From: Stein, Teresa
To: Pyron, Jason
Subject: Re: Letter to Finalize
Date: Monday, March 02, 2015 11:57:16 AM
Attachments: Final IFWO Comments IDL GRSG Plan 3.2.15 (2).docx

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Letter with letterhead.

On Mon, Mar 2, 2015 at 12:44 PM, Pyron, Jason <jason_pyron@fws.gov> wrote:

> Thanks Teresa... here are the associated maps.
>
> Jason
>
> On Mon, Mar 2, 2015 at 12:26 PM, Mackey, Dennis <dennis_mackey@fws.gov> wrote:
>
> > Hi Teresa:
> >
> > Here is the letter that we need to finalize for Mike's signature this afternoon. Jason has several maps that go along with the letter. He will get those to you shortly.
> >
> > Thanks for doing this on such short notice. I appreciate it.
> >
> > Dennis
> >
> > --
> > Dennis Mackey
> > Deputy State Supervisor
> > U.S. Fish and Wildlife Service
> > Boise, Idaho
> > Office: 208-378-5267
> > Cell: 208-860-1970
>
> --
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Tom Schultz, Director
Idaho Department of Lands
300 North 6th Street
Boise, Idaho 83702

Dear Mr. Schultz:

Thank you for the opportunity to provide comments on the Draft Idaho Department of Lands (IDL) Proposed Greater Sage-Grouse Conservation Plan (Plan). Management of IDL lands in sage-grouse habitat is important to conservation of the species, and we appreciate the opportunity to work with IDL on sage-grouse conservation. As noted in the Plan, it has three purposes: (1) summarize conservation measures for state endowment trust land programs and IDL regulatory/service programs that are complementary to the Governor's Plan for management of federal land; (2) communicate to the U.S. Fish and Wildlife Service that, along with the Governor's Plan, there are adequate existing regulatory mechanisms to alleviate the primary threats to sage-grouse and sage-grouse habitat in Idaho; and (3) preserve the statutory responsibility of IDL to manage 2.4 million acres of state endowment trust land under a constitutional mandate to maximize long-term financial returns. Our comments on the Plan in this letter represent our technical assistance to IDL for Plan modifications we believe are necessary to provide an adequate regulatory mechanism to conserve sage-grouse on IDL lands. Our comments are provided to you pursuant to the Endangered Species Act, of 1973, as amended (16 U.S.C. 703 *et seq*.) and the Fish and Wildlife Coordination Act (16 U.S.C, 661 *et seq*.).

The Plan currently provides a generic suite of sage-grouse conservation measures for IDL state endowment trust land, and IDL regulatory/service programs for Core and Important sage-grouse habitat as defined in the Governor's Plan for management of federal land. We recognize that IDL's ownership is located in parcels across the State and make up a relatively small portion (< 6%) of all the Core and Important Habitat Management Zones. The general conservation measures, outlined in your Plan, may be adequate to protect sage-grouse on many small, scattered IDL parcels. However, we have identified five key areas of IDL endowment trust land, located in Core and Important habitat where we believe more specific and more robust conservation measures are needed to adequately support the population and habitat objectives agreed to by the Governor's Task Force for the four Conservation Areas in Idaho. These five key areas are identified on the attached maps.

Our comments on the Plan are divided into two categories: 1) general recommendations for revisions to the current Plan for IDL endowment trust lands and regulatory/service programs outside of the five key areas, and 2) specific recommendations for conservation measures that should be implemented on IDL endowment trust lands and regulatory/service programs within the five key areas to adequately conserve sage-grouse.

The recommendations below apply to both Part I: Conservation Measures for Activities on State Endowment Trust Lands, and Part II: Conservation Measures for IDL Activities in the Fire Program and for Regulated Activities in the Oil and Gas and Minerals Programs, within each of the respective sections identified below under those parts.

General Recommendations for IDL Lands and Programs Outside of Key Areas

Section 4. Greater Sage-Grouse Management Areas
The Plan notes that the State and Bureau of Land Management (BLM) are finalizing the delineation of the sage-grouse habitat zones (i.e. Core, Important and General Management Zones). The final Plan should fully adopt those final habitat zones to achieve state and federal sage-grouse conservation consistency across the landscape.

Section 7. Mitigation
We recommend that all project proponents responsible for sage-grouse habitat impacts from infrastructure development be required to participate in the State's mitigation strategy. Compensatory mitigation associated with these direct and indirect sage-grouse impacts should result in a net conservation benefit to sage-grouse.

Sections 8, 9, 10 and 11. Fire Prevention, Wildfire Suppression, Fuels Management, and Wildfire Restoration
We recommend that the Plan include a commitment to cooperate and implement fire prevention, wildfire suppression, fuels management, and wildfire restoration actions on all IDL endowment lands consistent with U.S. Bureau of Land Management/U.S. Forest Service Fire and Invasives Assessment Team (BLM/FS FIAT) plans.

Section 12. Habitat Restoration and Vegetation Management
We recommend that the Plan include a commitment to identify priority restoration areas and to cooperate with other agencies and landowners in priority habitat restoration activities on all IDL endowment lands with emphasis on addressing perennial grasslands and juniper encroachment areas within the Core and Important Habitat Management Zones.

Section 13. Invasive Plant Species
We recommend a commitment to cooperatively implement invasive species management actions identified in the BLM/FS FIAT plans on all IDL endowment lands.

Section 20. Implementation and Monitoring
We recommend including a commitment that IDL will cooperate with the Idaho Department of Fish and Game, BLM and the U.S. Forest Service sage-grouse population and habitat monitoring on all IDL endowment lands.

Key Area Recommendations for IDL Lands and Programs

Section 5. Adaptive Management
In circumstances where BLM has determined a hard trigger has been tripped within a Biologically Significant Unit (BSU), we recommend temporary moratoriums be put in place on large-scale infrastructure development in the key areas associated with that BSU.

Section 6. Anthropogenic Disturbance

To ensure impacts from anthropogenic disturbance are minimized, we recommend application of a 3 percent disturbance cap in the key areas. Absent a disturbance cap, we recommend a moratorium on large-scale infrastructure development in the key areas until such time that federal land transfers (Core and/or Important Habitat for General and/or Non-Habitat) are completed.

Section 9. Wildfire Suppression

We recommend increasing capacity for fire suppression through: 1) commitments to establish IDL fire districts in or near the key areas, 2) commitments to establish and expand Rangeland Fire Protection Associations in or near the key areas, 3) commitment to cooperate and prioritize implementation of actions associated with the BLM/FS FIAT plans.

Section 10. Fuels Management

In the key areas, fuels management treatments (including brush management) should specifically incorporate sage-grouse seasonal habitat guidelines recommended by the Governor's Task Force or those identified in the BLM/FS Land Use Plan amendments.

Section 11. Wildfire Restoration and Rehabilitation

In the key areas, restoration objectives should specifically incorporate sage-grouse seasonal habitat guidelines recommended by the Governor's Task Force or those identified in the BLM/FS Land Use Plan amendments. This should include a commitment to implement restoration using native species where available and practicable.

Section 12. Habitat Restoration

In the key areas, habitat restoration objectives should specifically incorporate sage-grouse seasonal habitat guidelines recommended by the Governor's Task Force or those identified in the BLM/FS Land Use Plan amendments. This should include a commitment to implement restoration using native species where available and practicable. Depending on site-specific conditions, sage-grouse habitat treatments could include: mechanical or chemical sagebrush treatments, juniper removal, rangeland seeding, shrub planting, etc.

Section 14 and 15. Infrastructure Development/Land and Realty, and Mineral Leasing

In the key areas, we recommend applying lek buffer-distances specified as the lower end of the interpreted range in the USGS Report Conservation Buffer Distance Estimates for Greater Sage-Grouse – A Review (Open File Report 2014-1239). 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.

In lieu of these lek buffer-distances, a moratorium could be placed on infrastructure development in key areas until such time that federal land transfers (Core and/or Important Habitat for General and/or Non-Habitat) are completed.

Section 16. Range Management/Livestock Grazing

In the key areas, range management objectives should specifically incorporate the sage-grouse seasonal habitat guidelines recommended by the Governor's Task Force or those identified in the BLM/FS Land Use Plan amendments.

Summary

Long-term conservation of greater sage-grouse will depend on a continued commitment to adequately manage threats to the species and its habitat across landscapes and jurisdictional boundaries. Finalization of a sage-grouse conservation strategy in Idaho that embraces broad stakeholder collaboration across ownership boundaries is critical to successful long-term conservation of the species. Our recommendations are intended to focus specific conservation measures in key areas of IDL land concentration that also are important sage-grouse habitat areas. Conservation on IDL lands combined with conservation measures on nearby federal lands will enhance landscape-scale sage-grouse conservation.

We understand that a Land Board vote on the final Plan is scheduled for March 17, 2015, which may not allow adequate time to complete Plan revisions. Moreover, the current schedule would allow little time for our agencies to work together on those revisions. If the March 17 vote is postponed, we would be very interested in working with IDL to address our recommendations. A revised final Plan by April 30, slated for Land Board adoption in May, would allow the Fish and Wildlife Service to include the final Plan in our assessment of the status of greater sage-grouse.

Thank you again for the opportunity to review and provide comment on the Plan. If we can be of further assistance, please do not hesitate to contact me at 208-685-6953.

Sincerely,

Michael Carrier
State Supervisor

Enclosure

cc:
USFWS:FMT
Tim Murphy: Idaho BLM
Chris Iverson: USFS
Dustin Miller: Idaho OSC
Virgil Moore: IDFG