From:	Carman, Stephanie
To:	Roberson, Edwin; Noreen Walsh
Subject:	Re: FW: Buffers
Date:	Monday, February 23, 2015 2:54:31 PM
Attachments:	comparison from final direction.docx

There were minor changes to the language after the Jan 15 draft. Attached is a document which shows what was in the final document from the tracked-changes version from Jan 15.

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On Mon, Feb 23, 2015 at 12:04 PM, Roberson, Edwin <eroberso@blm.gov> wrote:

> Steph, See Noreen's note.
>
> ---------- Forwarded message ----------
> From: **Noreen Walsh** <noreen_walsh@fws.gov>
> Date: Mon, Feb 23, 2015 at 11:48 AM
> Subject: FW: Buffers
> To: Edwin Roberson <eroberso@blm.gov>
>
> Ed, can you confirm if this was the final buffer language you all went with?
>
> **From:** Roberson, Edwin [mailto:eroberso@blm.gov]
> **Sent:** Thursday, January 15, 2015 7:48 PM
> **To:** Noreen Walsh
> **Cc:** Stephanie Carman
> **Subject:** Buffers
>
> Noreen, Here is the buffer language with our proposed edits. As I mentioned there are a few tweaks of language, a sentence moved around, edited the second bullet under GHMA by moving "minimized" up to get rid of the and/or issue, and removed the second bullet under PHMA (as we need to discuss your intent. That's it. Let's talk in the morning. ed

Issue: ~~Use~~**Application of Lek ~~Buffer-Distances in ADPPs~~Buffers**

Direction: The ~~ADPPs~~ADPP will require the use of lek buffer-distances for all new BLM-managed and BLM-authorized anthropogenic disturbances in both GHMA and PHMA (see Attachment ~~X) and~~IV) through this drop-in Chapter 2 language:

"In undertaking BLM management actions, and consistent with valid and existing rights and applicable law in authorizing third-party actions, the BLM will apply the lek buffer-distances identified in the USGS Report Conservation Buffer Distance Estimates for Greater Sage-Grouse – A Review (Open File Report 2014-1239*) in accordance with* ~~Attachment~~*Appendix X*~~. "~~*."*

Attachment ~~X~~V

Applying Lek Buffer-Distances When Approving ~~Proposed~~ Actions

- *Buffer Distances and Evaluation of Impacts to Leks*
  Evaluate impacts to leks from ~~proposed~~ actions requiring NEPA analysis. In addition to any other relevant information determined to be appropriate (e.g. State wildlife agency plans), the BLM will assess and address impacts from the following activities using the lek buffer-distances as identified in the USGS Report *Conservation Buffer Distance Estimates for Greater Sage-Grouse – A Review* (Open File Report 2014-1239). The BLM will apply the lek buffer~~-~~-distances specified as the lower end of the interpreted range in the report unless justifiable departures are determined to be appropriate (see below). The lower end of the interpreted range of the lek buffer-distances is as follows:
  - linear features (roads) within 3.1 miles of leks
  - infrastructure related to energy development within 3.1 miles of leks.
  - tall structures (e.g., communication or transmission towers, transmission lines) within 2 miles of leks.
  - low structures (e.g., fences, rangeland structures) within1.2 miles of leks.
  - surface disturbance (continuing human activities that alter or remove the natural vegetation) within 3.1 miles of leks.
  - noise and related disruptive activities including those that do not result in habitat loss (e.g., motorized recreational events) at least 0.25 miles from leks.

Justifiable departures to decrease or increase from these distances, based on local data, best available science, landscape features, and other existing protections (e.g., land use allocations, state regulations) may be appropriate for determining activity impacts. The USGS report recognized "that because of variation in populations, habitats, development patterns, social context, and other factors, for a particular disturbance type, there is no single distance that is an appropriate buffer for all populations and habitats across the sage-grouse range". The USGS report also states that "various protection measures have been developed and implemented… [which have] the ability (alone or in concert with others) to protect important habitats, sustain populations, and support multiple-use

demands for public lands". All variations in lek buffer-distances will require appropriate analysis and disclosure as part of activity authorization.

In determining lek locations, the BLM will use the most recent active or occupied lek data available from the state wildlife agency.

- *For ~~Proposed~~ Actions in GHMA*
  The BLM will apply the lek buffer-distances identified above as ~~Conditions of Approval~~required conservation measures to fully address the impacts to leks as identified in the NEPA analysis.
  - Impacts should first be avoided by locating the ~~proposed~~ action outside of the applicable lek buffer-distance(s) identified above.
  - If it is not possible to relocate the project outside of the applicable lek buffer-distance(s) identified above, the BLM may approve the project only if:
    - Based on best available science, landscape features, and other existing protections, (e.g., land use allocations, state regulations), the BLM determines that a lek buffer-distance other than the applicable distance identified above offers the same or a greater level of protection to GRSG and its habitat~~; or~~, including conservation of seasonal habitat outside of the analyzed buffer area; or
    - The BLM determines that impacts to GRSG and its habitat are minimized such that the project will cause minor or no new disturbance (ex. co-location with existing authorizations~~) ;~~); and
    - Any residual impacts within the lek buffer-distances are addressed through~~–~~ compensatory mitigation measures sufficient to ensure a net conservation gain, as outlined in the Mitigation Strategy (Appendix X).

- *For ~~Proposed~~ Actions in PHMA*
  The BLM will apply the lek buffer-distances identified above as ~~Conditions of Approval~~required conservation measures to fully address the impacts to leks as identified in the NEPA analysis. Impacts should be avoided by locating the ~~proposed~~ action outside of the applicable lek buffer-distance(s) identified above.

  The BLM may approve ~~proposed~~ actions in PHMA that are within the applicable lek buffer distance identified above only if:
  - The BLM, with input from the state fish and wildlife agency, determines, based on best available science, landscape features, and other existing protections, that a buffer distance other than the distance identified above offers the same or greater level of protection to GRSG and its habitat, including conservation of seasonal habitat outside of the analyzed buffer area.

- The BLM will ~~issue a finding which documents the basis~~explain its justification for determining ~~that~~ the approved buffer ~~distance meets~~distances meet these conditions~~.~~ in its project decision.