From:	Linner, Susan
To:	Ireland, Terry
Cc:	Patty Gelatt
Subject:	Re: New version of cover letter/issue summary
Date:	Wednesday, November 27, 2013 1:13:10 PM
Attachments:	GRSG DEIS Summary with SL MT edits 11-27-13 (1).doc

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Terry,
here are some additional edits and comments. On my computer they show up in blue. I think the only significant one relates to Comment #3. Just got an e-mail from Pat that she is in and looking at the changes.

Susan

On Wed, Nov 27, 2013 at 12:38 PM, Ireland, Terry <terry_ireland@fws.gov> wrote:

> Susan,
>
> I have a couple questions I'd like to discuss on the attached.
>
> Terry Ireland
> Fish and Wildlife Biologist
> U.S. Fish and Wildlife Service, Ecological Services
> 764 Horizon Drive, Building B
> Grand Junction, Colorado 81506
> Terry_Ireland@fws.gov
> Phone: 970-243-2778 ex. 16
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To: Northwest Colorado District Manager, BLM, Grand Junction,

From: Colorado Field Supervisor

Subject: Fish and Wildlife Service Comments on August 2013 Northwest Colorado Greater Sage-grouse Public Draft Land Use Plan Amendment and Environmental Impact Statement

The Colorado Ecological Services Field Office has reviewed the subject Draft Land Use Plan Amendment and Environmental Impact Statement (DEIS). Specific comments to the DEIS are attached with ~~larger~~more significant comments outlined below. Additionally, a matrix comparing conservation measures in the DEIS to Conservation Objective Team (COT) Report conservation objectives, measures, and options is attached. Our comments have been arranged in the order of categories in the Final COT Report (February 2013) and as such may be directed at more than one BLM/USFS Program area. Although many conservation objectives, measures, and options have been addressed in the DEIS, we recommend that the Final EIS incorporate our comments and additional objectives, measures, and options following the Final COT Report.

In Colorado, habitat fragmentation (primarily as a result of infrastructure related to energy development and urbanization), fluid mineral development, and lack of adequate regulatory mechanisms are the primary threats to the greater sage-grouse (*Centrocercus urophasianus*) (GRSG) recognized by the Service. Our comments address these primary threats, as well as other threats, and provide more comprehensive conservation of the sage-grouse by suggesting changes to conservation measures under the various BLM/USFS Programs. Changes to the measures in the DEIS include wording changes to Alternative D, or insertion of conservation measures from Alternatives B and C into Alternative D. Therefore, we expect that the proposed alternative in the FEIS will be a combination of Alternatives B, C, and D.

~~Larger~~ More significant comments or issues ~~include~~are provided below and most are explained further in our attached list of comments:

~~1. We are requesting a justification in the FEIS for the 5% anthropogenic disturbance cap under Alternative D. If a 5% cap is not biologically justified (considering conservation measures) the Colorado Field Office recommends that no higher than a 3% anthropogenic disturbance cap be used. The 3% disturbance cap was recommended in the NTT Report and is part of Alternative B, which follows NTT Report recommendations. Although we are not precluding use of a biologically justified 5% disturbance cap, support of a 3% cap is provided in our attached comments.~~

1. A 3% anthropogenic disturbance cap should be used within PPH, regardless of ecological site description. The 3% anthropogenic disturbance cap was recommended in the NTT Report and is part of Alternative B, which follows NTT Report recommendations. Findings from recent literature, as described in our attached comments, suggest that a 5% anthropogenic cap would lead to GRSG population declines. The 3% cap should include, but is not limited to, anthropogenic ground disturbance, fire, and cropland not providing GRSG habitat. If BLM/FS choose to incorporate a 5% anthropogenic disturbance cap in

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PPH in the FEIS we request justification for the 5% cap. The justification must include biological rationale such as the species' resiliency to impacts by comparing existing level of disturbance to long-term population trends. Consideration of conservation measures could also be included in the justification.

~~2. The Colorado Field Office thinks that a conservation measure under Alternative D to retain in sagebrush at least 70% of ecological sites in each Colorado management zone and adding a 30% disturbance cap to include all causes (anthropogenic, wildfire, plowed field agriculture, and vegetation treatments, mappable stands of cheatgrass and pinyon-juniper, but not irrigated meadows) is a misuse of the NTT standard. The 30% was not meant as disturbance criteria, rather as an indication that on a landscape scale, there are areas within sagebrush habitat that do not necessarily meet the criteria of habitat, and to limit those areas to 30%. We request that use of this conservation measure as a disturbance cap be justified in the FEIS including a description of supporting information. Furthermore, if the conservation measure remains in the FEIS there needs to be a clarifying statement added to it that no new anthropogenic disturbance will be authorized if the 30% cap is reached (even if fire, for example, is the primary reason the cap is reached).~~

2. We believe that a conservation measure under Alternative D to retain at least 70% of ecological sites in sagebrush in each Colorado management zone, and adding a 30% disturbance cap to include all causes (anthropogenic, wildfire, plowed field agriculture, vegetation treatments, mappable stands of cheatgrass and pinyon-juniper, but not irrigated meadows) is a misuse of the NTT standard. The 30% was not meant as a disturbance criterion, rather as an indication that on a landscape scale GRSG are found in areas containing a large percentage of sagebrush, but that within those areas there are smaller portions of the landscape that are not composed of sagebrush habitat. **While we wholeheartedly support BLM's commitment to manage the landscape to maintain at least 70% in sagebrush habitat, w**e recommend that the final plan not contain a dual-level disturbance cap (3% and 30% with different categories of disturbance). Rather, we recommend that the final plan contain one disturbance cap for all types of mappable disturbance to GRSG habitat (anthropogenic ground disturbance, fire, cropland not providing GRSG habitat, etc.). We recommend that this cap be set at 3% (as outlined above).

3. Year-round protection within 0.6 miles for all leks in any habitat type in all designated habitat (ADH, which includes preliminary priority habitat (PPH), preliminary general habitat (PGH), and linkage corridors (C)) should be applie~~s~~d. This would apply to fluid minerals, rights-of-way, mining, and other significant surface disturbing actions. This does not preclude additional protections of PPH, PGH, or linkage corridors through other conservation measures.

~~3.~~

~~4. Disturbance cap application (3 or 5%) to all habitats used by GRSG, not just the sagebrush habitat types identified in the EIS. The disturbance cap would then be applied to specific grasslands, meadows, and shrub types used by GRSG.~~

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Comment [IT1]: In #1 we're saying anywhere in PPH now, correct? If so, it doesn't matter what habitat types are included as sage-grouse habitat so I will delete this measure. Additionally, Creed's addition of 3 habitat types might be mute.

~~5.~~4. We ~~R~~recogni~~tion~~ze that it may be difficult to entirely exclude or avoid projects in GRSG habitat ~~but~~ but we have concerns about maintaining an acceptable level of anthropogenic disturbance given the number of potential exemptions under Alternative D. Inclusion of a caveat under conservation measures in Alternative D, paraphrased here, states that the DEIS will: 'consider GRSG habitat requirements in conjunction with all resource values managed by BLM/USFS, and give preference to GRSG habitat unless site-specific circumstances warrant an exemption'. Furthermore, other conservation measures under Alternative D have disturbance exception criteria that state: "Where data-based documentation is available to warrant a conclusion that CO GRSG populations are healthy and stable at objective levels or increasing and that the development will not adversely affect GRSG populations due to habitat loss or disruptive activities the authorized officer may authorize disturbance in excess of the 5% disturbance cap without requiring additional mitigation. In many cases this exception will require project proponents to fund studies necessary to secure the "data-based documentation" requirement."

Both of these caveats for exemptions/exceptions may be reasonable and requiring data-based documentation before granting an exception is reasonable. However, currently there are no criteria for what a "healthy and stable population at objective levels or increasing" is and there is likely a time lag between when projects ~~go through if~~are implemented with exceptions ~~are~~ granted, and a population response. Therefore, ~~with~~given the current state of knowledge on impacts of some activities, a project or ~~a few~~ projects may appear to not be affecting GRSG populations ~~but it may not be~~ until several years later. ~~when~~ It may not be realized until that time, when population~~s~~ in the affected areas decline, that ~~it is realized that~~ the disturbance level, potentially ~~now~~ over the ~~3 or 5%~~ disturbance cap including the projects, is too great for that population.

~~6.~~ Mitigation should not be counted and mitigation acreage be ~~allowed to be~~ removed from the disturbance cap calculations before functional habitat is restored. Even though additional, effective mitigation is planned if the ~~3 or 5%~~ disturbance cap limit is reached, mitigation may take many years to become functional GRSG habitat. ~~Therefore, mitigation should not be counted and mitigation acreage be allowed to be removed from the disturbance cap calculations before functional habitat is restored.~~

5.

~~7.~~6. ~~Providing c~~Criteria for ensuring that monitoring is adequate to measure ~~the~~ disturbance should be provided.~~.~~

~~8.~~7. Identify exemptions/exceptions, or give the range of potential exemptions, or at least list examples of exemptions in the FEIS. Furthermore, the FEIS needs to state that reporting of exemptions or exceptions will be done.

~~9.~~8. An average density of no more than 1 disturbance per 640 acres for fluid mineral development (e.g. one pad or one compressor station or one centralized water facility, etc.) is a level of disturbance that can be compatible with a sustainable GRSG population.

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Comment [SL2]: Since we have recommended 3% above, I think it is more clear if we just refer to a disturbance cap and not a specific value throughout the rest of the comments (except above where we are directly quoting the DEIS)..

Comment [SL3]: Seems like this paragraph falls short of telling BLM what we want them to do about this possible scenario. Is it more monitoring, identifying population objectives, ??

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Comment [IT4]: Is this necessary to mention for the 3 or 5% disturbance cap since inclusion of the habitat monitoring plan is mentioned in 11below? Not sure if the habitat monitoring plan includes disturbance monitoring criteria for the cap.

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Comment [SL5]: Check against the 3% cap

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~~10.~~9. Establish~~ment of~~ a minimum threshold of reclamation success based on GRSG habitat structure in the FEIS in order to clarify when the reclaimed disturbance could be taken out of the total disturbance for monitoring of the disturbance cap.

~~11.~~

~~12.~~10. Complet~~ion~~e- and includ~~ion~~e into the FEIS ~~of~~ habitat monitoring, adaptive management, fire and invasive management, and mitigation frameworks currently under development.

~~13.~~11. Insert~~ion of~~ conservation measures to limit road density in GRSG habitat and set minimum road distance from leks ~~as explained further in the attached comments~~.

Thank you for discussions regarding issues on the DEIS and for consideration of our comments. If the Service can be of further assistance please contact me or Patty Gelatt or Terry Ireland in our Western Colorado office.

cc: Western Colorado Ecological Services Office
Region 6 Regional Director

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