From: Noreen Walsh
To: Gary Frazer; Robert Dreher; Dan Ashe
Subject: information for the 230 pm meeting tomorrow
Date: Wednesday, December 10, 2014 6:55:14 PM
Attachments: FWS GrSG federal plannning adaptive management review table RD review 120914 revised.docx
FWS.GrSG.buffer analysis.GB states.RD review.docx
FWS.GrSG.buffer analysis.RM states.121014.docx
FWS GrSG UT AnthroW Tavaputs status info memo for DIR 121014.RD review.docx

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In response to Dan's inquiry below, I provide the attached draft analyses on:

AM triggers and responses: we reviewed the informal information transmitted during our interagency "resolution meeting" on 11/24 and 11/25.

USGS/GLM Buffer Review: we reviewed the buffer table also provided during that meeting. As you read our draft analysis, note that yellow coding means "*Likely meets the intent of USGS recommendation but a different scale and/or combination of measures is used.*"

Other unresolved issues that I hope will be discussed tomorrow include:

Status of BLM-UT proposal to resolve Anthro and West Tavaputs population status: A position paper is attached here.
Status of BLM – NV plan: on the phone this afternoon, we discussed the meeting last weekend and subsequent followup that seems to be moving; I won't repeat here.
Final language on NSO exceptions: we have not seen but would like to
Final language on the mitigation standard (i.e., net conservation benefit): we have not seen but would like to.

I am in the office tomorrow; please let me know if you have questions.

Noreen

Noreen Walsh
Regional Director
Mountain-Prairie Region
U. S. Fish and Wildlife Service

303 236 7920

The Mountain-Prairie Region of the U. S. Fish and Wildlife Service: *We provide conservation stewardship of some of America's most scenic lands, to ensure healthy fish and wildlife for the enjoyment and benefit of all people.*

From: Matt Kales [mailto:matt_kales@fws.gov]
Sent: Wednesday, December 10, 2014 3:40 PM
To: Noreen Walsh
Cc: Michael Thabault; Nicole Alt; Pat Deibert; Theresa Rabot; Jesse DElia; michael_fris@fws.gov; Mary Grim; Bridget Fahey; Larry Crist
Subject: GRSG: AM& buffer products; UT pops BP

Noreen,

Please see attached the following items:

- Our analysis of the various adaptive management strategies contained in the current BLM plans;
- Our analysis of the various buffer strategies contained in the current BLM plans, compared with the recent USGS buffer report (note this product includes 2 regional tables); and,
- A briefing paper on the status of the Anthro and West Tavaputs populations in Utah.

Please let us know if you have immediate questions or need further information on any of these products. Many thanks to Pat and her team for pulling together the first two items and to Larry and his folks for drafting the third item.

Matt

Matt Kales
Special Assistant for Greater Sage-Grouse Conservation
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From: Dan Ashe [mailto:d_m_ashe@fws.gov]
Sent: Tuesday, December 09, 2014 4:40 AM
To: Noreen Walsh; Gary Frazer; Robert Dreher
Subject: Fwd: Sec Sage Grouse Briefing

Let's discuss where we think we are on these points.

Dan Ashe
Director, U.S. Fish and Wildlife Service

Begin forwarded message:

From: "Greenberger, Sarah" <sarah_greenberger@ios.doi.gov>
Date: December 8, 2014 at 11:26:51 PM EST
To: Neil Kornze <nkornze@blm.gov>
Cc: "Bean, Michael" <michael_bean@ios.doi.gov>, James Lyons <james_lyons@ios.doi.gov>, Dan Ashe <d_m_ashe@fws.gov>, Edward Boling <ted.boling@sol.doi.gov>, Bret Birdsong <bret.birdsong@sol.doi.gov>, Robert Dreher <robert_dreher@fws.gov>, Steven Ellis <sellis@blm.gov>
Subject: Re: Sec Sage Grouse Briefing

Hi all - hoping that we can use Thursday's 2:30 to finalize decisions on the remaining issues outlined in the previous below (absent WGA memos), plus UT, NV, WY.

Questions:
(1) Can BLM bring final proposals for those states as well as NSO language?
(2) Can the trigger review and buffer review be complete?

Thanks,
Sarah

On Mon, Dec 1, 2014 at 5:27 PM, Greenberger, Sarah <sarah_greenberger@ios.doi.gov> wrote:
Hi all - coming out of today's meeting this is where I think we stand in terms of next steps and assignments:

1) NSO language with requirements for unanimity either at the biologist or Regional Director, State Director, State Fish and Game Director level. Does BLM plan to draft and circulate?
2) Meeting memos for meetings with the Govs. I will work with John Blair (copied here) on first drafts to circulate to the group by tomorrow afternoon.
3) (b) (5) [redacted]
4) Buffer Review - FWS and BLM to review buffers and their context by Friday next week (Dec 12).

Anything else?

Thanks,
Sarah

US Fish and Wildlife Service
Greater Sage-Grouse Conservation
Adaptive Management Analysis and Key Messages
Draft, December 09, 2014

The following information responds to a request from our federal land management partners to (a) assess the status of current adaptive management strategies at the plan level; (b) determine the degree to which those strategies are consistent with NPT guidance; and, (c) determine the conservation delivery effect of hard-triggers responses across state/planning unit boundaries.

All the BLM state offices involved in the planning process have been developing adaptive management strategies for incorporation into the planning documents, although not all are complete.

Table 1: Status of adaptive management strategies as of Dec. 03, 2014

State	Complete	In draft	No strategy
ND		X (BLM); will likely only address grazing	X (FS): too early in the process to provide a strategy
SD		X; will likely copy WY	
MT		X; will likely copy WY	
WY	X; waiting determination of certainty		
CO		X	
UT		X	
ID	X		
NV/CA		X; in final draft, waiting for national BLM review/guidance	
OR		X; in final draft, waiting for national BLM review/guidance	

Key Points:

- BLM developed adaptive management strategies at the state/plan level without consideration of strategies within adjacent states/plans. The identification of triggers and responses has therefore not been coordinated across state lines.
    - A pseudo-exception would be in the Rocky Mountain States where the BLM plan for SD and MT is likely to simply copy the WY BLM strategy, versus drafting an independent strategy.

- For those plans which have an adaptive management plan (either final or in draft) we believe the hard triggers in each plan are sufficient to detect a concern and respond expeditiously to identify and address the causal factors.

- ND BLM does not define a hard trigger as they are implementing maximum protections currently for permitted actions. They are considering an adaptive management plan for grazing but have not provided details.
- The hard triggers for the MT and SD plans will be adequate if they adopt the WY plans' adaptive management strategy.

- With the exception of BLM's ID and NV plans, adaptive management hard trigger responses (as currently written) in apply to the entire PAC. In the ID and NV, BLM designed their plans to respond to triggers at the BSU level.

- Hard trigger responses meet the NPT guidance in 6 of the 10 BLM plans. The response for the WY plans (and, per the above, potentially the SD and MT plans) are consistent with NPT until the interim strategy is implemented. We cannot assess consistency for the interim strategy as it remains undefined. However, the NPT guidance will be reviewed and considered in development of the interim strategy.

Table 2: Consistency of current BLM/FS adaptive management hard trigger responses with the NPT guidance (*note: FWS considers those responses that are consistent with the NPT guidance adequate*):

State	Hard trigger response with NPT guidance	Comments
ND	N	No hard trigger responses proposed; deferring to existing protective measures in the plan
SD	Y for 90 days	(assuming adoption of WY strategy)
MT	Y for 90 days	(assuming adoption of WY strategy)
WY	Y for 90 days	Meets NPT guidance for 90 days until such time an interim strategy is developed and implemented.
CO	Y	
UT	Y	
ID	Y	
NV/CA	Y	
OR	Y	

Summary: Hard triggers and associated responses vary significantly across state boundaries. Our assessment is that triggers and responses in each BLM plan are adequate (except ND; though many plans are still draft). It is apparent that no trans-boundary resolution of triggers or responses was attempted during the development of individual BLM plans. The inconsistency across state/plan borders in adaptive management strategies remains an unresolved issue and we are currently unable to determine the similarity - or lack thereof - of conservation benefits from hard trigger responses across state/plan boundaries. In general the most sensitive hard trigger tripped requiring a response within an interstate PAC will provide the most conservation for sage-grouse.

Those plans with triggers/responses that are consistent with the NPT guidance are, in our view, adequate to conserve sage-grouse. Lastly, we continue to support BLM's adaptive management

approach in Wyoming – which differs in terms of hard trigger response from the NPT guidance –because it contains a highly robust soft trigger and other provisions to ensure it remains a viable approach.

US Fish and Wildlife Service
Greater Sage-Grouse Conservation
Update on Status of West Tavaputs and Anthro Mountain Population Areas in Utah
December 10, 2014

The status of the West Tavaputs and Anthro Mountain populations of greater sage-grouse in Utah has been an ongoing issue between the Service, BLM, and the State of Utah. The State's position is that the West Tavaputs and Anthro Mountain sage-grouse population areas do not warrant protection as Priority Habitat Management Areas (PHMA) due to their small size, lack of genetic connectivity, and the high potential for oil and gas development in these areas.

We have consistently recommended these populations be considered priority habitat areas in the state and federal sage-grouse conservation planning processes due to their position on the landscape and telemetry data that indicate the likelihood of habitat and population connectivity. Most sage-grouse populations in Utah are small, and we have determined that maintaining connectivity where it exists is crucial to conserve Utah's sage-grouse population. We acknowledge that ongoing energy development will occur in these areas, but we also see opportunities to apply conservation measures to minimize its effects on birds and habitat. Although these areas were not identified as PACs in the 2013 COT Final Report, prioritizing management of these areas supports the broader COT report goal of maintaining viable, connected, and well distributed populations and habitats of sage-grouse.

Anthro Mountain is primarily managed by the U.S. Forest Service, who will include this area as PHMA because of the viability requirements set forth in the National Forest Management Act.

For West Tavaputs, the BLM has not yet committed to either a PHMA or General Habitat Management Area designation. BLM is seeking a compromise and has proposed several different management options in the past two weeks. One option we support would designate only areas within 4 miles of occupied leks and specific wintering areas north of West Tavaputs as PHMAs.

Another option currently on the table would designate the entirety of West Tavaputs as GHMA in exchange for the State of Utah issuing an Executive Order (EO) to codify their sage-grouse conservation efforts. We are not able to evaluate the conservation benefit of this approach because the State has not yet provided any details about the content of a potential EO.

As always, we will continue to recommend to federal and state sage-grouse conservation partners the most protective mechanisms to ensure long-term persistence of the species and its habitat.

Contact: Larry Crist, Field Supervisor, UT ES FO, larry_crist@fws.gov; (801) 975-3330

US Fish and Wildlife Service
Greater Sage-Grouse Conservation
Buffer Sufficiency Analysis and Key Messages – Great Basin Region States
Draft, December 10, 2014

The following information responds to a request from our federal land management partners to (a) assess the status of buffers currently proposed in their planning documents relative to the recent USGS buffer report (Manier et al. 2014); and (b) determine whether other measures provide the conservation delivery if the buffers are inconsistent with the report.

The following table provide a quick reference to consistency of proposed BLM/FS planning efforts by state with the USGS 2014 buffer report (Manier et al. 2014) using the following color-coded categories:

- Green – meets or exceeds USGS recommendations
- Yellow – Likely meets the intent of USGS recommendation, but a different scale and/or combination of measures is used
- Red – Does not meet USGS recommendation

Clarification on boxes colored yellow follow the summary table. In some cases yellow boxes had selected "green" components and that information is provided as well. While information on GHMA was provided for some of the planning areas, it was not used for the color-coding exercise. However, some of this information is provided in the text following the tables.

DRAFT

USGS CATEGORY	LITERATURE RANGE	INTERPRETED RANGE	NV-CA	OR	ID	UT
SURFACE DISTURBANCE	2.00 – 12.4 miles	3.00 – 5.00 miles	4.00 miles (1 mile for range structures from meadows, seeps, springs)	4.0 miles for veg. and travel mgmt., and recreation; NSO for minerals; but only 1 mile for other disturbances	No new authorizations in core; 0.8 miles in Important and General habitats.	No lek buffers proposed; other protections inadequate.
LINEAR FEATURES (roads)	0.25 – 11.2 miles	3.10 – 5.00 miles	No new roads in PHMA & GHMA except for public safety, administrative needs or existing rights; no new major utility corridors	No new roads in PHMA unless for existing valid rights. 4.0 mile buffer – no upgrading of primitive roads in PHMA AND PGMA	*Pipelines*: 0.6 miles **from nesting habitat** *Roads*: 0.8 miles **from nesting habitat**	No new roads or designated corridors in PHMA; where ROWs could not be avoided buffer is 1 mi.
ENERGY DEVELOPMENT (facilities, wells, wind turbines*)	2.00 – 12.4 miles	3.10 – 5.00 miles	(No new wind, solar, compressor stations in PHMA and GHMA)	Wind and solar excluded in PHMA	*Unleased fluid minerals*: NSO (with limited exceptions) in Core and Important Habitats. Open in General Habitat – but subject to 2 mile buffer for structures in all habitats. *Wind and Solar*: Exclusion in Core Habitat. Avoidance in Important and Open in General, both subject to 2 mile buffer on new infrastructure.	No lek buffers specified but NSO for PHMA and exclusion for wind/solar
TALL STRUCTURES (wind turbines, cell towers, telephone & electrical lines and towers, light poles)	0.60 – 11.2 miles	2.00 – 5.00 miles	3.00 miles (retrofit existing tall structures with anti-perching devices within 4 miles)	Wind and solar excluded in PHMA; other disturbances only have a 1-mile buffer	*Transmission Lines*: Avoid within 2 miles of a lek, subject to RDFs and seasonal timing restrictions. No transmission lines within 0.6 km of a lek. *Communication Towers*: No construction within 3 miles of a lek in Core Habitat (with exceptions for addressing safety needs). Avoidance within 3 miles of a lek in Important and General.	No lek buffers specified
LOW STRUCTURES (fences)	0.12 – 3.20 miles	1.20 – 3.20 miles	1.25 miles	1.2 miles for fences (1.0 mile buffer livestock facilities and livestock supplements)	*Fences*: Avoidance within 1.25 miles of leks (with exceptions where not feasible). *Misc. anthropogenic structures*: At least 0.6 miles from leks and avoidance of new structures within 2 miles of leks.	1.2 miles-Fences would be removed, modified or marked.
ACTIVITIES (noise)	0.25 – 3.00 miles	0.12 – 3.00 miles	<= 10 dB above ambient at lek boundary	<= 10 dB above ambient at lek boundary; 3 mile buffer for recreational permits	No "repeated or sustained" noise disturbance within 2 miles in Core and Important Habitat; Avoidance within 2 miles in General Habitat.	<= 10 dB above ambient at lek boundary.

Explanatory Notes for the Great Basin Mountain Region (by state):

Nevada/California:

- Activities:
  - 10 dB level is based on best available science.

Idaho:

- Avoidance criteria, anthropogenic disturbance criteria, resource design features, and other measures will apply.

Utah:

- Linear features:
  - No new roads or corridors are consistent with USGS report; but buffer for ROWs is inconsistent and has no qualifiers.
- Energy Development:
  - Mapped Opportunity Areas that are outside PHMA but within a PAC and within 4 miles of a lek would have CSU stipulations (e.g., noise, tall structure, and seasonal restrictions).
  - For existing leases in PHMA, BLM would work to apply similar restrictions using legally available mechanisms
- Tall Structures:
  - One exception to red is PHMAs are excluded for wind energy development.
- Activities:
  - All areas within 1 mile of an occupied lek are PHMA, regardless of habitat presence or condition, to ensure noise issues on leks within the PHMA are addressed.
  - 10 dB level is based on best available science.

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US Fish and Wildlife Service
Greater Sage-Grouse Conservation
Buffer Sufficiency Analysis and Key Messages - Rocky Mountain Region States
Draft, December 10, 2014

The following information responds to a request from our federal land management partners to (a) assess the status of buffers currently proposed in their planning documents relative to the recent USGS buffer report (Manier et al. 2014); and (b) determine whether other measures provide adequate conservation delivery if the buffers are inconsistent with the report.

The following tables provide a quick reference to consistency of proposed BLM/FS planning efforts by planning region and state with the USGS 2014 buffer report (Manier et al. 2014) using the following color-coded categories for PHMA:

- Green – meets or exceeds USGS recommendations
- Yellow – Likely meets the intent of USGS recommendation but a different scale and/or combination of measures is used
- Red – Does not meet USGS recommendation

Clarification on boxes colored yellow follow the summary table. In some cases, yellow boxes had selected "green" components and that information is provided as well. While information on GHMA was provided for some of the planning areas, it was not used for the color-coding exercise. However, some of this information is provided in the text following the tables.

DRAFT

USGS CATEGORY	LITERATURE RANGE	INTERPRETED RANGE	SD	ND	MT	CO	WY
SURFACE DISTURBANCE	2.00 – 12.4 miles	3.00 – 5.00 miles	No buffers proposed; PHMA open to non-leasable minerals	Buffer will be used only when mitigation is not possible for existing rights; PHMA avoidance area	No buffer specified except for energy development in GHMA (0.6 mi NSO and 2 mi seasonal CSU for new development).	1 mi lek buffer and avoidance for ROWs	0.6 NSO in PHMA (core areas)
LINEAR FEATURES (roads)	0.25 – 11.2 miles	3.10 – 5.00 miles	No buffer proposed	4 mi buffer for all except VER; mitigation required for road upgrade	PHMA and 3 of 4 RAs are avoidance for all new ROW.	ROW avoidance in PHMA	No roads within 1.9 mi of leks in PHMA
ENERGY DEVELOPMENT (facilities, wells, wind turbines*)	2.00 – 12.4 miles	3.10 – 5.00 miles	O&G: NSO in PHMA	NSO for PHMA, but most of area leased and subject to VER	PHMA and 2 of 4 RAs are NSO for new O&G development; All PHMA and RAs are exclusion for wind and solar.	NSO within 2 miles of active leks in PHMA	0.6 NSO in PHMA
TALL STRUCTURES (wind turbines, cell towers, telephone & electrical lines and towers, light poles)	0.60 – 11.2 miles	2.00 – 5.00 miles	ROW exclusion for renewable energy in PHMA but other tall structures permitted	No buffer proposed; PHMA excludes wind development	PHMA and all RAs are exclusion for wind; PHMA and 3 of 4 RAs are avoidance for new ROW.	1 mi lek buffer	Wind development excluded from Core (PHMA) unless no adverse impacts.
LOW STRUCTURES (fences)	0.12 – 3.20 miles	1.20 – 3.20 miles	No information available	No buffer proposed.	PHMA and 3 of 4 RAs are avoidance for new ROW	No buffers proposed	Modify existing hazard fences; design and locate fences to not disturb important greater sage-grouse habitat areas.
ACTIVITIES (noise)	0.25 – 3.00 miles	0.25 – 3.00 miles	<= 10 dB above ambient at lek boundary	<= 10 dB above ambient at lek boundary	List of potential conservation measures will include 10dBA noise limitation (above ambient) at lek edge.	Noise restrictions recommended only	Noise will not exceed 10 dBA above ambient noise at the lek edge in PHMA.

Explanatory Notes for the Rocky Mountain Region (by state):

South Dakota:

- Surface Disturbance:
  - PHMA closed to leasable minerals, which meets the intent of the USGS report, but the entire category fails as PHMA is open to non-leasable development.
- Linear Features:
  - Travel is limited to existing roads until a new travel management plan is completed. Time of completion unknown.
- Tall Structures:
  - ROW exclusion is only for renewable energy facilities;
  - There is potential to try to bury all new power lines within 2 miles of sage-grouse leks in GHMA and within sage-grouse winter range and all of PHMAs if it can be done safely, but there is no firm commitment.

Montana:

- For all categories:
  - A disturbance cap will be applied to all projects in PHMA (3% anthro. & 2% fire/ag.).
  - All discretionary actions are subject to GSG screening criteria (currently under FWS RO review).
  - All discretionary actions require conservation measures (*which FWS has not received*), which are to include reference to the USGS lek buffer report.
  - All discretionary actions require compliance with GSG objectives for PHMA, GH, and restoration areas (*which FWS has not received*).
  - GSG habitat within 6.2 mi of the highest density leks is PHMA.
- Linear features
  - GH measure is avoidance for new major ROWs.
- Energy development
  - NSO provisions have been identified in discussion only (as of Dec. 4, 2014).
- Tall Structures
  - GH is 0.6-mi NSO and 2-mi seasonal CSU (nesting and winter) for new O&G development; avoidance for wind and solar.

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Colorado:

- Surface Disturbance:
  - Disturbance caps (3%) and density restrictions (1/640 acres) apply.
- Linear Features:
  - ROWs subject to 3% disturbance cap.
- Energy Development
  - NSO with exception criteria for PHMA from 2 to 4 miles from a lek.
- Tall Structures:
  - PHMA avoidance areas within 4 miles of active leks.
  - Tall structures subject to 3% disturbance caps.
  - PHMA exclusion areas for all new (but not planned) transmission lines.

Wyoming:

- For all categories:
  - Core Areas (PHMA) based on 5.3 mile buffer around leks.
  - No Surface Occupancy (NSO) within 0.6 miles of leks inside Core Areas (PHMA)/ 0.25 miles of leks in non-core (PGMA).
- Surface disturbance, Linear features and Energy Development:
  - Time restrictions to protect breeding, nesting, brood-rearing and winter concentration areas in all PHMA, within 4-miles in connectivity areas (PHMA), and within 2-miles of leks in PGMA.
  - In PHMA, the density of disturbance (oil and gas or mining) limited to an average of one site per square mile (640 acres);
  - Cumulative disturbance not to exceed not exceed 5 percent.
- Linear features
  - Time restrictions to protect breeding, nesting, brood-rearing and winter concentration areas in all PHMA, within 4-miles in connectivity areas (PHMA), and within 2-miles of leks in PGMA.

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