

From: [Deibert, Pat](#)
To: [Jay Martini](#); [Jodi Bush](#); [Betsy Herrmann](#); [Ted Koch](#); [Jason Pyron](#); [Katie Powell](#); [Kate Norman](#); [Michael Thabault](#); [Dawn Davis](#); [Shauna Ginger](#); [Lief Wiechman](#)
Cc: [Jesse DElia](#); [Mary Grim](#); [Matt Kales](#); [Nicole Alt](#)
Subject: GRSG BLM meeting Friday 11/21 - 25
Date: Wednesday, November 19, 2014 11:10:46 AM
Attachments: [FWS.GrSG.fed planning.remaining issues.DIR.111814.docx](#)
[FWS.GrSG.Fed planning.key issues.summary table.111914 pd.docx](#)

Hello everyone -

Attached are two documents: the draft resolution memo, and the summary table that will serve as a quick reference guide for Noreen at the meeting Friday (and maybe Monday and Tuesday) with BLM and FS leadership at HQ. I appreciate your help with this table, and your availability to be a POC during the meeting. I hope the two documents are self-explanatory but if not please give me a call for more information.

We do not know if the meeting will extend beyond Friday, and won't until that evening. I will try to send out a note regarding its status on Friday afternoon.

The meeting Friday starts at 10 EST, 8 MST, and 7 PST and goes until 5 EST. I do not have times for Monday or Tuesday (and hopefully won't need them).

As always - thanks!!

pat

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MEMORANDUM

October 24, 2014

TO: Director, Bureau of Land Management
Chief, US Forest Service

FROM: Director

SUBJECT: Resolution of Federal Sage-Grouse Conservation Planning Issues

On March 14, 2014, the US Fish and Wildlife Service (Service) shared with the Bureau of Land Management (BLM) and the US Forest Service (Forest Service) a draft memorandum communicating the Service's outstanding concerns at the time about the federal land management plans your agencies are developing to ensure conservation of greater sage-grouse (sage-grouse) on the approximately 64% of the species' range administered by BLM and Forest Service.

In the subsequent seven months, our three agencies have worked together to address the concerns we articulated in that draft memorandum and to advance the goal of sage-grouse conservation. The Service recognizes the investment BLM and Forest Service have made in the planning process and believes that investment has led to improvement in the draft federal plans. Most recently, we met on October 1 with BLM leadership to discuss our concerns and recommendations for how to resolve each of the issues outlined below.

Important plan improvements made in recent months include resolution of disturbance issues, which was a key item in the Service's March 14, 2014 memorandum. Specifically, in that memorandum we indicated limiting future disturbances in sage-grouse habitat is essential for conservation of the species. The National Policy Team (NPT) guidance our three agencies developed earlier this year establishes a consistent approach to limiting disturbance as a result of federal land management decisions. We note, however, that while the NPT guidance for disturbance caps addresses this issue at the planning stage of the process, further and timely information about how BLM and Forest Service intend to calculate and apply disturbance caps across the range will lend greater certainty of implementation to this effort.

While we have made progress, we also believe a need and an opportunity still exist to ensure the final plans contain the measures necessary to conserve sage-grouse into the future. We have observed that in some instances the Administrative Draft Proposed Plans (ADPPs) contain measures that depart from the NPT guidance. The NPT guidance was intended to promote decisions that reduce threats to sage-grouse with a high degree of certainty, to make certain the final plans are clear and cohesive, and to produce a compelling, range-wide narrative about sage-grouse conservation on the federal estate which comprises nearly two-thirds of the species range. While we understand and appreciate your desire for flexibility to manage that estate, the more final plan decisions you make to preserve flexibility in future decision-

making, the less certainty the Service will have about whether the final federal plans constitute an adequate regulatory mechanism that can be relied on in a decision about whether to list the species.

We have previously advised and continue to recommend that BLM and US Forest Service (Forest Service) land management plans be designed to meet the objectives that were outlined in the COT report, and operationalized through the development of the NPT guidance. This memorandum highlights issues we still believe are outstanding or that we recommend BLM and Forest Service consider further before making final decisions on land use allocations or other key planning commitments that affect the long-term conservation of sage-grouse across its range.

The following are issues the Service has identified as needing further resolution to contribute to adequate conservation:

Locatable Mineral Development: The Service recommends that you give priority to protection against the potential threats posed by locatable mineral development in all of the Priority Areas for Conservation (PACs). In addition, in some highly important, high density sage-grouse “strongholds,” we recommend that you pursue locatable mineral withdrawals, in the areas identified in my recent memorandum and associated maps, **which I transmitted to you on October 27, 2014.** Those maps highlighted areas within your Priority Habitat Management Areas where it is most important that BLM and Forest Service institutionalize the highest degree of protection to help promote persistence of the species.

In early 2013, the COT report addressed the threat of mining, and established an objective of “maintain stable to increasing sage-grouse populations and no net loss of sage-grouse habitats in areas affected by mining” and recommended “avoidance of new mining activities and associated facilities within occupied habitats including seasonal habitats.” Prior to completion of the COT report and the subsequent NPT guidance, the recommendations for withdrawal from mineral entry in priority sage-grouse habitat areas were included in the BLM’s 2011 National Technical Team (NTT) Report (pages 24-25). Lastly, we note BLM contemplated pursuing locatable minerals withdrawal in the range of alternatives considered for some draft Resource Management Plan (RMP) revisions and amendments.

Please note that these protections in the stronghold areas do not obviate the need to follow the NPT guidance in the entirety of PHMAs and general habitat. Additionally, because disturbance associated with locatable mineral development was not treated in the NPT we recommend withdrawal from mineral entry in all the identified “highly important areas” or “strongholds” as shown on the maps in that memo. The most conservative approach to promote certainty into the future and to address the recommendations in the COT report would be to recommend to the Secretary to withdraw all locatable minerals in all the identified areas.

We look forward to working with you to discuss those areas and our recommendations in greater detail and believe strong, durable, and meaningful protection of federally administered lands in these areas, particularly from the potential threat of locatable minerals, would provide additional certainty and represent a significant contribution to sage-grouse persistence. In addition, we recommend that you

designate these important stronghold areas as Areas of Critical Environmental Concern for sage-grouse conservation as a clear indication of the significance of these areas to the conservation of greater sage-grouse.

Fluid Mineral Development: In PACs or Priority Habitat Management Areas (PHMA) where you choose not to utilize “closure” for fluid minerals, we recommend that you utilize “Open with No Surface Occupancy” and allow no exceptions. If you choose to utilize a fluid mineral allocation of “Open with No Surface Occupancy” and allow the possibility of exceptions, we recommend the following language be used to define the only case in which an exception would be granted:

A lease exception may only be considered when a portion of the proposed lease is determined to be in non-habitat, the area is not used by greater sage-grouse, or the proposed lease would not have direct, indirect, or cumulative effects to sage-grouse or its habitat. The determination would be made by an interagency team of sage-grouse experts, including an expert from the state wildlife agency, the Service, and BLM/Forest Service. The BLM State Director may accept a recommendation from the team to grant an exception, provided that recommendation is unanimous. Absent a unanimous recommendation, the BLM State Director may not grant an exception.

Prioritizing oil and gas development outside of habitat: We recommend all final plans adopt language that directs and prioritizes new leasing and development to areas of non-habitat outside of PHMAs and GHMAs before pursuing such actions within PHMAs or within habitat in GHMAs.

Existing oil and gas leases in PACs and PHMA: We recommend that existing leases and other valid existing rights in PACs should be managed to reduce impacts to the maximum extent practicable when those rights are exercised. We recommend two approaches to help achieve this:

- a) A commitment to condition existing fluid mineral leases at the Application for Permit to Drill stage, with Conditions of Approval to minimize impacts from fluid mineral development on sage-grouse and their habitat.
- b) A commitment to exercise available discretion to not offer expiring leases in important sage-grouse habitat to new leasing, and to include other policy options that can be developed now, at the planning stage, and exercised during implementation to encourage existing leases to be relinquished (e.g., through buy-outs, exchanges, or provision of incentives to develop elsewhere).

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priority habitat. However, general habitat areas may be at risk without such an analysis and necessary action.

Resolution of mapping issues: In Nevada and Utah, areas identified by BLM as “priority areas” do not align with Priority Areas for Conservation (PACs), as identified in the 2013 Conservation Objectives Team Final Report (COT Report). We recommend BLM reconcile this disparity so the Service can accurately determine whether the final federal plans adequately protect the PACs.

Resolving the potential threat caused by coal mining: The degree to which coal mining poses a threat to sage-grouse habitat should be analyzed and addressed in the final plans. Coal mining was not explicitly included in the NPT guidance. We have however raised a concern about this threat in comment letters on your draft plans (for example in plans for Montana and Colorado) and in previous comments on the proposed Alton coal mine expansion, and we are uncertain whether this threat has been addressed. We recommend BLM identify and explain the status of coal as a threat to sage-grouse on BLM lands, and make determinations of “unsuitable” in these areas. Without the benefit of additional land management agency analysis that suggests otherwise, we recommend that BLM and Forest Service determine coal development in sage-grouse habitat PACs as unsuitable.

Ensuring a clear, scientific rationale for land use allocations that change at administrative boundaries: The Service recommends both agencies make every effort to eliminate or minimize any differences in land use allocation decisions for given populations or PACs that cross an administrative boundary. Where such differences occur, the differences should be explained by clear, science-based rationale in the final plans and showcase how end outcomes would be similar despite different approaches. While we understand the desire for flexibility, minimizing the amount of and need for these types of explanations will aid our analysis of the certainty that threats are addressed. It will also help the public understand a cohesive approach for management of each population and the species as a whole on the federal estate.

High voltage transmission and major pipeline rights-of-ways (ROWs): The Service understood the NPT guidance to mean no new corridors would be designated in priority habitat in these revised or amended federal plans. However, BLM indicated during our Great Basin meeting that one or more new transmission corridors will in fact be designated within priority habitat in the Utah plan. We recommend BLM explain its rationale for deviating from the NPT guidance on this item and how it is consistent with sage-grouse conservation goals.

Note: Following recent discussions, we understand that new ROWs will not be proposed within PACs in Utah. However, given the uncertainty of current mapping efforts in Utah we are still unclear as to how any new ROWs designated in Utah will potentially affect sage-grouse.

Similarly, the NPT guidance for this land use allocation indicated “avoidance” for general habitat, but in northwestern Colorado, North and South Dakota, and in Idaho and southwestern Montana, general habitat is “open” for this allocation. Idaho has provided a biological rationale for this departure from the NPT guidance, but the departure from the guidance in the Rocky Mountain states is based on additional

restrictions that have not yet been analyzed completely, and, in the southwestern Montana planning area, we are unclear as to what rationale supports this departure from the guidance. Ensuring consistency with the NPT guidance for this issue for the Rocky Mountain States and southwestern Montana will help conserve the remaining fragmented habitats in these states.

Mining (mineral materials and/or non-energy leasable minerals): Contrary to NPT guidance indicating priority habitat should be “closed” to mining, priority areas in Montana, South Dakota, northwestern Colorado, and Idaho are open to mining in the proposed ADPPs. As the Service understands it, BLM’s rationale for this departure from the NPT guidance in the Rocky Mountain states is based on the potential concern that if the guidance was followed, future development may be shifted to private or state lands, thus impacting better habitat for sage-grouse. The Service has not seen any formal analysis from BLM to substantiate this concern. Moreover, we have a concern that a possible outcome of this strategy is a lack of significant protection on federal and non-federal lands in this area.

In addition, we have been consulting with BLM as it works to develop a project-specific screen it plans to use to minimize impacts to sage-grouse from permitted mining activities in these areas. While such a strategy could help avoid or minimize impacts, we note that if you choose to finalize the plan decisions relying on a project-specific screen, our ability to predict impacts to those populations into the future is much less certain.

In Idaho, the rationale for departing from the NPT guidance is based on a requirement that any proposed project must meet certain criteria, some of which contain subjective terminology (e.g., not practicable; technical and economic feasibility). Again, to increase the certainty of threat reduction that we can ascribe to future decisions, we recommend you either follow the NPT guidance; or, define these terms more clearly in the plan.

Fire and Invasives: The Service supports the completion of the Fire and Invasives Assessment Team (FIAT) step-down assessments currently underway and applauds the land management agencies for moving swiftly in this regard. We recommend these assessments be completed by the January 30, 2015 deadline as stated in the Instructional Memorandum and quickly be developed into implementation plans. We also recommend an interagency review of products and cross-state coordination (where applicable). In order to have relatively consistent outcomes, we recommend your agencies use a template that has been reviewed and refined. In addition, we believe it is critical these assessments incorporate the 15 actions identified in the “Resistance and Resilience Report” produced by USDA with support by the WAFWA Fire and Invasives Working Group. Applying these 15 actions strategically, across the landscape over time and adaptively through the FIAT process, provides the best opportunity to stop the decline of sagebrush ecosystems in the Great Basin. It will be critical for these assessments to include 1) protocols for ensuring sage-grouse management needs are considered during initial attack and fire suppression actions with post-fire monitoring on those actions; and, 2) consistent, scientifically defensible long-term monitoring protocols with adaptive management features for restoration activities.

Rangeland health/overgrazing threat: We recommend that in the final plans BLM set specific, consistent standards for Land Health Assessments (LHAs); and commit to markedly shorten the timeframe within which LHAs are conducted in sage-grouse habitat, regularly modify LHAs necessary to reflect changing ecological conditions at a relevant scale(s), and take timely action when standards are not being met. In addition, we recommend that BLM identify a strategy and timeline for meeting established wild equid management targets.

Note: Following recent NPT meetings and related discussions, we understand that BLM is considering a stronger approach to address this threat, and we await final language from BLM related to this issue.

Mitigation: We ask you please clarify and resolve the apparent difference between the standard of “no net unmitigated loss” in the draft plans and “net conservation gain” as recommended by the Service, both of which appear at various places in various plans. We think that this apparent difference may be resolved through a revision of the definition of “no net unmitigated loss” or through the adoption of “net conservation gain” as the standard. Further, we are concerned that BLM did not commit to a specific mitigation standard in Rocky Mountain region plans when we developed the NPT guidance.

Note: Following recent NPT meetings and related discussions, we believe we may be close to resolving this issue. However, at this time we are awaiting clarifying information from BLM and for the purposes of this memorandum consider this issue still outstanding.

Adaptive management: We are aware that since our recent interagency meetings to discuss the proposed ADPPs, work has continued regarding how the topic of Adaptive Management will be described in the plans. If situations remain where triggers (hard and soft) for a given population that crosses a state or administrative boundary differ between plans on opposite sides of that boundary, we are interested to understand the rationale for that difference. Specifically, we recommend that BLM and Forest Service consider linking an appropriate trigger to a species demographic or habitat parameter value that would indicate concern that a population is somehow at risk. For a given population in a given ecological habitat type, it seems that most often these triggers would be the same or very similar. In addition, triggers should result in similar biological results if tripped. Additionally, while we know work is ongoing, at our last meeting it appeared that there are a number of plans where the resulting response from a trigger being tripped appears to be inconsistent with NPT guidance. We recommend that these plans be revised to be consistent with the NPT guidance.

Monitoring: We recommend a uniform and consistent application of habitat monitoring methods at all levels of management (including calculation of the level of disturbance). This includes developing internally consistent rules for identifying units of analysis for calculating disturbance and adaptive management triggers.

Remaining Timeline: Recent discussions between our agencies indicate that the expected timeframe to complete the planning process and issue the Records of Decision (RODs) may remain in question. A significant delay in the plans will mean we are unable to fully analyze in our status review the effect of what will later become the final federal land management plans. Given the tremendous effort BLM and

Forest Service have expended on this process to date and the potentially valuable conservation impacts of these plans, we do not want to be in a position where we have insufficient time to fully and accurately assess the efficacy of the federal planning effort in advance of our listing decision deadline, a scenario that could have major implications for the outcome of our status review. Thus, the Service strongly encourages that the issues raised in this memo be resolved and incorporated into the final land use allocation decisions quickly. The data and evaluation of the final land use allocations and planning decisions should be provided to the Service no later than the close of the Conservation Efforts Database, December 31, 2014. The greater the delay in receiving these analyses the more difficult it will be for the Service to fully incorporate the results into our decision processes.

In closing, we commend the work BLM and Forest Service have completed to date in planning for sage-grouse conservation on federal lands. The collaborative effort is historic and we appreciate the opportunity to work with you throughout this process. As the window for final plan completion narrows, we share these outstanding issues for your consideration, and we commit to continue providing advice and assistance as you evaluate your choices for the final plans and Records of Decision. The advice we are providing here is designed to ensure we can ascribe a high degree of certainty of effectiveness of the federal plans as we determine whether the greater sage-grouse is still warranted for listing. The Service remains committed to a successful federal sage-grouse conservation planning process and we remain available to work with you to resolve the issues captured here and to achieve lasting conservation for sage-grouse across its range.

US Fish and Wildlife Service
Greater Sage-Grouse Conservation
Federal Planning Process: Outstanding Issues as of November 19, 2014

The following table identifies outstanding issues related to the ongoing federal conservation planning process for greater sage-grouse and provides current status and an FWS point-of-contact for each issue. POC in bold is primary contact.

Issue	FWS POC	Status/ Comments
Locatable mineral development	Pat Deibert (F & M only)	At the FFM, BLM and FS indicated they were not interested in recommending withdrawals
Fluid Mineral development	Pat Deibert (F & M only) Jodi Bush	- Our concerns expressed in the resolution memo remain as some priority management areas still allow the possibility of exceptions. For example in Idaho core habitats are closed to fluid mineral development except in areas of high to moderate potential. - Also MT BLM struggling with MT EO on allowing PH to remain open to development with a 0.6 mile buffer.
Prioritizing oil and gas development outside of habitat	Pat Deibert (F & M only) Jodi Bush	Concerns expressed in the resolution memo remain.
Existing oil and gas leases in PACs and PHMA	Mike Thabault Pat Deibert (F & M only)	Concerns expressed in the resolution memo remain.
Existing oil and gas leases in general habitat	Pat Deibert (F & M only)	Concerns expressed in the resolution memo remain.
Resolution of mapping issues	Pat Deibert (F & M only) Jay Martini (F & M only) Betsy Herrman (T)	Remaining issues are in UT and NV; New USGS map will be used by BLM and FS in their final plans for NV. Data layer acquired from BLM for NV did not include sufficient metadata to understand its applicability. We have acquired new (Coates) spatial data for NV and after consultation with the state of NV, have incorporated priority areas as IPAs (as per our white paper)
Resolving the potential threat caused by coal mining	Pat Deibert Jay Martini (F & M only) Betsy Herrman (T) Jodi Bush	- Identified by us in MT, CO and UT (Alton Coal). Final BLM disposition on Alton Coal is unclear. - We have not seen the proposed language regarding already leased areas that was tasked at RM FFM.

Issue	FWS POC	Comments
Ensuring a clear, scientific rationale for land use allocations that change at administrative boundaries	Pat Deibert (F & M only) Jesse D’Elia	Remains unresolved how BLM/FS intends to accomplish this.
High voltage transmission boundaries and pipeline rights-of-way	Jay Martini (F & M only) Jodi Bush Jason Pyron Katie Powell	This is primarily a UT issue, but BLM deviates from NPT guidance in CO, ND, SD, MT, and ID. In Idaho, general habitat is open; important and core are “avoidance with limited exceptions.” The resolution memo states that Idaho has provided a biological rationale for its departure from the NPT guidance for this resource allocation.
Mining	Pat Deibert (F & M only)	- Screen drafted by MT with our concurrence – intent was to apply across the range, but applicability may be limited due to differing land ownership patterns in different states. - Need analyses of the risk to private land development should federal lands be restricted; resolution of subjective terminology. - Our concerns for Idaho in the resolution memo remain (for important habitat) and we recommend that Idaho either follow the NPT guidance or define subjective terminology in anthropogenic disturbance criteria (e.g., not practicable, technical and economic feasibility) more clearly.
Fire and Invasives	Jesse D’Elia Dawn Davis (M & T only) Ted Koch	Fire and invasives assessments underway. Need to complete step-down assessments for the six highest priority PACs, develop implementation schedule, and commit to funding.
Rangeland health/overgrazing threat	Ted Koch	- Concerns expressed in the resolution memo remain - need consistent standards for LHA and timeline for completing assessments. - Draft language in plans is good, but track record and funding levels do not provide confidence
Mitigation	Shauna Ginger	- Still seeking clarity on “no net unmitigated loss” and “net conservation gain” - In NV BLM and FS have indicated that the conservation credit system is better than mitigation they can offer via plans.

Issue	FWS POC	Comments
Adaptive Management	Pat Deibert Jesse D’Elia	• We are seeking clarity as to how different strategies provide the same benefit across state lines. We don’t need identical plans, but do need similar monitoring parameters and triggers (or at least a rationale for why the triggers are so different). • We heard that BLM is revising all plans to be similar to NV – but the latest draft language we have for several states does not yet reflect this.
Monitoring	Pat Deibert Lief Wiechman	• We made some progress following Federal Family meetings in identifying units for calculating the level of disturbance and adaptive management triggers but have not seen the final outcome of these efforts. • There are some indications that calculations of disturbance are not consistent across planning boundaries. For example, Idaho provided a draft of their calculation methodology which deviates significantly from a simply % calculation of 3% disturbance. Oregon is calculating its disturbance cap as a straight percentage and only allowing 1% disturbance per decade over current levels in priority habitat – up to a max of 3%. • We maintain that we need to see a uniform and consistent application of habitat monitoring methods at all levels of management; and, internally consistent rules for identifying units of analysis for calculating disturbance and adaptive management triggers. • BLM considers this issue complete.
Remaining Timeline	Kate Norman	This remains a major unknown. There is a clear and critical need for timely completion of these efforts for full consideration in our status review.

Contact Numbers:

Betsy Herrman	801-975-3330 ext. 139 (Tuesday only)
Dawn Davis	575-693-5105 (available Monday and Tuesday only)
Jason Pyron	208-685-6958
Jay Martini	801-975-3330 ext. 144 (available Friday and Monday only)
Jesse D'Elia	503-231-2349
Jodi Bush	406-449-5225 ext. 205
Kate Norman	303-263-4214
Katie Powell	208-378-5293
Lief Wiechman	(b) (6)
Mike Thabault	
Pat Deibert	(b) (6) (available on Friday and Monday only)
Shauna Ginger	503-231-6949
Ted Koch	775-861-6311

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MEMORANDUM

October 24, 2014

TO: Director, Bureau of Land Management
Chief, US Forest Service

FROM: Director

SUBJECT: Resolution of Federal Sage-Grouse Conservation Planning Issues

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making, the less certainty the Service will have about whether the final federal plans constitute an adequate regulatory mechanism that can be relied on in a decision about whether to list the species.

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Resolution of mapping issues: In Nevada and Utah, areas identified by BLM as “priority areas” do not align with Priority Areas for Conservation (PACs), as identified in the 2013 Conservation Objectives Team Final Report (COT Report). We recommend BLM reconcile this disparity so the Service can accurately determine whether the final federal plans adequately protect the PACs.

Resolving the potential threat caused by coal mining: The degree to which coal mining poses a threat to sage-grouse habitat should be analyzed and addressed in the final plans. Coal mining was not explicitly included in the NPT guidance. We have however raised a concern about this threat in comment letters on your draft plans (for example in plans for Montana and Colorado) and in previous comments on the proposed Alton coal mine expansion, and we are uncertain whether this threat has been addressed. We recommend BLM identify and explain the status of coal as a threat to sage-grouse on BLM lands, and make determinations of “unsuitable” in these areas. Without the benefit of additional land management agency analysis that suggests otherwise, we recommend that BLM and Forest Service determine coal development in sage-grouse habitat PACs as unsuitable.

Ensuring a clear, scientific rationale for land use allocations that change at administrative boundaries: The Service recommends both agencies make every effort to eliminate or minimize any differences in land use allocation decisions for given populations or PACs that cross an administrative boundary. Where such differences occur, the differences should be explained by clear, science-based rationale in the final plans and showcase how end outcomes would be similar despite different approaches. While we understand the desire for flexibility, minimizing the amount of and need for these types of explanations will aid our analysis of the certainty that threats are addressed. It will also help the public understand a cohesive approach for management of each population and the species as a whole on the federal estate.

High voltage transmission and major pipeline rights-of-ways (ROWs): The Service understood the NPT guidance to mean no new corridors would be designated in priority habitat in these revised or amended federal plans. However, BLM indicated during our Great Basin meeting that one or more new transmission corridors will in fact be designated within priority habitat in the Utah plan. We recommend BLM explain its rationale for deviating from the NPT guidance on this item and how it is consistent with sage-grouse conservation goals.

Note: Following recent discussions, we understand that new ROWs will not be proposed within PACs in Utah. However, given the uncertainty of current mapping efforts in Utah we are still unclear as to how any new ROWs designated in Utah will potentially affect sage-grouse.

Similarly, the NPT guidance for this land use allocation indicated “avoidance” for general habitat, but in northwestern Colorado, North and South Dakota, and in Idaho and southwestern Montana, general habitat is “open” for this allocation. Idaho has provided a biological rationale for this departure from the NPT guidance, but the departure from the guidance in the Rocky Mountain states is based on additional

restrictions that have not yet been analyzed completely, and, in the southwestern Montana planning area, we are unclear as to what rationale supports this departure from the guidance. Ensuring consistency with the NPT guidance for this issue for the Rocky Mountain States and southwestern Montana will help conserve the remaining fragmented habitats in these states.

Mining (mineral materials and/or non-energy leasable minerals): Contrary to NPT guidance indicating priority habitat should be “closed” to mining, priority areas in Montana, South Dakota, northwestern Colorado, and Idaho are open to mining in the proposed ADPPs. As the Service understands it, BLM’s rationale for this departure from the NPT guidance in the Rocky Mountain states is based on the potential concern that if the guidance was followed, future development may be shifted to private or state lands, thus impacting better habitat for sage-grouse. The Service has not seen any formal analysis from BLM to substantiate this concern. Moreover, we have a concern that a possible outcome of this strategy is a lack of significant protection on federal and non-federal lands in this area.

In addition, we have been consulting with BLM as it works to develop a project-specific screen it plans to use to minimize impacts to sage-grouse from permitted mining activities in these areas. While such a strategy could help avoid or minimize impacts, we note that if you choose to finalize the plan decisions relying on a project-specific screen, our ability to predict impacts to those populations into the future is much less certain.

In Idaho, the rationale for departing from the NPT guidance is based on a requirement that any proposed project must meet certain criteria, some of which contain subjective terminology (e.g., not practicable; technical and economic feasibility). Again, to increase the certainty of threat reduction that we can ascribe to future decisions, we recommend you either follow the NPT guidance; or, define these terms more clearly in the plan.

Fire and Invasives: The Service supports the completion of the Fire and Invasives Assessment Team (FIAT) step-down assessments currently underway and applauds the land management agencies for moving swiftly in this regard. We recommend these assessments be completed by the January 30, 2015 deadline as stated in the Instructional Memorandum and quickly be developed into implementation plans. We also recommend an interagency review of products and cross-state coordination (where applicable). In order to have relatively consistent outcomes, we recommend your agencies use a template that has been reviewed and refined. In addition, we believe it is critical these assessments incorporate the 15 actions identified in the “Resistance and Resilience Report” produced by USDA with support by the WAFWA Fire and Invasives Working Group. Applying these 15 actions strategically, across the landscape over time and adaptively through the FIAT process, provides the best opportunity to stop the decline of sagebrush ecosystems in the Great Basin. It will be critical for these assessments to include 1) protocols for ensuring sage-grouse management needs are considered during initial attack and fire suppression actions with post-fire monitoring on those actions; and, 2) consistent, scientifically defensible long-term monitoring protocols with adaptive management features for restoration activities.

Rangeland health/overgrazing threat: We recommend that in the final plans BLM set specific, consistent standards for Land Health Assessments (LHAs); and commit to markedly shorten the timeframe within which LHAs are conducted in sage-grouse habitat, regularly modify LHAs necessary to reflect changing ecological conditions at a relevant scale(s), and take timely action when standards are not being met. In addition, we recommend that BLM identify a strategy and timeline for meeting established wild equid management targets.

Note: Following recent NPT meetings and related discussions, we understand that BLM is considering a stronger approach to address this threat, and we await final language from BLM related to this issue.

Mitigation: We ask you please clarify and resolve the apparent difference between the standard of “no net unmitigated loss” in the draft plans and “net conservation gain” as recommended by the Service, both of which appear at various places in various plans. We think that this apparent difference may be resolved through a revision of the definition of “no net unmitigated loss” or through the adoption of “net conservation gain” as the standard. Further, we are concerned that BLM did not commit to a specific mitigation standard in Rocky Mountain region plans when we developed the NPT guidance.

Note: Following recent NPT meetings and related discussions, we believe we may be close to resolving this issue. However, at this time we are awaiting clarifying information from BLM and for the purposes of this memorandum consider this issue still outstanding.

Adaptive management: We are aware that since our recent interagency meetings to discuss the proposed ADPPs, work has continued regarding how the topic of Adaptive Management will be described in the plans. If situations remain where triggers (hard and soft) for a given population that crosses a state or administrative boundary differ between plans on opposite sides of that boundary, we are interested to understand the rationale for that difference. Specifically, we recommend that BLM and Forest Service consider linking an appropriate trigger to a species demographic or habitat parameter value that would indicate concern that a population is somehow at risk. For a given population in a given ecological habitat type, it seems that most often these triggers would be the same or very similar. In addition, triggers should result in similar biological results if tripped. Additionally, while we know work is ongoing, at our last meeting it appeared that there are a number of plans where the resulting response from a trigger being tripped appears to be inconsistent with NPT guidance. We recommend that these plans be revised to be consistent with the NPT guidance.

Monitoring: We recommend a uniform and consistent application of habitat monitoring methods at all levels of management (including calculation of the level of disturbance). This includes developing internally consistent rules for identifying units of analysis for calculating disturbance and adaptive management triggers.

Remaining Timeline: Recent discussions between our agencies indicate that the expected timeframe to complete the planning process and issue the Records of Decision (RODs) may remain in question. A significant delay in the plans will mean we are unable to fully analyze in our status review the effect of what will later become the final federal land management plans. Given the tremendous effort BLM and

Forest Service have expended on this process to date and the potentially valuable conservation impacts of these plans, we do not want to be in a position where we have insufficient time to fully and accurately assess the efficacy of the federal planning effort in advance of our listing decision deadline, a scenario that could have major implications for the outcome of our status review. Thus, the Service strongly encourages that the issues raised in this memo be resolved and incorporated into the final land use allocation decisions quickly. The data and evaluation of the final land use allocations and planning decisions should be provided to the Service no later than the close of the Conservation Efforts Database, December 31, 2014. The greater the delay in receiving these analyses the more difficult it will be for the Service to fully incorporate the results into our decision processes.

In closing, we commend the work BLM and Forest Service have completed to date in planning for sage-grouse conservation on federal lands. The collaborative effort is historic and we appreciate the opportunity to work with you throughout this process. As the window for final plan completion narrows, we share these outstanding issues for your consideration, and we commit to continue providing advice and assistance as you evaluate your choices for the final plans and Records of Decision. The advice we are providing here is designed to ensure we can ascribe a high degree of certainty of effectiveness of the federal plans as we determine whether the greater sage-grouse is still warranted for listing. The Service remains committed to a successful federal sage-grouse conservation planning process and we remain available to work with you to resolve the issues captured here and to achieve lasting conservation for sage-grouse across its range.

US Fish and Wildlife Service
Greater Sage-Grouse Conservation
Federal Planning Process: Outstanding Issues as of November 19, 2014

The following table identifies outstanding issues related to the ongoing federal conservation planning process for greater sage-grouse and provides current status and an FWS point-of-contact for each issue. POC in bold is primary contact.

Issue	FWS POC	Status/ Comments
Locatable mineral development	Pat Deibert (F & M only)	At the FFM, BLM and FS indicated they were not interested in recommending withdrawals
Fluid Mineral development	Pat Deibert (F & M only) Jodi Bush	- Our concerns expressed in the resolution memo remain as some priority management areas still allow the possibility of exceptions. For example in Idaho core habitats are closed to fluid mineral development except in areas of high to moderate potential. - Also MT BLM struggling with MT EO on allowing PH to remain open to development with a 0.6 mile buffer.
Prioritizing oil and gas development outside of habitat	Pat Deibert (F & M only) Jodi Bush	Concerns expressed in the resolution memo remain.
Existing oil and gas leases in PACs and PHMA	Mike Thabault Pat Deibert (F & M only)	Concerns expressed in the resolution memo remain.
Existing oil and gas leases in general habitat	Pat Deibert (F & M only)	Concerns expressed in the resolution memo remain.
Resolution of mapping issues	Pat Deibert (F & M only) Jay Martini (F & M only) Betsy Herrman (T)	Remaining issues are in UT and NV; New USGS map will be used by BLM and FS in their final plans for NV. Data layer acquired from BLM for NV did not include sufficient metadata to understand its applicability. We have acquired new (Coates) spatial data for NV and after consultation with the state of NV, have incorporated priority areas as IPAs (as per our white paper)
Resolving the potential threat caused by coal mining	Pat Deibert Jay Martini (F & M only) Betsy Herrman (T) Jodi Bush	- Identified by us in MT, CO and UT (Alton Coal). Final BLM disposition on Alton Coal is unclear. - We have not seen the proposed language regarding already leased areas that was tasked at RM FFM.

Issue	FWS POC	Comments
Ensuring a clear, scientific rationale for land use allocations that change at administrative boundaries	Pat Deibert (F & M only) Jesse D’Elia	Remains unresolved how BLM/FS intends to accomplish this.
High voltage transmission boundaries and pipeline rights-of-way	Jay Martini (F & M only) Jodi Bush Jason Pyron Katie Powell	This is primarily a UT issue, but BLM deviates from NPT guidance in CO, ND, SD, MT, and ID. In Idaho, general habitat is open; important and core are “avoidance with limited exceptions.” The resolution memo states that Idaho has provided a biological rationale for its departure from the NPT guidance for this resource allocation.
Mining	Pat Deibert (F & M only)	- Screen drafted by MT with our concurrence – intent was to apply across the range, but applicability may be limited due to differing land ownership patterns in different states. - Need analyses of the risk to private land development should federal lands be restricted; resolution of subjective terminology. - Our concerns for Idaho in the resolution memo remain (for important habitat) and we recommend that Idaho either follow the NPT guidance or define subjective terminology in anthropogenic disturbance criteria (e.g., not practicable, technical and economic feasibility) more clearly.
Fire and Invasives	Jesse D’Elia Dawn Davis (M & T only) Ted Koch	Fire and invasives assessments underway. Need to complete step-down assessments for the six highest priority PACs, develop implementation schedule, and commit to funding.
Rangeland health/overgrazing threat	Ted Koch	- Concerns expressed in the resolution memo remain - need consistent standards for LHA and timeline for completing assessments. - Draft language in plans is good, but track record and funding levels do not provide confidence
Mitigation	Shauna Ginger	- Still seeking clarity on “no net unmitigated loss” and “net conservation gain” - In NV BLM and FS have indicated that the conservation credit system is better than mitigation they can offer via plans.

Issue	FWS POC	Comments
Adaptive Management	Pat Deibert Jesse D’Elia	• We are seeking clarity as to how different strategies provide the same benefit across state lines. We don’t need identical plans, but do need similar monitoring parameters and triggers (or at least a rationale for why the triggers are so different). • We heard that BLM is revising all plans to be similar to NV – but the latest draft language we have for several states does not yet reflect this.
Monitoring	Pat Deibert Lief Wiechman	• We made some progress following Federal Family meetings in identifying units for calculating the level of disturbance and adaptive management triggers but have not seen the final outcome of these efforts. • There are some indications that calculations of disturbance are not consistent across planning boundaries. For example, Idaho provided a draft of their calculation methodology which deviates significantly from a simply % calculation of 3% disturbance. Oregon is calculating its disturbance cap as a straight percentage and only allowing 1% disturbance per decade over current levels in priority habitat – up to a max of 3%. • We maintain that we need to see a uniform and consistent application of habitat monitoring methods at all levels of management; and, internally consistent rules for identifying units of analysis for calculating disturbance and adaptive management triggers. • BLM considers this issue complete.
Remaining Timeline	Kate Norman	This remains a major unknown. There is a clear and critical need for timely completion of these efforts for full consideration in our status review.

Contact Numbers:

Betsy Herrman	801-975-3330 ext. 139 (Tuesday only)
Dawn Davis	575-693-5105 (available Monday and Tuesday only)
Jason Pyron	208-685-6958
Jay Martini	801-975-3330 ext. 144 (available Friday and Monday only)
Jesse D'Elia	503-231-2349
Jodi Bush	406-449-5225 ext. 205
Kate Norman	303-263-4214
Katie Powell	208-378-5293
Lief Wiechman	(b) (6)
Mike Thabault	
Pat Deibert	(b) (6) (available on Friday and Monday only)
Shauna Ginger	503-231-6949
Ted Koch	775-861-6311