governments, non-government organizations and individuals. In additional, nine Governors of the affected western states provided Consistency Review letters. Five states appealed the BLM's responses to their Consistency Reviews. The BLM Director's resolution of the appeals has been submitted to the states and will be published in the Federal Register.

The BLM and USFS sought to accept as many changes as were consistent with the purpose of the planning effort to conserve greater sage-grouse and its habitat both in a collaborative manner and with measures that provide the Service with regulatory certainty. In many instances, the BLM and USFS clarified language in the plans to address these issues. Protest resolution reports describing the protest issue and responses have been prepared and are available at www.blm.gov/sagegrouse.

Why did the BLM-USFS issue four Records of Decisions?

The multiple RODs reflect the differences between the western and eastern portions of the range acknowledged from the beginning of the BLM-USFS Greater Sage-Grouse Conservation strategy. Wildfire is a large challenge in the Great Basin region, whereas energy development is fragmenting habitat in the Rocky Mountain region. In addition to these distinctive challenges, procedural differences also divide the two regions. All of the actions taken in the Great Basin Region amend existing BLM plans, whereas the Rocky Mountain region included amendments as well as full plan revisions, covering a far wider range of activities than greater sage-grouse conservation. Because of differences in the underlying legal authorities between the BLM and the Forest Service, each of the agencies created and signed its own regional RODs. As a result, there are four RODs, one from each agency for the Great Basin region and one from each agency for the Rocky Mountain region.

What changed between the plans that were made public in May and the final plans released today?

The changes from the proposed final to the final plans are mostly either technical corrections or clarifying editorial changes, such as corrections to calculations of metric equivalents or expanded definitions included in the EISs and proposed plans. A list of the changes can be found in the RODs.

Why are the BLM and USFS recommending mineral withdrawals?

The FWS identified habitat disturbance and fragmentation caused by certain hardrock mining operations as a threat to sage-grouse habitat. As a result, the BLM and USFS land use plans recommend that the Secretary of the Interior exercise her authority under the Federal Land Policy and Management Act to safeguard the most important landscapes identified by the FWS within Priority Habitat Management Areas – identified as Sagebrush Focal Areas – by withdrawing them from the operation of the hardrock mining law.

With the finalization of the BLM-USFS plans, the Secretary is taking prompt action to consider the recommendations. Through a public, transparent process, the Interior Department will seek to ensure that the Sagebrush Focal Areas that anchor the range-wide conservation strategy for the greater sage-grouse are protected from the threat of hardrock mining, subject to valid existing rights.

How does the withdrawal process work?

Subject to valid existing rights, the Interior Department will propose to withdraw approximately 10 million acres of public and National Forest System lands located in the states of Idaho, Montana, Nevada, Oregon, Utah, and Wyoming from location and entry under the United States mining laws. This segregation, which lasts up to two years until the Secretary decides whether to make the withdrawal, prohibits the location and entry of new mining claims in the designated areas.

The notice of proposed withdrawal will publish in the *Federal Register* on September 24, 2015. The notice begins the segregation period and opens a 90-day public review period for the proposed withdrawal.

During the segregation period, studies and environmental analyses will be conducted to determine if the lands should be withdrawn to protect sage-grouse habitat from location and entry of new mining claims. This process will invite participation by the public, tribes, environmental groups, industry, state and local government, as well as other stakeholders. These efforts will be undertaken under the leadership of the BLM in cooperation with the USFS and in compliance with the National Environmental Policy Act. Under FLPMA, the Secretary can withdraw these lands for a maximum of 20 years.

Does the withdrawal impact valid pre-existing rights?

No. Neither the segregation for up to two years, nor any subsequent withdrawal, would prohibit ongoing or future mining exploration or extraction operations on valid pre-existing claims. Neither the segregation nor the proposed withdrawal would prohibit any other authorized uses on these lands.

How can I comment on the proposed minerals withdrawal?

The 90-day public comment period begins on September 24, 2015. Comments should be addressed to the BLM Director, 1849 C Street NW (WO-210), Washington, DC 20240 or submitted electronically to blm_wo_sagebrush_withdrawals@blm.gov.

What science or outside reports were used to develop the plans?

The plans are grounded in the best available science, drawn from published literature and input from recognized experts, state agencies, the U.S. Geological Survey, the FWS and other sources. Among the many reports and studies guiding the development of the plans are: a first-of-its-kind "Conservation Objectives Team" report that identifies priority conservation areas for the sage-grouse and specific threats to the birds' survival, prepared by experts from both state and federal

agencies; a "National Technical Team" compilation of science prepared by the BLM that provides options for dealing with the most significant threats to the sage-grouse; and a series of reports on how to address the threats of rangeland fire and invasive species prepared in collaboration with the Western Association of Fish and Wildlife Agencies.

How extensive is the greater sage-grouse's range? Why is its habitat declining?

Currently, the occupied range of greater sage-grouse covers approximately 173 million acres across 11 states in the West and two Canadian provinces, representing a loss of roughly half of the species' historic range. The primary threat to the habitat is loss and fragmentation due to increasingly intense rangeland fires, invasive species and development.

How much of the habitat is managed by the federal government versus state and private land?

Based on various ways of calculating, the short answer is that the BLM and USFS manage roughly half of the remaining greater sage-grouse habitat.

The FWS has calculated there is 173 million acres of sage-grouse habitat, which includes 11 western states and two Canadian Provinces. Of that, 92 million acres are managed by the federal government (53%) and 75 million acres (43%) by states and private landowners. The remaining 4% is managed by other entities. All federal agencies are included in the 53%.

Of the 136 million acres of habitat contained in the BLM and USFS planning area, 67 million acres (49%) is administered by the BLM or USFS. Nearly 8 million (6%) is state or locally managed and 55 million acres (40%) is privately owned. The remaining 5% is managed by other entities, including other federal agencies.

Why did public materials previously say that the BLM and USFS manage 'nearly two-thirds' of habitat?

The 'two-thirds' number relates to the proportion of the Priority Areas for Conservation identified by the FWS in the COT Report that are managed by the BLM and USFS. The final BLM and USFS plans analyze and protect a more refined area of *priority* habitat that aligns closely but not exactly with the Priority Areas for Conservation. Of the nearly 60 million acres of *priority* habitat in the planning area, the BLM and USFS manage 35 million acres (59%), about three-fifths of remaining priority sage-grouse habitat. States or local governments manage 3.4 million acres (6%) and private, private land is 19.2 million acres (32%). The remaining 3% is managed by other entities including other federal agencies.

How many greater sage-grouse exist?

At one time, the greater sage-grouse population likely numbered in the millions, but various estimates suggest populations fluctuate between 200,000 to 500,000 birds range-wide. Greater sage-grouse are managed by state agencies, who track population trends primarily by counting males at leks.

How many states are involved in the greater sage-grouse conservation effort?

There are 11 western states with greater sage-grouse habitat that are taking conservation actions: California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, Utah, South Dakota, Washington and Wyoming. However, Washington State's greater sage-grouse habitat is primarily on state and private lands, so it is not included in the BLM-USFS planning effort.

Are the two sub-populations of the greater sage-grouse, the Columbia Basin Distinct Population Segment and "Bi-State" Distinct Population Segment, addressed in this planning effort?

No. Greater sage-grouse in Washington have been managed under a specific Washington Greater Sage-Grouse Recovery Plan since 2004. The BLM and USFS have limited involvement in the Columbia Basin Population and only manage about 5 percent of the remaining habitat for this population. As part of its 2015 finding, the FWS determined that the Columbia Basin is not a Distinct Population Segment of the greater sage-grouse that warranted listing.

In April 2015, the FWS determined that the Bi-State population does not require the protection of the ESA due, in large part, to the development of the Bi-State Action Plan, a conservation plan developed by partners in California and Nevada over the past 15 years and secured with $45 million in funding.

Is the Gunnison sage-grouse a part of this planning strategy?

No. The Gunnison sage-grouse is a separate species and not included in this Greater Sage-Grouse Conservation Strategy.

What are the BLM and USFS doing to address wildland fire?

Rangeland fire can destroy sagebrush habitat and lead to the conversion of previously healthy habitat into non-native, cheatgrass-dominated landscapes. Experts have identified fire, fueled by invasive species, as one of the greatest threats to sagebrush habitat, particularly in the Great Basin region of Idaho, Utah, Nevada, Oregon and California.

The Department of the Interior has issued a comprehensive, science-based strategy to address the more frequent and intense wildfires that are damaging vital sagebrush landscapes and productive rangelands. This strategy will fight the spread of cheatgrass and other invasive species, position wildland fire management resources for more effective rangeland fire response, and accelerate the restoration of fire-impacted landscapes to native grasses and sagebrush.

In addition, the Department finalized a National Seed Strategy to increase the production, storage, and use of seed stocks from native vegetation to restore fire-impacted landscapes across the Great Basin.

How do the plans achieve conservation?

The plans provide a layered management approach that offers the highest level of protection in the most valuable habitat, known as Priority Habitat Management Areas. Within priority habitat, the plans seek to limit or eliminate new surface disturbance, particularly in Sagebrush Focal Areas, identified by the Service as "stronghold" areas essential for the species' survival. The plans seek to minimize disturbance in General Habitat Management Areas, which are lands that require some special management to sustain greater sage-grouse populations, but are not considered as important as priority habitat. Additional information on the plans is available at http://www.blm.gov/wo/st/en/prog/more/sagegrouse.html.

The categories most common to the BLM-USFS plans are:

- ***General Habitat Management Areas* (GHMA):** BLM or USFS-administered lands that require some special management to sustain greater sage-grouse populations, but are not considered as important as priority habitat.
- ***Priority Habitat Management Areas* (PHMA):** BLM or USFS-administered lands identified as having the highest value to maintaining sustainable greater sage-grouse populations. These areas align closely with Priority Areas for Conservation (PACs) identified by state wildlife agencies and included in the Conservation Objectives Team report.
- ***Sagebrush Focal Areas* (SFA):** BLM or USFS-administered lands that are a subset of Priority Habitat and align with FWS-identified important landscape blocks with high breeding population densities of sage-grouse, existing high quality sagebrush habitat, and a preponderance of federal ownership or protected area that serves to anchor the conservation value of the landscape.

Due to differences in state approaches and ecological considerations, some plans contain additional habitat categories. In addition, some states do not have Sagebrush Focal Areas.

Are the plans uniform in every state?

No. The plans include common elements across the range to address threats to the bird, while also allowing for state-based variations where different approaches or priorities were consistent with the overall conservation objectives. The federal plans build upon the foundation for sage-grouse conservation initiated by a number of states, including Idaho's three-tiered conservation approach, Wyoming and Montana's Core Area Strategy, and Oregon's "All lands, All Threats" approach. The plans also reflect guidance developed collaboratively by the BLM and USFS to reflect feedback on the draft plans from the FWS.

Will the plans apply to state or private lands?

The plans will only apply to activities on federal public lands and federal subsurface minerals.

How do the plans affect existing oil and gas leases or rights-of-way?

The plans respect valid existing rights, including those for oil and gas development, renewable energy, rights-of-way, locatable minerals, and other permitted projects.

Will oil and gas development be allowed under the plans?

Yes. The plans seek to reduce surface disturbance from oil, gas and geothermal development while recognizing valid existing rights. The BLM will work with lessees, operators and proponents of proposed fluid mineral projects on existing leases to mitigate adverse impacts to sage-grouse by avoiding, minimizing and compensating for unavoidable impacts. The plans prioritize future leasing and development outside of Priority and General Habitat Management Areas, and restrict surface disturbance associated with new federal leases in Sagebrush Focal Areas and Priority Habitat Management Areas.

Advances in drilling technology have enabled companies to access oil and gas deposits without disturbing the surface directly above those deposits, making it possible to conserve sensitive habitats while still developing subsurface resources. In states without a demonstrated all-lands regulatory approach to managing disturbance, the BLM will require no-surface occupancy measures in new federal oil and gas leases in Sagebrush Focal Areas and, with exceptions, in Priority Habitat Management Areas in order to limit surface disturbance to protect sensitive habitats. Exceptions will be limited to proposed development that will have no impact or a positive impact on sage-grouse.

The BLM estimates that for oil and gas, approximately 90 percent of lands with high to medium potential are located outside of federally managed priority habitat.

How will the plans impact coal development?

The plans will seek to minimize surface disturbance caused by mining activities in Sagebrush Focal Areas and other priority habitat. The plans will ensure that greater sage-grouse habitat will be an important consideration in the BLM review of proposed coal mines or coal mine expansions.

The plans do not propose any new areas for future coal leasing; the areas that may be made available through future leasing in the resource management plans have not changed for 30 years. Nor do the plans authorize any specific leases or mining operations; any new coal leases would require environmental reviews specific to the particular lease application.

The Interior Department is working separately to pursue reforms to the federal coal program. These include proposals – such as the Stream Protection Rule – to address the environmental impacts of coal mining. They also include reforms to make sure American taxpayers are getting a fair return on the coal resources managed by the federal government.

Is there a uniform approach to grazing?

The plans recognize – as does the U.S. Fish and Wildlife Service – that well-managed livestock grazing can be compatible with long-term sage-grouse conservation. The plans do not close greater sage-grouse habitat to livestock grazing, nor do they require a one-size-fits-all approach to grazing allotments. Instead, the plans recognize the need to evaluate habitat based on varied local ecological conditions and site potential when deciding where and how to apply different types of management.

During grazing permit renewals and modifications on lands within sage-grouse habitat, the BLM will use the best available science to incorporate locally developed management objectives for sage-grouse habitat and rangeland health standards, consistent with ecological potential. The BLM and USFS will prioritize monitoring for compliance, review and processing of grazing permits in sage-grouse habitat, with a focus on Sagebrush Focal Areas and lands containing riparian areas and wet meadows.

Will the plans allow transmission lines to cross greater sage-grouse habitat?

The plans require that developers seek to avoid placing new transmission lines and other linear developments in sage-grouse habitat. Where important habitat cannot be avoided, mitigation measures will be required.

Do the plans restrict off-road vehicle use?

The BLM-USFS plans do not propose any permanent or temporary road closures.
Under the plans, use of off-road vehicles will be limited to existing roads and trails within priority habitat areas. Off-road vehicle use is also limited to existing routes in general habitat areas, with the exception of Colorado and Wyoming. The BLM and USFS will make further decisions on road designations and closures through a separate, public planning process. Temporary closures will be considered in accordance with existing regulations. The BLM and USFS will continue to work with the public to address particular situations, such as access for individuals with disabilities.

Will the conservation efforts impact military readiness?

The plans deal only with BLM and USFS land and have no effect upon military lands. The DOD has officially stated that it does not anticipate any significant adverse impacts to its mission from the FWS listing decision, whatever its outcome. There are multiple military installations or facilities with confirmed populations of greater sage-grouse. Each installation has voluntarily undertaken conservation actions to benefit the sage-grouse and sagebrush habitat which the FWS considered in its review of the species' status.

Outside of regulatory measures, will the plans address habitat restoration and fire management?

The plans build on habitat restoration and improved fire management that federal, state and local partners have been investing in for years. The plans incorporate management actions to help reduce the threat of rangeland fire and to restore fire-impacted landscapes, consistent with the Secretary's recently released "Integrated Rangeland Fire Management Strategy." Additional new actions to support those activities are the President's $60 million budget request for sage-grouse conservation and the President's proposed fire budget fix.

Does hunting greater sage-grouse pose a threat to the species?

The FWS does not believe hunting is a threat to sage-grouse range-wide. State wildlife agencies have conservatively managed sage-grouse hunting opportunities by reducing season lengths and harvest limits in response to concerns about population declines.

In 2010, the FWS concluded that hunting was not a threat to the species and, based on current information about harvest rates, it continues to not have substantial impacts to sage-grouse. To date, changes in the management of sage-grouse hunting have reduced mortality associated with hunting range-wide.

Why is Wyoming's plan different than other states? Is it consistent with the National Technical Team report?

Wyoming has the most sage-grouse habitat and largest sage-grouse population in the United States. In 2008, Wyoming implemented a core area strategy, the first "all lands" regulatory mechanism developed by state or federal officials to conserve the greater sage-grouse and its habitat. To date, Wyoming's proactive, landscape-level approach has proven to be an effective management strategy for conserving important greater sage-grouse habitat and encouraging robust development elsewhere.

The National Technical Team report is a compilation of science prepared by the BLM that provides options for dealing with the most significant threats to the sage-grouse. In coordination with the FWS, the BLM considered and analyzed the National Technical Team conservation measures, as well as the Wyoming Governor's 2011 Executive Order on the management of greater sage-grouse core areas, in order to develop plans for Wyoming federal public lands that meet the conservation objectives of the planning effort.

Will the terms and conditions of grazing permits be based on greater sage-grouse population numbers?

No. The terms and conditions for grazing permits will be based on maintaining or achieving healthy grazing conditions on the rangelands managed by the BLM and USFS, just as they have in the past.

How does the 3% disturbance cap in priority habitat work? What happens when the 3% cap is exceeded?

Sage-grouse populations have the greatest chance of persisting when landscapes are dominated by sagebrush and natural or human disturbances are minimal. The greater the disturbance, the less likely it is that sage-grouse will persist. The 3% disturbance cap was recommended in the National Technical Team report based on the findings of peer-reviewed studies by a number of scientists.

The 3% cap is a management requirement that applies to proposed ground-disturbing activities in priority habitat. If a proposed project would exceed the cap within a specified area, the project will be denied or must be mitigated so that the cap is no longer exceeded.

The BLM and USFS will make its disturbance calculations available as quickly as possible now that the Records of Decision have been signed. These calculations will provide interested parties

with information about the current levels of greater sage-grouse habitat disturbance within priority habitat. The agencies will update these calculations as needed, at a minimum of once every year.

Frequently Asked Questions:
Greater Sage-Grouse Status Review

After evaluating the best available scientific and commercial information regarding the greater sage-grouse, the Service has determined that protection for the greater sage-grouse under the Endangered Species Act (ESA) is no longer warranted and is withdrawing the species from the candidate species list.

I. About the Decision
II. About the Sage-grouse: Range and Population
III. About the Conservation Effort and Plans
IV. Addressing Threats to Sage-Grouse
V. Looking Forward

I. About the Decision

1. Why did the U.S. Fish and Wildlife Service make a determination regarding the status of the greater sage-grouse?

In 2010, the U.S. Fish and Wildlife Service determined that the greater sage-grouse was warranted for protection under the ESA due to the loss and fragmentation of habitat and a lack of adequate regulatory mechanisms to stem habitat loss. The Service did not propose a listing rule at the time due to the need to address higher priority listing actions. When the Service made the warranted but precluded finding in 2010, the sage-grouse became a candidate species. Through a court-ordered work plan, the Service committed to resolve the greater sage-grouse's "candidate" designation by September 30, 2015 by either proposing to list the species as threatened or endangered or remove the species from the "Candidate List," an action already required by the ESA.

After evaluating the best available scientific and commercial information regarding the greater sage-grouse, the Service has determined that protection for the greater sage-grouse under the Endangered Species Act (ESA) is no longer warranted and is withdrawing the species from the candidate species list.

2. How did the Service arrive at this not warranted finding?

In September 2015, federal agencies completed amendments and revisions to 98 separate federal land use plans to address habitat loss, fragmentation, and other threats to the bird and its habitat. This represents the largest landscape-scale conservation planning effort in U.S. history. In addition, states in the greater sage-grouse range developed or updated greater sage-grouse conservation plans.

New federal and state regulatory mechanisms developed since 2010 in the Rocky Mountain region have addressed the most serious threats to the species, primarily fossil fuel and renewable energy development, infrastructure such as roads and power lines, mining, improper grazing, the direct conversion of sagebrush to croplands, and urban and ex-urban development. In the Great

Basin region, regulatory mechanisms and other conservation efforts developed since 2010 will substantially reduce and mitigate the primary potential threats of wildfire, invasive plants, and conifer encroachment.

Since 2010, science-based regulatory mechanisms in federal and state plans have substantially reduced risks to more than 90 percent of the species' modeled breeding habitats across its 173-million-acre range.

In addition, voluntary, multi-partner private-lands efforts, including the Sage Grouse Initiative, a project of the Natural Resources Conservation Service, as well as programs run by the U.S. Fish and Wildlife Service, have protected high-quality greater sage-grouse habitat on millions of acres of private rangeland across the West.

Range-wide, numerous large populations of sage-grouse remain distributed across the landscape and are supported by undisturbed expanses of habitat. The focus of regulation and management in the most important habitat containing the greatest number of sage-grouse will ensure that abundant sage-grouse populations will continue to be distributed across the range into the foreseeable future.

Based on the best available scientific and commercial information, the Service has determined that the primary threats to sage-grouse have been ameliorated by conservation efforts implemented by federal, state, and private land owners. The Service expects that the species will remain well-distributed and interconnected into the foreseeable future due to the implementation of regulatory mechanisms and other conservation efforts that protect sage-grouse and their habitat. Therefore, the Service has determined that listing the sage-grouse in all or a significant portion of its range is not warranted at this time.

3. What has the Service concluded regarding the change between 2010 and 2015?

In the Rocky Mountains, federal land use plans developed since 2010 and state plans like Wyoming's Core Area Strategy have and will substantially reduce the primary potential threats of fossil fuel and renewable energy development, and infrastructure.

In the Great Basin, federal land use plans developed since 2010, combined with Oregon's state plan, NRCS efforts, the comprehensive rangeland fire management strategy, and the success of the Service's CCAA & CCA program will substantially reduce the primary potential threats of wildfire, invasive plants, and conifer encroachment as well as reduce threats from energy and other forms of development.

4. Why did the Service decide the Columbia Basin population is not a Distinct Population Segment?

The Service evaluated multiple factors and found that the population in the Columbia Basin, while geographically separate, is not biologically significant to greater sage-grouse rangewide and is therefore not a Distinct Population Segment.

In the current evaluation, the Service looked at the Columbia Basin population's significance across the 11-state greater sage-grouse range, rather than in just the western portion of the range. The Service found that the sage-grouse populations in the Columbia Basin continue to be separated from other populations by at least 155 miles. However, translocations of sage-grouse from outside of the Columbia Basin, which began in 2004, have provided genetic exchange between the Columbia Basin and other populations.

In reevaluating the significance of the population the Service found that the Columbia Basin did not occur in a unique or unusual ecological setting, as sage-grouse are fairly adaptable to a broad range of sagebrush communities throughout western North America. The Service also found that the loss of the population would not likely result in a significant gap in the range of the species. Finally, while genetic diversity in the Columbia Basin is low, the best available information does not suggest that the population is markedly different from other populations in its genetic makeup.

5. How was the Service's decision impacted by language in the 2014 appropriations law?

On May 10, 2011, the Service filed a multiyear work plan as part of a settlement agreement with Wild Earth Guardians and others in consolidated cases in the U.S. District Court for the District of Columbia. The settlement included a schedule to publish proposed rules or not-warranted findings for 251 species designated as candidates as of 2010. The work plan included a deadline to resolve the greater sage-grouse's "candidate" designation by September 30, 2015 by either proposing to list the species as threatened or endangered or removing the species from the "Candidate List," an action already required by the ESA. The settlement did not commit the Service to any specific determination.

In December 2014, Congress passed the Omnibus Appropriations Bill, which included language precluding the Service from spending appropriated funds on a proposed listing rule for greater sage-grouse or a Columbia Basin distinct population segment. As a result, during this status review, the Service has considered only whether the species still warranted ESA protection. The rider did not impact the Service's ability to decide whether listing was warranted or not, nor affect the ability to develop, implement and analyze conservation efforts to support the species, nor prevent the Service from publishing this finding consistent with the court deadline.

II. About the Sage-grouse: Range and Population

6. What is the range of greater sage-grouse and how does this compare to historical levels?

Prior to the European settlement of western North America in the 19th century, greater sage-grouse occurred in 13 states and three Canadian provinces. Sagebrush habitats with the potential to support greater sage-grouse occurred over approximately 463,509 square miles (296,645,760 acres) before 1800.

Currently, greater sage-grouse are found in 11 states (California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington and Wyoming) and two Canadian provinces (Alberta and Saskatchewan), occupying approximately 271,600 square miles (173,000,000 acres), or roughly half of the historical range.

7. What is the population estimate of greater sage-grouse and how does this compare to historical levels?

Sage-grouse are especially difficult to count because of their large range, camouflage coloring and ability to hide in sagebrush. While there is a keen interest in population sizes, there is no effective and universally accepted way to estimate populations. Instead, state fish and wildlife agencies count the most visible population segment of the species: male sage-grouse displaying on communal mating sites, called leks, during mating season. There is no systematic count of females, sub-adults, or non-displaying males.

Agencies use lek count data as an index to calculate population trends to monitor the health and trajectory of populations. Some wildlife agencies collect sage-grouse wings from hunters to help assess population trends.

Greater sage-grouse have a clumped distribution across their range as a result of variations in habitat quality and seasonal requirements. Approximately half of the birds occur in the Rocky Mountain portion of the range and half in the Great Basin portion of the range. Greater sage-grouse populations are cyclic and can fluctuate by 30 or 40 percent during one cycle (as long as 15 years). This increases the challenge that wildlife managers face in establishing population estimates.

There are several reports and publications that describe and report population trends derived from lek count data [Connelly et al. 2004, Western Association of Fish and Wildlife Agencies (WAFWA) 2008, Garton et al. 2011, Garton et al. 2015, and WAFWA 2015]. While each analyzed a slightly different time frame, they all conclude there has been a long-term population decline range-wide, with population estimates from 200,000 to 500,000 birds range-wide.

Despite long-term population declines, greater sage-grouse remain relatively abundant and well-distributed across the species' 173-million acre range.

8. What is the Service's current assessment of the status of greater sage-grouse?

Greater sage-grouse populations are still relatively large and well-distributed across its range. Conservation efforts by federal, State, and private partners have greatly changed the likely trajectory of the species since 2010, although the Service anticipates some greater sage-grouse populations may experience continued declines as these measures take effect.

The Service is confident that the potential habitat impacts of inadequately regulated development identified in 2010 will now be well-managed. The new conservation measures and management direction included in the federal land use plans and in key state management plans generally

require avoidance of important habitat, minimization of impacts where avoidance is infeasible and mitigation to a net benefit standard for activities that impair greater sage-grouse habitat. Voluntary conservation on private lands has also improved the outlook for local populations.

Based on the number of large, connected populations distributed across the species' range, the Service's current assessment of primary threats to the species, and the unprecedented level of conservation actions now in place to address those threats, the Service has concluded that the greater sage-grouse is no longer likely to face the risk of extinction in the foreseeable future.

9. Why do the recent population trend reports authored by Edward O. Garton and the Western Association of Fish and Wildlife Agencies differ?

Two recent population trend analyses, one by a group of researchers led by University of Idaho's Edward O. Garton and the second by WAFWA, used similar data sets based on lek counts conducted by state wildlife agencies. But they came to different conclusions about population estimates, primarily because of the additional two years of data used by WAFWA.

The latest analysis conducted by Garton et al built upon a previous analysis (Garton et al. 2011) that spanned from 1965-2007, but added data from the 2007-2013 period.

Garton et al. (2015) reported a 56 percent decline in the number of breeding males—from 2007 to 2013. Garton acknowledged that it appeared populations were at a cyclical low point in 2013.

WAFWA's population analysis incorporated data from 1965 to present, including the years 2014 and 2015, when populations appeared to enter a cyclical upswing. Their research showed a 63 percent increase in the number of breeding males from 2013 to 80,284 in 2015.

Data indicates that from 2010 to 2015 the range-wide greater sage-grouse population has continued its long-term decline. However, most populations in Wyoming, Utah, Oregon and Colorado, appear to have stabilized or increased as sage-grouse appear to be in a cyclic upswing.

III. About the Conservation Effort and Plans

10. Why does this conservation effort matter?

The greater sage-grouse conservation effort is one of the largest and the most challenging conservation undertakings in U.S. history. Sage-grouse range over an area the size of Texas and inhabit an arid landscape where the seasons swing between blistering heat and bitter cold. It is a species that does not adapt well to sudden environmental change, yet the sagebrush landscape has experienced rapid human development during the last century that has resulted in a variety of threats to sage-grouse in across its range.

The Service's September 30, 2015 deadline on the listing determination galvanized a large and diverse group of partners to work toward a common goal of reducing or eliminating threats to sage-grouse while maintaining current and future economic development potential. The need to

balance the habitat requirements of the bird with human activities has motivated scientists, land managers, ranchers, policy makers, industry and ordinary citizens to share information and ideas and to try new approaches and to deliver landscape-scale management strategies that address the bird's habitat needs and maintains a way of life in the rural West.

The scope, scale and complexity of the state, federal and private conservation efforts accomplished by this diverse group in the past five years are unequaled in the history of wildlife conservation in the United States. The investments made to support this conservation effort have already improved the status of the sage-grouse and will continue to do so for the foreseeable future.

The greater sage-grouse conservation effort sets the bar for how complex, landscape-scale conservation challenges can be resolved through cooperative efforts by people and organizations with common goals. It also demonstrates that wildlife conservation and sustainable communities can go hand in hand, and that the Endangered Species Act is an effective tool for achieving that goal. Going forward, it will be essential for all the partners who contributed to this historic achievement to maintain momentum and keep advancing conservation in this American landscape.

11. How do federal land use plans function?

The BLM and USFS Land Use Plan revisions and amendments set goals and objectives and provide for management direction for greater sage-grouse habitat and conservation that apply to all BLM and USFS lands within the occupied range of greater sage-grouse. The plans provide a tiered management approach that offers higher levels of protection in the habitats with the highest density of sage-grouse, known as Priority Habitat Management Areas (PHMA). The plans seek to minimize impacts in other occupied habitat known as General Habitat Management Areas (GHMA), which are BLM or USFS-administered lands that require some special management to sustain greater sage-grouse populations, but are not considered as important as priority habitat. In addition, BLM and USFS have designated Sagebrush Focal Areas (SFA), a subset of priority habitat, that represent important strongholds for greater sage-grouse. In these areas, federal land use plans avoid new surface disturbance and recommend that the areas be withdrawn from new hardrock mining claims.

Within Priority Habitat, federal plans reduce habitat fragmentation by establishing caps on surface disturbance and density, minimizing surface occupancy from energy development, identifying buffer distances around leks, directing wind and solar projects outside of priority habitat, and avoiding greater sage-grouse habitat in siting transmission corridors (with some exceptions). The plans set goals to improve habitat condition through required mitigation to a net benefit standard, and habitat improvement projects like conifer removal. BLM and USFS will incorporate management objectives for greater sage-grouse habitat and rangeland health standards for grazing permit renewals and permit modifications within greater sage-grouse habitat.

The plans also identify management actions intended to reduce the risk of rangeland fire by attacking the spread of cheatgrass and other invasive species, positioning wildfire management

resources for more effective rangeland fire response, and restoring fire-impacted landscapes to native grasses and sagebrush. The plans include coordinated monitoring and evaluation of species and habitat changes and mitigation efforts and adaptive-management measures to ensure the overall conservation objectives identified in the plans are being met.

12. How have the states contributed to greater sage-grouse conservation?

States have primary management authority for wildlife within their borders. Federal agencies have additional management and regulatory authorities related eagles, most migratory birds, and ESA-listed wildlife.

State plans are one of the principal elements of the greater sage-grouse conservation effort, along with federal land use plans and private conservation efforts. While the BLM and USFS influence wildlife by managing habitat on federal land - as do private landowners by managing habitat on private property - states manage wildlife regardless of property jurisdictions.

States in the greater sage-grouse range have actively participated in sage-grouse conservation since 1954, when the Western Association of Fish and Wildlife Agencies first began monitoring the abundance and distribution of the species across its range. WAFWA created the Management Zone framework under which greater sage-grouse populations are currently evaluated. Several of the foundational conservation plans that have guided sage-grouse management for the past 15 years were developed by WAFWA, including the 2004 Rangewide Conservation Assessment, the 2006 Greater Sage-Grouse Comprehensive Conservation Strategy and recent reports on wildfire and invasive plant management.

WAFWA estimates that the 11 states in the greater sage-grouse range have spent more than $200 million on sage-grouse conservation in the past 15 years by investing in research, monitoring and management projects, including habitat protection through land purchases and conservation easements. Since 2010, states in greater sage-grouse range have updated or finalized conservation plans for the greater sage-grouse that complement federal land plans by implementing measures to conserve the species and its habitat on non-federal lands.

13. What are some examples of regulatory measures in state plans?

State sage-grouse plans in Wyoming, Montana and Oregon contain regulatory measures intended to minimize impacts from energy development, infrastructure and grazing. The Wyoming strategy has been in place since 2008 and has effectively minimized impacts within core habitats, protecting the highest density areas for the species within the state.

Since implementation of the **Wyoming** Core Area Strategy in 2008, the number of new oil and gas wells in greater sage-grouse habitat declined by 80 percent. While some development will occur in the future, the Wyoming Core Area Strategy directs projects to areas that will minimize impacts, includes stipulations to minimize indirect effects, and if necessary, requires mitigation to benefit the species.

The State of **Montana** has issued an executive order to implement the Montana Sage Grouse

Habitat Conservation Program and passed legislation to give it full regulatory authority on State lands and on any private lands where State permits or authorizations are required. The state has created the Montana Sage-Grouse Oversight Team composed of State Agency Directors to oversee administration of the Montana state sage-grouse plan. Over 70% of sage grouse habitat in Montana is on state and private lands.

Montana's state plan includes disturbance caps, restrictions on density of development, industry-specific stipulations, seasonal and noise controlled surface use restrictions, prohibitions on sagebrush eradication and conversion to cropland, new sage-grouse compatible grazing standards and permanent lek buffers. The Montana core area approach closely parallels the Wyoming core area strategy, which has a demonstrated track record of success over several years.

The **Oregon** Sage-Grouse Action Plan ensures regulatory protection and enhancement of sage-grouse and their habitat on state and private lands in Oregon through new land use regulations and an Executive Order, which establishes explicit habitat and population goals with incremental completion dates. The Oregon Plan prioritizes avoidance with standards for mitigation of impacts if necessary and includes regulatory mechanisms, such as disturbance caps and adaptive management triggers, to reduce impacts to sage-grouse in the State. The Oregon plan builds on the core area strategy utilized by Wyoming and Montana to address all sage-grouse habitats. Oregon's conservation plan applies to more than approximately 15 million acres of all landownership types.

The Oregon plan also addresses a primary threat in the Great Basin – wildfire, invasive annual grasses and conifers. Fire and the fire/invasives cycle can impact large areas of sage-grouse habitat in very short periods of time, making prevention of wildfire important for minimizing habitat loss. It identifies fire and invasive plant management measures, and the State has advanced significant new funding for implementation, such support for Rangeland Fire Protection Areas. This commitment improves the likelihood that fires will be effectively controlled to reduce the potential negative effects to sage-grouse habitat.

In Utah, an Executive Order provides a regulatory mechanism to minimize potential effects from mining to sage-grouse habitat on State and private lands. The Utah Executive Order requires the Utah Division of Oil, Gas and Mining to coordinate with the Utah Division of Wildlife Resources before issuing permits for energy development. It also directs the Utah Division of Oil, Gas and Mining to implement recommendations provided by the Utah Division of Wildlife Resources that could require avoidance and minimization measures on State and private lands consistent with the conservation plan. These measures are subject to the statutory requirements to protect rights on private property and avoid waste of the mineral resource.

14. What other state actions are contributing to the conservation of the species?

State plans take different approaches, but in general, they identify important conservation objectives and provide mechanisms to incentivize conservation. Some include regulatory mechanisms that apply to state approvals or actions. The Service anticipates state plans and related efforts will continue into the future and will strengthen as they mature.

California
California does not have a state sage-grouse conservation plan, in large part because California has a very small sliver of greater sage-grouse habitat. However, California has designated sage-grouse as a state-listed species of special concern that should be considered during the state's environmental review process. The California Environmental Quality Act requires that state agencies, local governments, and special districts consider impacts to sage-grouse from proposed projects. In addition, California played a key role in Service's April 2015 determination that the Bi-State population of greater sage-grouse does not require protection of the ESA.

Colorado
Colorado has worked with numerous partners over the last several decades at the local and state and range-wide level to conserve greater sage-grouse. Since 2003, more than 80,600 acres of greater sage-grouse habitat has been protected by Colorado Parks and Wildlife either through fee title purchase or conservation easements, at a cost of nearly $53 million.

Colorado's greater sage-grouse plan has been implemented since 2008 over approximately 3.8 million acres across all land ownership types. The plan uses voluntary conservation strategies to address and promote the conservation of sage-grouse in Colorado. It provides guidance to address impacts to sage-grouse from habitat fragmentation and conversion, agriculture, urbanization, conifer encroachment, recreation, nonrenewable energy, and other impacts.

Colorado regulations require that the Colorado Oil and Gas Conservation Commission and the Colorado Department of Reclamation and Mining Safety consider recommendations from Colorado Parks and Wildlife to reduce impacts to greater sage-grouse during the permitting process.

In May 2015, Colorado's Governor issued an Executive Order to promote the conservation of greater sage-grouse and further implement the 2008 conservation plan. This order enhances communication and coordination among State agencies. Under the order, the Colorado Oil and Gas Conservation Commission will evaluate its existing wildlife siting rules for potential improvement and develop a comprehensive tracking system for development in sensitive wildlife habitat. The order also prioritizes the completion of the Colorado Habitat Exchange, the first voluntary compensatory mitigation program to be initiated for greater sage-grouse.

Dakotas
State management plans in North and South Dakota emphasize working cooperatively with private landowners due to the relatively large acreages of private lands in those states. Both states are continuing sage-grouse research efforts to prioritize the best sagebrush habitat for conservation, to expand core areas and improve their understanding of the impacts of West Nile virus. Both have also closed sage-grouse hunting seasons. NRCS's Sage Grouse Initiative is active in both states.

North Dakota completed its state conservation plan for sage-grouse in March 2015. It applies

to approximately 416,000 acres of all landownership types in the state. The plan is voluntary and its implementation relies on partner-led efforts. North Dakota's plan focuses on translocating sage-grouse to supplement isolated subpopulations in an effort to slow a downward population trend.

South Dakota has provided additional firefighting resources and in the past has restricted off-road travel if drought conditions may elevate fire danger during hunting seasons. Further, the South Dakota Department of Game, Fish and Parks works with the South Dakota School and Public Lands Office, Public Utilities Commission, and the Department of Environment and Natural Resources to provide comments and input if oil and gas development, wind development, or other proposed projects may impact sage-grouse core areas.

Idaho

In May 2015 Idaho's Governor signed an Executive Order adopting Idaho's Sage-grouse Management Plan, which focuses on the management of invasive vegetation, fuels and wildfire. In issuing the Executive Order, the Governor directed that all state agencies apply the elements of the state plan to all land ownerships across the state, to the extent consistent with existing state law. The plan provides wildfire suppression guidance to complement Department of the Interior Order Number 3336 on rangeland fire, and commits the state to assist with fire rehabilitation and with implementation of fuel breaks, weed control and conifer removal in mixed state and federal ownerships.

Under the plan, Idaho assumes responsibility for development, coordination, equipping and training for Rangeland Fire Protection Associations to provide rapid response to sagebrush fires. In FY 2016 the Idaho legislature appropriated over $500,000 to better support Rangeland Fire Protection Associations.

Idaho also intends to reduce state ownership of key sage-grouse habitats through land exchanges with the BLM to allow for more effective implementation of fire and invasive species controls.

Within Idaho, the Sage Grouse Initiative has worked with private landowners to secure conservation easements on approximately 70,000 acres, implement grazing systems on 250,000 acres and remove invasive conifers on 50,000 acres. Since 2002, Idaho local working groups reported completing close to 400 sage-grouse projects, including fire restoration, fuel breaks, fence marking and removal, conifer removal, weed control and sagebrush planting.

Idaho also recently completed a plan aimed at sage-grouse conservation on 600,000 acres of state endowment lands. Approximately 1.4 million acres of endowment land in Idaho are rangelands, and nearly half of these endowment rangelands are important to sage-grouse. The Idaho Plan provides management direction, including regulatory mechanisms, for state lands managed by the Idaho Department of Lands.

Montana

Montana is one of three states that have adopted state sage-grouse conservation plans that incorporate regulatory mechanisms. (See above for a discussion of the plan and executive order).

Montana Fish, Wildlife and Parks has been active in sage-grouse conservation for many years. The state has spent $4.8 million on sage grouse monitoring, research, and planning between 2000 and 2014. Since 1980, the agency has invested approximately $25 million in conservation easements for more than 175,000 acres within sage grouse range. The state has also contracted with private landowners for 30-year sagebrush conservation leases covering almost 200,000 acres.

Montana has increased its commitment to sage-grouse conservation with the passage of the Montana Sage-Grouse Stewardship Act during the 2015 legislative session. This Act ensures that critical funding and support are available for necessary sage-grouse conservation efforts in the future. In addition to funding for Sage-Grouse Program staff resources to oversee implementation of Executive Order 12-2015, the Act includes a revolving grant-based sage-grouse habitat conservation fund with an initial balance of $10 million.

Nevada

The State of Nevada has implemented several measures to conserve habitat in the state. The overarching objective of Nevada's plan is a net conservation gain to sage-grouse habitat due to new human-caused disturbances within sage grouse management areas. The state's objective is to maintain the current quantity and quality of sage-grouse habitat at the state-wide level by protecting existing sage-grouse habitat.

In 2008, the Governor of Nevada signed an Executive Order that directs the Nevada Department of Wildlife to work with state and federal agencies and the interested public to implement Nevada's conservation plan. The Executive Order also directs other state agencies to coordinate with the wildlife agency in these efforts. Nevada has also established a state-run Conservation Credit System that creates a mitigation market to facilitate protection of sage-grouse habitat when development projects cause unavoidable impacts.

In November 2012, the Governor signed a second Executive Order establishing the Sagebrush Ecosystem Council, a multiagency and multidiscipline group that was tasked with developing a conservation strategy for sage-grouse in Nevada. In October 2014, the Sagebrush Ecosystem Council finalized the Nevada Greater Sage-grouse Conservation Plan. The Nevada plan creates the Conservation Credit System, which creates financial incentives for private landowners to conserve sage-grouse habitat for use as compensatory mitigation. Nevada's plan requires that any development that affects greater sage-grouse habitat in Nevada will need to acquire credits to compensate for those effects before the development proceeds. In addition, on June 23, 2015, the Governor signed emergency regulations enabling the creation of Rangeland Fire Protection Associations to support fire suppression efforts by adding capacity and resources for fire suppression.

Oregon

Oregon is one of three states that have adopted state sage-grouse conservation plans that incorporate regulatory mechanisms. (See above for a discussion of the plan and executive order.)

In 2012, the Oregon Sage-grouse Conservation Partnership, or SageCon, was convened at the request of the Governor's office to formulate an "all lands, all threats" approach to sage-grouse

conservation. This effort was to provide regulatory assurances in advance of the Service's listing decision in 2015 and support long-term community sustainability in central and eastern Oregon. The primary goal of SageCon Partnership has been to amend the 2011 Oregon Sage-grouse plan to update the status of the species and its habitat conditions; identify conservation measures that have been implemented since 2010, and formulate new regulatory and voluntary programs to establish more predictability in the permitting process and ensure that mitigation dollars are invested in the highest value sage-grouse habitat.

Notably, more than 245,000 acres of conifer removal projects have been completed since 2010 on private and public land in some of the state's most important sage-grouse habitats. The Oregon Watershed Enhancement Board has committed at least $10 million dollars in state lottery funding over the next 10 years to implement state and local efforts for sage grouse habitat conservation and restoration. In addition, through a broad network of candidate conservation agreements, hundreds of landowners have committed over 2 million acres of sage-grouse habitat to conservation plans. Oregon Soil and Water Conservation Districts and ranchers are receiving $9 million from the NRCS to implement our CCAAs with the counties.

Washington

The greater sage-grouse is protected as a threatened species under Washington statutes and the state has been conserving the bird under a state plan first developed by the Washington Department of Fish and Wildlife in 2004. The plan identified a recovery goal of average breeding season populations of at least 3,200 birds for a period of 10 years, with active lek complexes in six or more sage-grouse management units. To meet this goal, the state, the Army and the Yakama Nation have been reintroducing sage-grouse to Lincoln County and the Yakama Nation and augmenting the population of sage-grouse within Department of Defense lands for eight years. The state is developing a Candidate Conservation Agreement with Assurances for private landowners and state wildlife areas within central Washington to minimize or remove threats to sage-grouse associated with agriculture and grazing.

In addition, the Service has worked with the Foster Creek Conservation District in Douglas County to develop a multi-species conservation plan to maintain or improve habitat on private lands for greater sage-grouse, Columbia Basin pygmy rabbits, sharp-tailed grouse and other species. The proposed plan will cover up to approximately 879,000 acres of private agricultural lands and provide assurances to landowners that their ongoing agricultural activities are in compliance with the ESA while supporting sustainable agricultural operations.

Wyoming

Wyoming was one of the first states in the greater sage-grouse range to have a conservation plan supported by the Service. Additionally, Wyoming is one of three states that have adopted state sage-grouse conservation plans that incorporate regulatory mechanisms. (See above for a discussion of the plan and executive order.)

One of the most important elements of Wyoming's approach was the creation of the Sage Grouse Implementation Team, which includes representatives of state and federal agencies, non-governmental organizations and industries. The team makes recommendations to the Governor

for continued conservation of greater sage-grouse through the executive orders. The latest executive order was signed by Governor Mead on July 29, 2015.

The State of Wyoming's Core Population Areas cover the largest populations and most productive habitats that meet all life history requirements for the species. The Wyoming Strategy is based on avoiding impacts that would deter sage-grouse utilization. The key component of the Wyoming Strategy is the application of state regulatory measures to projects that require state authorization on all 15 million acres of sage-grouse habitat in Wyoming. Any project requiring a state permit must meet the conditions of the strategy regardless of land ownership. The federal plans in the state incorporate the Wyoming strategy, thereby ensuring implementation of the strategy on federal land surfaces and subsurface regardless of the need for a state permit.

In addition to the core area strategy, private landowners have helped protect sage-grouse habitat by participating in a $250 million Sage Grouse Initiative conservation easement campaign that has prevented urbanization in some of the most bird abundant and at-risk landscapes in Wyoming. The combination of the Wyoming core area policy and future conservation easements funded through the Sage Grouse Initiative will result in significant additional protection of sage-grouse habitat in the state during the foreseeable future.

Utah

Utah issued a final conservation plan for the sage-grouse on February 14, 2013, and mandated its implementation on February 25, 2015 by Executive Order. Utah's Plan and Executive Order include limited regulatory mechanisms addressed above.

The Utah state plan addresses threats to sage-grouse associated with fire, invasive species, predation, conifer encroachment, recreation, energy development, and the removal of sagebrush. The Utah plan applies to all lands within the state's 11 Sage-Grouse Management Areas across approximately 7.5 million acres, which conserves 90 percent of the state's greater sage-grouse habitat and approximately 94 percent of the population. Many of the conservation measures in the plan are voluntary and rely on negotiated incentive-based covenants, easements, or leases to achieve conservation on private lands, School and Institutional Trust Administration Lands, and local government lands. In 2014, Utah's incentive-based approach, coupled with efforts from state, federal, and private partners, exceeded the Utah conservation plan objectives, reporting that about 250,000 acres of habitat enhancement and restoration had already occurred throughout the state.

The Utah Plan provides an organizational framework to leverage funding and agency resources to help partners prioritize wildfire suppression and rehabilitation efforts. The Utah Governor's Executive Order also directs the Utah Division of Forestry, Fire and State Lands to prioritize fuels-mitigation activities and pre-attack planning and coordination with other federal and local fire suppression partners in sage-grouse habitat, second only to the protection of human life and structures. Utah's 2013 Catastrophic Wildfire Reduction Strategy established a statewide steering committee and regional working groups to develop a statewide risk map that will include prioritized sage-grouse habitat areas

15. What role have private landowners played in greater sage-grouse conservation efforts?

Greater sage-grouse use both public and private lands during their annual lifecycle, with private lands becoming extremely important during the summer brooding season, when females rear chicks to adulthood. Young greater sage-grouse depend on wet meadows and habitat adjacent to wetlands that is often found on private ranches, so conservation of habitat on private lands is an important part of the all-lands strategy for this species.

Since 2010, the Sage Grouse Initiative, the Service and numerous other partners have targeted the best privately owned greater sage-grouse habitat for enrollment in voluntary conservation programs. Through 2015, the Sage Grouse Initiative and its partners have invested $425 million in private-land conservation, enrolling more than 1,120 ranches and more than 4.4 million acres in programs that manage habitat for the benefit of greater sage-grouse, including more than 450,000 acres of conservation easements that eliminate the risk of development. The U.S. Department of Agriculture has committed another $211 million to the Sage Grouse Initiative, with a goal of protecting 8 million acres of sage-grouse habitat by 2018.

The Service's Partners for Fish and Wildlife program has also engaged private landowners in a variety of voluntary conservation efforts to restore and enhance upland, wet meadow and riparian habitat for the benefit of the species. The primary mechanism used by Partners is a private landowner agreement: a voluntary, 10-year agreement between the Service and a landowner. Since 2000, Partners has contributed $22 million toward private lands projects valued at nearly $43 million that implemented on-the-ground habitat restoration to support the recovery of greater sage-grouse and keep landowners on the land.

A third way to conserve private lands habitat is through the Service's Candidate Conservation Agreement program. This program includes Candidate Conservation Agreements with Assurances (CCAAs), which is a voluntary program that allows private landowners to enter an agreement with the Service for 30 years, during which time the landowner commits to forgoing development that would pose a threat to sage-grouse and implementing habitat programs in exchange for the Service's assurance that in the event of an ESA listing, no additional regulatory measures would be required. The program also covers candidate conservation agreements (CCAs) with public lands agencies that provide for species' conservation.

In Oregon, private landowners who control more than 2 million acres of greater sage-grouse habitat have enrolled or signed letters of intent with the Service to enroll in CCAAs. Private landowners have also worked with the BLM to commit 2.1 million acres of public grazing allotments to CCAs extending their private-land stewardship to public lands.

In Wyoming, about 445,000 acres of private land have been enrolled in CCAAs and another 855,000 acres of associated grazing BLM allotments have been enrolled in CCAs. These agreements conserve sage-grouse habitats and maintain the open spaces these birds, and other sagebrush obligates, require.

These private-land programs have complemented state and federal plans in extending sage-grouse conservation across the landscape.

16. The Conservation Objectives Team report delineated Priority Areas for Conservation (PACs) as important areas necessary for the future conservation of the species. How were PACs impacted by conservation plans and actions put into place since 2010?

- The Conservation Objectives Team Report was a collaborative effort by federal agencies and the states to delineate the most important habitats for greater sage-grouse conservation as well as the primary threats to the survival of the greater sage-grouse. The report identified concentrations of birds and the habitats necessary for the persistence of the species as Priority Areas of Conservation or PACs. The PAC concept has been the foundation for federal and state conservation sage-grouse planning.
- Federal land management agencies (BLM and USFS) incorporated the PACs in the designation of Priority Habitat Management Areas (or PHMAs).
- The Conservation Objectives Team Report made clear that "maintenance of the integrity of PACs … is the essential foundation for sage-grouse conservation." For this reason, the BLM and Forest Service plans include land allocations and management actions that avoid and minimize surface disturbance in priority habitat for identified threats (e.g., energy, mining, infrastructure, improper grazing, free-roaming equids, recreation and urbanization). In addition, efforts to prevent rangeland fires, to focus fire suppression activities, and to restore fire-impacted lands will be focused on priority habitat in the western portion of the sage grouse range, where fire is the greatest threat to the species.
- States have utilized the PACs as the basis for "core areas" in Wyoming and Montana, sage-grouse management areas in Utah, or important and core examples.
- The NRCS Sage Grouse Initiative has targeted the vast majority of their actions and investments to private land within PACs.

IV. Addressing Threats to Sage-Grouse

17. What are the potential threats to the species?

The most significant threat to the species is habitat loss and fragmentation due to a variety of causes.

In the Rocky Mountain portion of the range, sagebrush habitats have become increasing degraded and fragmented due to fossil fuel and renewable energy development, infrastructure such as roads and power lines, mining, improper grazing, the direct conversion of sagebrush to croplands, and by urban and ex-urban development.

In the Great Basin, incursions of invasive plants such as cheatgrass and conifer, increases in wildfire size, frequency and intensity fueled by invasive plants, along with improper grazing from domestic livestock and free-roaming horses and burros, drought, and mining have eliminated the habitat and degraded the value of large areas of sagebrush habitat for greater sage-grouse. The threat of habitat loss to fire and invasive species can be exacerbated by even small amounts of development in important habitat.

Impacts from these stressors have been exacerbated by the lack of adequate regulatory mechanisms to control their effect on sagebrush habitat. In the finding the Service discusses how these threats have been ameliorated.

18. What regulatory measures have been implemented since 2010 to better protect greater sage-grouse?

The Bureau of Land Management (BLM) and U.S. Forest Service (USFS) have each completed amendments or revisions to 98 land management plans governing greater sage-grouse habitat. The Service provided technical assistance during the development of these federal land use plans, which are the principal regulatory documents for the activities allowed on BLM and USFS lands. This federal greater sage-grouse planning effort is unprecedented in scope and scale, and represents a significant change from managing within administrative boundaries to managing with an ecosystem approach with a goal of balancing the agencies' multiple-use mandates with conservation objectives.

Since 2010, states within the range of the species range have updated, finalized or implemented conservation plans for the greater sage-grouse. These plans take different approaches, but in general, they identify important conservation objectives for greater sage-grouse and include mechanisms to incentivize conservation. In particular, state plans developed by Wyoming, Montana and Oregon contain regulatory provisions that provide certainty and will help to reduce habitat loss and fragmentation in the best remaining greater sage-grouse habitat.

19. How did the Service estimate the amount of breeding habitat on which threats have been reduced?

The Service used habitat characteristics around known breeding areas (leks) to predict where else breeding habitat occurred in occupied range. Approximately 90% of the resulting modeled area of predicted breeding bird habitat is covered by protections in federal land use plans and Wyoming, Montana and Oregon state plans. While the important habitats protected by the federal land use plans include some small inholdings of non-federal land, those inholdings occur primarily in Wyoming, Montana, and Oregon, where the Service is confident that the respective state plan protections will protect habitat in those inholdings.

20. How do the conservation actions address the threat of invasive species and fire in greater sage-grouse habitat?

Wildfire is the primary threat to the sagebrush ecosystem in the western portion of the remaining range of the greater sage-grouse. Over time, human activities have changed the vegetation composition and structure of the sagebrush ecosystem in ways that have promoted more frequent and more damaging fires. Non-native annual grasses such as cheatgrass are an aggressive invasive species that now cover millions of acres of rangelands in the Great Basin and are slowly expanding into the eastern portion of the sagebrush landscape. When cheatgrass becomes established, it can fuel destructive wildfires and represents a significant threat to the long-term conservation of greater sage-grouse and its habitat, particularly in the Great Basin. Fires can cause direct loss of habitat, resulting in loss of breeding, foraging and sheltering opportunities for

the species. In addition to the direct habitat loss, cheatgrass can take over fire scars, creating large areas devoid of sagebrush habitat that serve as functional barriers to greater sage-grouse movements and dispersal.

Since 2010, the wildland fire management community has made strides in addressing wildfire and its effects on habitat fragmentation on greater sage-grouse habitat. The BLM-USFS plans contain multiple measures to address wildfire, including measures to reduce the risk of rangeland fires through better treatment of fuels and the creation of firebreaks to check the spread of fires when they occur. In collaboration with the Western Associations of Fish and Wildlife Agencies, the BLM and the Forest Service conducted an assessment of areas across the Great Basin. Using the Fire and Invasives Assessment Tool (FIAT), the federal land management agencies can better target efforts to protect and restore the most important resistant and resilient habitat areas.

In addition, in November 2014 the BLM convened a conference on rangeland fire bringing research scientists, land managers, and firefighters together with state and local officials, policymakers and stakeholders to develop a new strategy to attack the threats of invasive non-native species and wildfire. That conference led to a Secretarial Order by Secretary Jewell -- Secretarial Order 3336 Rangeland Fire Prevention, Management and Restoration -- that directed the development of a multi-agency strategy to address rangeland fire. The resulting strategy, *Integrated Rangeland Fire Management Strategy*, is currently being implemented and includes: efforts to prevent rangeland fires; to better suppress them (such as through the prepositioning of firefighting assets near high value habitat areas and improved training for rural fire fighters); and to improve post-fire success in rehabilitating areas affected by fire and restoring them to native vegetation. In addition, the BLM recently announced a National Seed Strategy to increase the production, storage, and use of seed stocks from native vegetation to improve restoration success across the Great Basin.

Wildfire managers are focusing their operations on protecting greater sage-grouse and sagebrush habitat. Sagebrush habitats are now given priority consideration in the treatment of fuels and the rehabilitation of burned areas, after the protection of human health and safety. The continued long-term implementation of these wildfire management strategies, particularly in important greater sage-grouse habitats, reduces the risk of fire and invasive species in the Great Basin and rangewide.

Controlling both invasive grasses and rangeland fires must remain a primary focus of collective conservation efforts.

21. How much habitat has been lost during the 2015 fire season thus far?

There was a total of 533,182 total acres of habitat burned as of September 11, 2015. Of that, 207,387 acres were in Priority Habitat and only 112 acres were in Sagebrush Focal Areas. Of the fires burning in sage-grouse habitat, one fire - the Soda Fire - accounted for most of the acreage, burning 280,000 acres in extreme wind-driven conditions in Idaho.

Given the importance of the landscape burned, the Soda Fire has resulted in rapid and unprecedented response by rehabilitation specialists. An interagency Burned Area Emergency

Response Team has already begun to develop plans for restoration of the area. The Service provided nearly $130,000 in seed money to start restoration projects on private lands within the burned area; the BLM will focus its efforts on the public lands impacted by the fire, while NRCS will provide technical support and funds to assistant in restoring habitat on private lands that were burned. The project will likely take several years, however, the federal agencies have committed to use the restoration effort as a pilot to evaluate various approaches and strategies for restoring native vegetation and sagebrush cover.

22. How do the conservation actions address the threat of oil and gas development in greater sage-grouse habitat?

Oil and gas development is likely to continue throughout the greater sage-grouse range into the future, although its form and extent across the landscape may change.

For this status review, the Service mapped locations of the highest potential for of oil and gas development in Montana, the Dakotas, Wyoming, Colorado and northeastern Utah to quantify potential exposure of greater sage-grouse to risk of future development.

The Service's analyses indicate that the federal land use plans and the Wyoming Core Area Strategy are reducing exposure of the species to fossil fuel development, as measured by the portions of the breeding population and breeding habitat. The Service estimates that the vast majority of lands with a high- to moderate potential for oil and gas development are outside Priority Habitat. Regulatory mechanisms further reduce the risk of nonrenewable energy exposure to the breeding population and breeding habitat by more than 35 percent in Montana, Wyoming's Powder River Basin and the Dakotas, and more than 60 percent in the rest of Wyoming and adjacent portions of Colorado and Utah.

23. How do the conservation actions address the threat or impact of infrastructure development in greater sage-grouse habitat?

Expanding human settlement in the western United States has led to an increase in demand for infrastructure to support development. Roads, railroads, power lines, communication towers, wind turbines and fences result in habitat loss and fragmentation, and can cause greater sage-grouse to avoid otherwise suitable habitat. Infrastructure can also facilitate the spread of invasive plants, increase fire risk, and provide food, water and perches for predators, which may increase densities of ravens, foxes, skunks and other predators.

Since 2010, a number of landscape-scale efforts have been undertaken to reduce impacts from existing and future infrastructure to greater sage-grouse across the range. Those efforts include federal land use plan amendments, state sage-grouse plans, Sage Grouse Initiative projects and CCAs.

In Priority Habitat, federal land use plans are designed to avoid or minimize infrastructure development, with limited exceptions for new transmission rights-of-way. They also include seasonal timing restrictions, noise restrictions, buffer distances from leks, and required design features to minimize infrastructure impacts on greater sage-grouse. State sage-grouse plans in

Wyoming, Montana, Oregon and Utah contain regulatory measures intended to minimize impacts from infrastructure on state lands and, in some instances, on private lands.

24. How do the conservation actions address the threat of grazing in greater sage-grouse habitat?

Livestock grazing is the most widespread land use in the sagebrush ecosystem. Improper grazing (by domestic livestock and free-roaming horses and burros) can have negative impacts to sagebrush and greater sage-grouse at local scales; however, in 2010, the Service did not find that this was a principal factor affecting the status of the species. Livestock grazing may positively or negatively affect the structure and composition of greater sage-grouse habitat, depending on the intensity and timing of grazing, and local climatic and ecological conditions.

Properly-managed grazing may benefit greater sage-grouse by maintaining perennial vegetation that provides important food and cover for greater sage-grouse and by helping to control invasive annual grasses and woody plant encroachment. Alternatively, improperly-managed grazing can reduce protective vegetative cover, may make nesting and brood-rearing habitats less suitable for greater sage-grouse and provide a vector for the spread of invasive grasses. Livestock can also trample or disturb nests and cause nesting females to flush from the nest, revealing the eggs to nest predators such as ravens.

While the Service's view that grazing is not a primary threat to the species has not changed since 2010, new range health measures in federal plans will likely improve habitat conditions across the range.

25. How do the conservation actions address the threat of free-roaming equids in greater sage-grouse habitat?

Domestic horses and burros were first brought to western North America by European explorers and traders in the late 16th century. Over time, free-roaming populations were formed by animals that escaped captivity or were released. Since passage of the Wild Free-Roaming Horses and Burros Act of 1971, herd numbers have risen and fallen dramatically. Currently, the BLM and USFS estimate about 65,000 horses and burros roam on federally administered rangelands in 10 western states, roughly double the estimates of the amount the land is estimated to be able to support. An undetermined number roam tribal lands.

Because of physiological differences, a horse forages longer and consumes 20 to 65 percent more forage than a domestic cow of equivalent body mass. Horses and burros crop vegetation closer to the ground than cattle or big game, potentially reducing cover for greater sage-grouse and limiting or delaying recovery of plants. Horses and cattle use the landscape differently, increasing the area impacted by grazing when both are present.

Management of herds by federal agencies is an ongoing challenge. Free-roaming horse and burro populations grow rapidly, and in most areas, they have no natural predators. Gathering and removing horses and burros for adoption, or sale is expensive and highly controversial.

New federal land use plans address free-roaming equids' impacts by focusing management efforts in areas most important for greater sage-grouse conservation. If needed to meet range health and greater sage-grouse objectives, the plans allow for "gathers" and other population control techniques in priority habitat areas. Additionally, if needed, free-roaming equids would be removed or excluded from areas following emergencies, such as wildfire or drought.

Implementation of all or some of the measures outlined in the plans will reduce impacts in the most important areas for greater sage-grouse. Nevertheless, some localized degradation of habitat will likely continue, particularly in Nevada, as these measures take effect.

V. Looking Forward

26. What does the future hold for greater sage-grouse conservation following this decision?

The Service's not-warranted finding for greater sage-grouse is an important milestone in an ongoing, range-wide campaign to conserve the species and the larger landscape on which it and many other species depend. Greater sage-grouse will still require intensive, conservative management into the future. An ongoing and concerted effort by all partners – public and private – is needed to maintain and advance conservation measures, and control impacts to the bird and its habitat.

The Service will remain an active partner in sagebrush conservation and will continue to invest in new science, management techniques, technical assistance for partners and in private lands programs to help landowners conserve habitat on their own land. The Service has committed to monitoring all of the continuing efforts and population trends, as well as to evaluate the status of the species in five years.

Federal land use plans contain specific, measurable actions to reduce disturbance that affects greater sage-grouse and its habitat. These plans also include monitoring and adaptive management programs that will enable managers to track and quickly adjust plans in response to biological feedback mechanisms. The federal land use plans are likely to be implemented for 20 to 30 years, and any amendments will be subject to extensive environmental review, ensuring these conservation efforts will continue into the future.

The Service anticipates state plans and related efforts will strengthen as they mature and develop track records of success. Private lands conservation programs, such as the NRCS's Sage Grouse Initiative and the Service's Candidate Conservation and Partners for Fish and Wildlife programs will continue to recruit new landowners into sagebrush management and restoration programs.

It is important to recognize that the threats to greater sage-grouse and its habitat – fire and invasive plant species, population growth, and climate change – are not going away. The federal, state and private conservation measures described in the Service's finding across every state in the range – and robust monitoring and adaptive management programs associated with those measures – must continue into the future if we are to avoid continued decline of the species

and a potential future listing under the ESA for greater sage-grouse or other at-risk, sagebrush-dependent species. Continued, dedicated funding for all aspects of greater sage-grouse and sagebrush conservation is a critical component of successful future conservation efforts.

27. What can landowners do to help?

The hard work must continue in order to restore sagebrush ecosystems and reverse the long-term decline of greater sage-grouse. For those private landowners wanting to contribute to the recovery of greater sage-grouse there are numerous programs available within the Service and through other agencies and organizations.

On August 27, 2015, U.S. Department of Agriculture Secretary Tom Vilsack announced priorities for the Sage Grouse Initiative to continue to spend down what is expected to be an additional $211 million in Farm Bill funding through 2018 to continue working with ranchers across the range. The Sage Grouse Initiative estimates that by 2018, a total of $760 million will have been invested by the program and partners to reach a goal of protecting sage-grouse habitat on 8 million acres of private ranchlands. See http://www.sagegrouseinitiative.com/ for more information.

Since 2013, the Service and the BLM have enrolled or secured commitments from ranchers controlling 5.5 million acres to participate in voluntary Candidate Conservation programs (some of which overlap with Sage Grouse Initiative enrollments). The Service will continue to provide this assistance in the years ahead.

The Service will also continue to provide financial and technical assistance to landowners seeking to conserve listed species on their private land through its Partners for Fish and Wildlife Program. For more information on these tools, see http://www.fws.gov/endangered/landowners/landowner-tools.html.

28. Where can I obtain more information related to the listing?

For more information about the greater sage-grouse, the final listing and critical habitat decision, visit the Service's web site at http://www.fws.gov/greaterSageGrouse/.

Myths v. Facts - Greater Sage-Grouse Conservation Strategy

Thanks to an unprecedented, science-based, landscape-scale conservation effort across the western United States, the U.S. Fish and Wildlife Service concluded that the greater sage-grouse does not warrant protection under the Endangered Species Act. A key factor in the FWS analysis is the federal land management plans developed by the Bureau of Land Management and U.S. Forest Service, who manage roughly half of the sage-grouse habitat. The collaborative state, federal and private efforts are unequaled in the history of wildlife and landscape conservation in the United States.

BIG PICTURE

Myth: *Federal involvement is unnecessary because states are undertaking adequate measures that address the threats.*
Fact: Because greater sage-grouse habitat crosses all ownership jurisdictions in 11 states, federal and state management plans are important for addressing threats to the species. No one state or federal agency can by itself conserve the sage-grouse. States have primary management authority for wildlife within their borders. However, the Bureau of Land Management (BLM) and the US Forest Service (USFS) manage roughly half of the remaining sage-grouse habitat; therefore, it is critical that both federal and state partners proactively and collaboratively take conservation actions.

- In the U.S. Fish and Wildlife Service's (FWS) 2010 'warranted but precluded' decision, the FWS identified the bird as at risk of extinction, in large part due to the inadequacy of existing regulatory mechanisms on federal and other lands to prevent further habitat loss and fragmentation.

Myth: *The conservation actions will be insufficient to protect the bird.*
Fact: The unprecedented conservation actions have significantly reduced threats to the greater sage-grouse across 90 percent of the species' breeding habitat. The conservation actions include: regulatory protections on over 67 million acres of BLM and USFS public lands; millions of acres of private and state land in conservation; and an aggressive strategy to combat rangeland fire and restore impacted landscapes. After a thorough analysis of the best available scientific information that takes into account the key ongoing conservation efforts and their projected benefits, the FWS has determined that the species does not face the risk of extinction in all or a significant portion of its range now or in the foreseeable future.

Myth: *The plans will be worse than an ESA listing would have been.*
Fact: The plans provide immediate, up-front certainty to communities, developers, ranchers and private landowners. By contrast, under a listing, every major project or permit affecting the sage-grouse on federal lands, such as oil and gas development or a new transmission line, would need to undergo consultation with the FWS. Private landowners and states could be required to get permits from the FWS if their actions could harm the bird or its habitat. Important ESA procedural requirements would add time and uncertainty to the decision-making process.

- The plans are balanced – protecting important sagebrush habitat while allowing for continued uses and sustainable development. The plans were critical in the FWS determination that the species no longer warrants protection, which ensures private

landowners and state land users will not be subject to further federal requirements under the Endangered Species Act.

Myth: *The FWS's determination means the conservation work is done.*
Fact: In fact, we're now starting an incredibly important phase: implementing the conservation actions outlined in the federal and state plans and the comprehensive rangeland fire management strategy. The federal plans will be implemented by the Interior Department and USDA in coordination with state and local partners, as well as continued collaboration with the Western Governors' Association Sage-Grouse Task Force and local working groups. Resources to support those activities are included in the President's $60 million 2016 budget request for sage-grouse conservation and the President's fire budget fix.

Myth: *The planning effort or a listing will put military readiness at risk.*
Fact: The plans deal only with BLM and USFS land and have no effect upon military lands. The DOD has officially stated that it did not anticipate any significant adverse impacts to its mission from the FWS listing decision, whatever its outcome. There are multiple military installations or facilities with confirmed populations of greater sage-grouse. Each installation has voluntarily undertaken conservation actions to benefit the sage-grouse and sagebrush habitat which the Service considered in its review of the species' status.

Myth: *Cooperators (states and counties) were not involved in the plan development.*
Fact: States have been important partners in the development of the federal land management plans since 2011. The federal plans build upon the foundation for sage-grouse conservation initiated by a number of states, including Wyoming and Montana's core area strategy, Idaho's three-tiered conservation approach, and Oregon's "all lands, all threats" approach.

- In 2011, then-Secretary of the Interior Salazar and Governors Mead and Hickenlooper formed the Sage-Grouse Task Force. The federal-state working group has met regularly to identify a collaborative conservation approach.
- Cooperators' comments on the draft plans in 2013 helped inform the final plans, and the BLM-USFS worked to address additional comments in the Records of Decision.

Myth: *Delaying plan implementation or reversing the FWS determination is a viable solution.*
Fact: States, landowners, communities and companies need certainty. Delays will only undermine progress and deny states and businesses much-needed clarity about the rules of the road. A 'not warranted' decision by the Service is a major achievement – but it cannot hold unless states, federal agencies, and private landowners implement the conservation measures put in place.

- The time to address the threats to sagebrush habitat is now - not in five or ten years, when the bird's habitat is more fragmented, fire-prone and has lost more productive rangeland to invasive species.

Myth: *The BLM-USFS plans impose a one-size fits-all standard.*
Fact: The plans include common elements across the range to address threats to the bird identified in the peer-reviewed Conservation Objectives Team (COT) report, developed by a team of state and federal wildlife biologists. The foundation for the state BLM and USFS plans was state conservation efforts, allowing for state-based variations where different approaches or

priorities were consistent with the overall conservation objectives. The federal plans are built upon the foundation for sage-grouse conservation initiated by a number of states, including Idaho's three-tiered conservation approach, Wyoming and Montana's core area strategies, and Oregon's "All lands, All Threats" approach. The plans also reflect input received through the public comment period, the Governor's Consistency Review, and guidance developed collaboratively by the BLM, USFS and FWS.

SCIENCE

Myth: *The FWS 'not warranted' determination does not follow the science.*
Fact: The FWS has gone to extraordinary lengths to ensure that the analysis it developed for the greater sage-grouse finding is based on the very best and most current scientific and commercial information available. Sage-grouse are one of the most-studied birds in North America, and the FWS relied on the best available science drawn from extensive published literature, as well as input from internal wildlife biologists, state agencies, the U.S. Geological Survey, and other sources. Among the many reports and studies influencing the determination are: a first-of-its-kind "Conservation Objectives Team" report that identified priority conservation areas for the sage-grouse and specific threats to the birds' survival, prepared by experts from both state and federal agencies; a "National Technical Team" compilation of science prepared by the BLM that provides options for dealing with the most significant threats to the sage-grouse; and a series of reports on how to address the threats of rangeland fire and invasive species prepared in collaboration with the Western Association of Fish and Wildlife Agencies.

- The FWS has been diligent in identifying, tracking and evaluating new and emerging scientific studies and reports right up to the date that the finding was sent to the *Federal Register*. These include: evaluations of fire, grazing and the Priority Areas of Conservation strategy, as well as population trend analysis based on the most recent lek count data conducted by sage-grouse experts with the Western Association of Fish and Wildlife Agencies.

Myth: *The plans don't adapt to new information or science.*
Fact: The Service has been diligent in identifying, tracking and evaluating new and emerging scientific studies and reports along with input from recognized experts, state agencies, the U.S. Geological Survey, and other sources right up to the date that the finding was sent to the *Federal Register*. These include: evaluations of fire, grazing and the Priority Areas of Conservation strategy, as well as a population trend analysis based on the most recent lek count data conducted by sage-grouse experts with the Western Association of Fish and Wildlife Agencies. Federal and state land use plans and state plans are grounded in the best available science. The land management plans, the rangeland fire strategy and other conservation efforts are designed and required to incorporate new science. Importantly, the plans include monitoring and adaptive management measures to ensure overall conservation objectives are being met during the implementation phase.

- The plans contain coordinated monitoring and evaluation of population changes, habitat condition and mitigation efforts. The plans may be adjusted based on a series of pre-determined benchmarks and actions developed with state wildlife agencies to ensure

there is an immediate, corrective response to any identified threshold declines in population or habitat.

Myth: *The BLM and USFS plans do not protect important seasonal habitats like brooding and wintering areas or connectivity.*
Fact: The plans incorporate brood-rearing, winter concentration areas and known migration or connectivity corridors in both Priority Habitat and General Habitat. These areas were identified in the plans in close coordination with the respective state fish and wildlife agencies. Further, the plans add additional protections for sage-grouse outside of priority habitat through buffers and requirements for mitigation and design features. The plans require that the BLM and USFS consider prioritizing the identification of wintering habitat and corridors to connect important habitat areas in future updates of the habitat maps and in implementation decisions.

Myth: *The plans are weak because they don't create special "reserves" for greater sage-grouse.*
Fact: While the plans do not create formal "reserves," they do take strong actions to protect nearly 12 million acres of Sagebrush Focal Areas (SFAs), which are a subset of Priority Habitat Management Areas. The FWS identified these areas as the most important places for the conservation of sage-grouse habitat because SFAs have the highest quality habitat, the highest breeding densities, and other criteria important to the persistence of the species. Fluid mineral development in most of the SFAs will be limited to No Surface Occupancy restrictions, with no exceptions. The BLM and the USFS are jointly proposing to withdraw lands within SFAs from location of new mining claims. Finally, these areas receive priority for actions designed to improve the bird's sagebrush habitat. In short, these areas will be managed with the purpose of maintaining and restoring healthy sagebrush habitat.

Myth: *The plans do not put sufficient emphasis on fire management, which are the primary issues in states like Utah and Idaho.*
Fact: The Administration is aggressively addressing rangeland fire threats to sage-grouse habitat in a number of ways, including through the BLM-USFS plans that incorporate management actions to help reduce the threat of rangeland fire and to restore fire-impacted landscapes. These plans build on habitat restoration and improved fire management that federal, state and local partners have been investing in for years. In addition, the Department of the Interior developed an "Integrated Rangeland Fire Management Strategy" that focuses on reducing the size, severity and cost of rangeland fires, addressing the spread of cheatgrass and other invasive species that exacerbate the threat of fire, and positioning fire management resources for more effective rangeland fire response. Additional new actions to support those activities include: the President's $60 million 2016 budget request for sage-grouse conservation and the President's fire budget fix; a commitment to refocus funding to restore fire-impacted lands to benefit rangelands; and a new National Seed Strategy that will improve habitat restoration across major landscapes, by increasing access to locally grown native seed to re-vegetate habitat damaged by fire.

Myth: *The BLM-USFS plans for Wyoming offer insufficient protections for greater sage-grouse when compared to other state plans.*
Fact: Wyoming has the most sage-grouse habitat and largest sage-grouse population in the United States. In 2008, Wyoming implemented a core area strategy, the first "all lands" regulatory mechanism developed by state or federal officials to conserve the greater sage-grouse

and its habitat. To date, Wyoming's proactive, landscape-level approach has proven to be an effective management strategy for conserving important greater sage-grouse habitat and encouraging robust development elsewhere.

- In coordination with the FWS, the BLM considered and analyzed the National Technical Team conservation measures, as well as the Wyoming Governor's 2011 Executive Order on the management of greater sage-grouse core areas, in order to develop plans for Wyoming federal public lands that meet the conservation objectives of the planning effort.

ENERGY AND DEVELOPMENT

Myth: *The BLM-USFS plans lock up development in the West, including eliminating large areas from oil and gas development.*
Fact: The majority of federal lands within the priority sage-grouse habitat have zero to low potential for oil and gas, solar, and wind energy development. In contrast, approximately 90 percent of high to medium oil and gas potential and 97 percent of high wind potential is outside of federally-managed priority habitat.

- The plans respect valid, existing rights, including those for oil and gas development. The plans continue to allow oil and gas leasing on greater sage-grouse habitat on BLM and USFS lands but require measures for most new leases to limit surface disturbance in priority habitat through a "no surface occupancy" requirement. Directional drilling technology means that most oil and gas resources can continue to be developed, even if they are under important sage-grouse habitat.

Myth: *The plans will impact existing oil and gas leases or transmission rights-of-way that have already been granted.*
Fact: The plans will respect valid, existing rights, including those for oil and gas development, renewable energy, rights-of-way, locatable minerals, and other permitted projects.

Myth: *The plans don't do enough to prohibit hardrock mining in all priority habitat.*
Fact: The FWS has identified habitat disturbance and fragmentation caused from certain hardrock mining operations as a threat to sage-grouse habitat. As a result, the BLM and USFS land use plans recommend that the Secretary exercise her authority, through a separate, public process, to safeguard approximately 10 million acres of the most important landscapes identified by the FWS in Sagebrush Focal Areas through mineral withdrawals.

- With the finalization of the plans, the Secretary is taking prompt action on the BLM and USFS recommendations to ensure that the Sagebrush Focal Areas that anchor the range-wide conservation strategy for the greater sage-grouse are protected from the threat of new hardrock mining claims. During the withdrawal process, the Secretary will consider information provided by the states, stakeholders and others on mineral potential, including rare earths, as well as the importance of these areas as sagebrush habitat.

Myth: *The plans will halt all transmission lines.*
Fact: The plans respect valid, existing rights and do not impact existing infrastructure. The plans require the BLM and USFS to work to avoid sage-grouse habitat where possible when

siting transmission lines. If impacts cannot be avoided through siting, the agencies will analyze a range of project design options during the project-level NEPA process to provide for protection of sage-grouse habitat to a net conservation gain mitigation standard. The review will consider technical and financial feasibility.

Myth: *The land management plans will greatly limit livestock grazing and require a specific stubble height for grazing allotments range-wide.*
Fact: The plans recognize – as does the U.S. Fish and Wildlife Service – that well-managed livestock grazing can be compatible with long-term sage-grouse conservation. The plans do not close greater sage-grouse habitat to livestock grazing, nor do they require a one-size-fits-all approach to grazing allotments. Instead, the plans recognize the need to evaluate habitat based on local ecological conditions and site potential when deciding where and how to apply different types of management.

- During grazing permit renewals and modifications on lands within sage-grouse habitat, the BLM will use the best available science to incorporate locally developed management objectives for sage-grouse habitat and rangeland health standards, consistent with ecological potential. The BLM and USFS will prioritize monitoring for compliance, review and processing of grazing permits in sage-grouse habitat, with a focus on Sagebrush Focal Areas and lands containing riparian areas and wet meadows.

Myth: *The plans set aside vast, new land for coal leasing.*
Fact: The plans do not propose any new areas for future coal leasing; the areas available for leasing through the resource management plan have not changed for 30 years. Additionally, the plans do not authorize any specific leases or mining operations; any new coal leases would require environmental reviews specific to the particular lease application. The purpose of the Resource Management Plans is to provide balanced management of all of the resources in the area including wildlife habitat, ranching, recreation, conservation and mineral development.

- The Interior Department is working separately to pursue reforms to the federal coal program. These include proposals – such as the Stream Protection Rule – to address the environmental impacts of coal mining. They also include reforms to make sure American taxpayers are getting a fair return on the coal resources managed by the federal government.

EMBARGOED UNTIL 12:00 PM ET on SEPTEMBER 22, 2015

FACT SHEET: Proposed Withdrawal from Mineral Entry in Sagebrush Focal Areas

Background: The U.S. Fish and Wildlife Service (FWS) identified habitat disturbance and fragmentation caused by certain hardrock mining operations as a threat to sage-grouse habitat. As a result, the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) land use plans recommend that the Secretary of the Interior exercise her authority under the Federal Land Policy and Management Act (FLPMA) to safeguard the most important landscapes identified by the FWS within Priority Habitat Management Areas – identified as Sagebrush Focal Areas – by withdrawing them from the operation of the hardrock mining law.

With the finalization of the BLM-USFS plans, the Secretary is taking prompt action to consider the recommendations. Through a public, transparent process, the Interior Department will seek to ensure that the Sagebrush Focal Areas that anchor the range-wide conservation strategy for the greater sage-grouse are protected from the threat of hardrock mining, subject to valid existing rights.

The elements of the proposed mineral withdrawal include:

Temporary segregation: Subject to valid existing rights, the Interior Department will propose to withdraw approximately 10 million acres of public and National Forest System lands located in the states of Idaho, Montana, Nevada, Oregon, Utah, and Wyoming from location and entry under the United States mining laws. This segregation, which lasts up to two years until the Secretary decides whether to make the withdrawal, prohibits the location and entry of new mining claims in the designated areas.

The notice of proposed withdrawal will publish in the *Federal Register* on September 24, 2015. The notice begins the segregation period and opens a 90-day public review period for the proposed withdrawal.

Analyses: During the segregation period, studies and environmental analyses will be conducted to determine if the lands should be withdrawn to protect sage-grouse habitat from location and entry of new mining claims. This process will invite participation by the public, tribes, environmental groups, industry, state and local government, as well as other stakeholders. These efforts will be undertaken under the leadership of the BLM in cooperation with the USFS and in compliance with the National Environmental Policy Act.

Public process: During the segregation period, the Interior Department will hold a public process to consider information provided by the states, stakeholders and others on mineral potential, including rare earths, as well as the importance of these areas as sagebrush habitat. At the end of the process, a decision on the proposed withdrawal may be made.

Valid, pre-existing claims: Neither the segregation for up to two years, nor any subsequent withdrawal, would prohibit ongoing or future mining exploration or extraction operations on valid pre-existing claims. Neither the segregation nor the proposed withdrawal would prohibit any other authorized uses on these lands. Under FLPMA, the Secretary can withdraw these lands for a maximum of 20 years, and may extend the period in the future.