From: Cox, Dan
To: Grim, Mary
Subject: Re: GRSG CCAA/SGI Outreach Material
Date: Wednesday, March 18, 2015 11:51:20 AM
Attachments: 2015_3_18_Comparison Table CCAA_SGI(v3) GH AB HQ edits incorporated-aop edits incorporated _2_dcoxComments.docx

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just gave it a quick read and made a few comments (attached)... I am not sure I understand the regulatory certainty piece that well, I have not been involved with an NRCS consultation before, but it seems to me a weird construct to authorize s7 take coverage to non federal landowners on non federally owned land- this seems like a misapplication of the s7 tool, especially when we have tools specifically for this purpose.

dan

On Wed, Mar 18, 2015 at 11:16 AM, Grim, Mary <mary_grim@fws.gov> wrote:

> This is something that is being prepared for land owners in the sage grouse range. I thought it looked ok, but I wanted to see if you had any concerns with the CCAA language.
>
> I think the turn-around time on this needs to be pretty quick.
>
> **Mary Grim**
> US Fish and Wildlife Service
> 2800 Cottage Way
> Sacramento, CA 95825
> 916-414-6574
> 530-320-1300 (cell)
>
> ---------- Forwarded message ----------
> From: **Burgess, Angela** <angela_burgess@fws.gov>
> Date: Wed, Mar 18, 2015 at 10:46 AM
> Subject: GRSG CCAA/SGI Outreach Material
> To: Kathy Hollar <kathy_hollar@fws.gov>, Mary Grim <mary_grim@fws.gov>
>
> Kathy and Mary,
> I've attached the latest draft of the outreach material I've been working on with NRCS as an outcome of our meeting on Mar. 5. An original version was reviewed by our HQ CCAA folks and Tim Griffiths, Galon Hall, and Julie Grogan-Stewart with NRCS, but since, there have been substantial technical edits made by folks here in R6 attempting to increase clarity for landowners. I feel that the message is still the same as the originally agreed-upon document, but haven't run this new language past NRCS again yet - so there's the possibility that they may have concerns with some of our current language.
>
> I think it's important to get this draft language back to NRCS as soon as possible since they're also going through their own review process, but I'd like to make sure there's are no other major concerns or edits within the Service at this point. I'm not sure how many folks will need to review in your regions, but could you make sure it gets to any additional necessary people or let me know who else I should send it to?
>
> The sooner you could get me any major concerns the better - is there any chance it could be

done by the end of this week? The goal discussed at the Mar. 5 meeting with NRCS was to get the this out before the next task force meeting, so there's a quick deadline, and at this point is still hasn't been reviewed by Noreen or outreach folks.

Let me know if you have any questions.

Thanks much,
Angela

Angela Burgess
Fish and Wildlife Biologist
Mountain Prairie Region - U.S. Fish and Wildlife Service
134 Union Blvd., Lakewood, Colorado 80228
303-236-4263
angela_burgess@fws.gov

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Dan Cox
US Fish and Wildlife Service
Section 10 (HCP) Coordinator

2800 Cottage Way
Sacramento, Ca 95825
(916) 414-6539
dan_cox@fws.gov

CCAAs and SGI

	Candidate Conservation Agreement with Assurances (CCAA)	NRCS Sage-grouse Initiative (SGI)
Purpose of the Tool	Facilitate the conservation of proposed and candidate species and species likely to become candidates. Potentially preclude or remove the need to list species under the Endangered Species Act (ESA).	Conserve species by removing enough threats to species to preclude the need to list.
Participants	Any non-federal entities (public and/or private).	Any non-federal entities (public and/or private).
Species Covered	Proposed, candidate, or species likely to become candidates.	Sage-grouse only.
Activities Covered	Potentially any and all management activities occurring on a property, if permit issuance criteria are met.	Routine agricultural, ranching, and silvicultural operations and actions that provide benefits for both working landscapes and wildlife.
Regulatory Standard	The benefits of the conservation measures, combined with the benefits if similar conservation measures were to be implemented on other necessary properties, would preclude or remove the need to list the species covered by the CCAA.	No regulatory standard. However, an ESA section 7 conference report on the SGI conditioned the conservation practices to avoid and minimize expected incidental take to the extent feasible.
Regulatory Certainty for Enrolled Landowners	Assurances that additional measures and restrictions, beyond those agreed to in the CCAA, would not be imposed on the landowner, even if the covered species becomes listed. An Enhancement of Survival Permit authorizes the landowner to incidentally take the covered species should it be listed.	Already enrolled landowners would have predictability and would not be subjected to additional measures and restrictions, as long as they are properly implementing their conservation practices. In the unlikely event that changes to practices become necessary, they would be required only of future enrollees. If the species becomes listed, incidental take that may result from the conservation practices would be authorized through section 7.
Financial Assistance	None. However, funding for implementation may be available from other FWS programs or Federal and State agencies.	Financial assistance for plan implementation may be available to qualifying landowners. ESA Predictability is tied to the conservation practices identified in the conservation plan rather than to the financial assistance provided.
Benefits for Landowners	Regulatory certainty through assurances and incidental take coverage. Conservation measures that benefit sage-grouse often also improve grazing conditions.	Regulatory predictability. Technical and financial assistance. NRCS conservation practices improve working lands for ranching operations. Any gathered personal information is fully protected by the privacy provision in the Farm Bill. Aggregated data may be shared with the USFWS, but only in a manner that maintains individual privacy.

Note: Implementation of CCAAs and SGI may vary depending on location.
For specific information, please contact your local NRCS and/or FWS office.

Comment [dcox1]: We don't include hunting as a covered activity and provide take authorization for it.

Comment [dcox2]: On non fed lands for a non federal landowner?

Comment [AB3]: FYI – we intend to ask NRCS to clarify the meaning and purpose behind this and the highlighted text in the row below, as we felt it may be confusing for landowners.

CCAAs and SGI

Regulatory Certainty with NRCS's SGI and FWS's CCAAs

3/18/2015

There is essentially no difference in the level of regulatory certainty for enrolled landowners under the Sage-Grouse Initiative (SGI) and greater sage-grouse Candidate Conservation Agreements with Assurances (CCAAs) for grazing. Under section 7 of the Endangered Species Act, the Natural Resources Conservation Service and the U.S. Fish and Wildlife Service conducted in-depth analysis of the effects of SGI's conservation practices on the greater sage-grouse, agreed on conditions to avoid and minimize impacts, and concluded that the program would be beneficial to the sage-grouse without additional measures. This approach provides landowners enrolled in SGI with predictability that the practices they agree to implement would not be modified and additional measures would not be added without their consent. Should new circumstances require changes to conservation practices, those modified practices would apply only to those landowners who enroll in SGI after the changes are made. For CCAAs, the Service provides assurances to enrolled landowners that they will not require any additional measures or restrictions, as long as the CCAA is being properly implemented. Therefore, should the greater sage-grouse become listed, landowners enrolled in SGI, a CCAA, or both, will be able to continue their land management practices as described in their respective plan with no additional measures or restrictions.

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