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PROJECT/ACTION SCREEN AND MITIGATION PROCESS

The BLM/USFS will ensure that any activities or projects in greater sage-grouse habitats would: 1) only occur in compliance with [insert plan name] greater sage-grouse goals and objectives for priority and general management areas; and 2) maintain neutral or positive greater sage-grouse population trends and habitat by avoiding, minimizing, and offsetting unavoidable impacts while striving for net conservation gain at the scale of this land use plan and within greater sage-grouse population areas, State boundaries, and WAFWA Management Zones through the application of mitigation for implementation-level decisions. The mitigation process will follow the regulations from the White House Council on Environmental Quality (CEQ) (40 CFR 1508.20; e.g. avoid, minimize, and compensate), hereafter referred to as the mitigation hierarchy, while also following Secretary of the Interior Order 3330 and consulting BLM, FWS and other current and appropriate mitigation guidance . If it is determined that residual impacts to greater sage-grouse from implementation-level actions would remain after applying avoidance and minimization measures to the extent possible, then compensatory mitigation projects will be used to offset residual impacts, or the project may be denied if necessary to achieve the goals and objectives for priority and general management areas in the [insert plan name].

To ensure that impacts from activities proposed in sage-grouse priority and general management areas (PHMA and GHMA) are appropriately mitigated, the BLM will apply mitigation measures and conservation actions and potentially modify the location, design, construction, and/or operation of proposed land uses or activities to comply with statutory requirements for environmental protection. The mitigation measures and conservation actions [reference RDF/BMP appendix]for proposed projects or activities in these areas will be identified as part of the National Environmental Policy Act (NEPA) environmental review process, through interdisciplinary analysis involving resource specialists, project proponents, government entities, landowners or other Surface Management Agencies. Those measures selected for implementation will be identified in the Record of Decision (ROD) or Decision Record (DR) for those authorizations and will inform a potential lessee, permittee, or operator of the requirements that must be met when using BLM-administered public lands and minerals to mitigate, per the mitigation hierarchy referenced above, impacts from the activity or project such that sage-grouse goals and objectives are met. Because these actions create a clear obligation for the BLM to ensure any proposed mitigation action adopted in the environmental review process is performed, there is assurance that mitigation will lead to a reduction of environmental impacts in the implementation stage and include binding mechanisms for enforcement (CEQ Memorandum for Heads of Federal Departments and Agencies 2011).

To achieve the goals and objectives for PHMA and GHMA in the [insert plan name], the BLM will assess all proposed land uses or activities such as road, pipeline, communication tower, or powerline construction, fluid and solid mineral development, range improvements, and recreational activities proposed for location in sage-grouse PHMA and GHMA in a step-wise manner. The following steps identify a screening process for review of proposed activities or projects in these areas. This process will provide a consistent approach and ensure that authorization of these projects, if granted, will appropriately mitigate impacts and be consistent with the LUP goals and objectives for sage-grouse. The following steps provide for a sequential screening of proposals. However, Steps 2-6 can be done concurrently.

Step 1 – Determine Proposal Adequacy

This screening process is initiated upon formal submittal of a proposal for authorization for use of BLM lands. The actual documentation of the proposal would include at a minimum a description of the

[1]Impacts to Greater Sage-Grouse could include loss or disturbance of nesting or wintering habitat as well as disruption of breeding activities at the lek site.

location, scale of the project and timing of the disturbance. The acceptance of the proposal(s) for review would be consistent with existing protocol and procedures for each type of use.

Step 2 – Evaluate Proposal Consistency with LUP

This initial review should evaluate whether the proposal would be allowed as prescribed in the Land Use Plan. For example, some activities are prohibited in sage-grouse habitat, such as wind developments in Priority Habitat. Evaluation of projects will also include an assessment of the current state of the Adaptive Management hard and soft triggers. If the proposal is for an activity that is specific prohibited, the applicant should be informed that the application is being rejected since it would not be allowed, regardless of the design of the project.

Step 3 – Determine Proposal Consistency with Density and Disturbance Limitations

If the proposed activity occurs within a PHMA, evaluate whether the disturbance from the activity exceeds the limit on the amount of disturbance allowed within the activity or project area (DDCT process). If current disturbance within the activity area or the anticipated disturbance from the proposed activity exceeds this threshold, the project should be deferred until such time as the amount of disturbance within the area has been reduced below the threshold, redesigned so as to not result in any additional surface disturbance (collocation) or redesigned to move it outside of Core area.

Step 4 – Determine Projected Sage-Grouse Population and Habitat Impacts

Determine if the project will have a direct or indirect impact on population or habitat (Priority or General Habitat). This will include:

- Reviewing Greater Sage-Grouse Habitat delineation maps.
- Utilization of the *USGS report Conservation Buffer Distance Estimates for Greater Sage-Grouse—A Review* to assess potential project impacts based upon the distance to the nearest lek. This assessment will be based upon the buffers identified below for the following types of projects:
    - linear features 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) within 2 miles of leks.
    - low structures (e.g. rangeland improvements) within1.2 miles of leks.
    - all other surface disturbance not associated with linear features, energy development, tall structures, or low structures within 3.1 miles of leks.
    - noise and related disruption activities (including those that do not result in habitat loss) at least 0.25 miles from leks.

- Review and application of current science recommendations.
- Reviewing the 'Base Line Environment Report' (USGS) which identifies areas of direct and indirect effect for various anthropogenic activities.
- Consultation with agency or State Wildlife Agency biologist.
- Evaluating consistency with (at a minimum) State sage-grouse regulations
- Or other methods needed to provide an accurate assessment of impacts.

If the proposal will not have a direct or indirect impact on either the habitat or population, document the findings in the NEPA and proceed with the appropriate process for review, decision and implementation of the project.

Step 5 –Apply Avoidance and Minimization Measures to Comply with Sage-Grouse Goals and Objectives

If the project can be relocated so as to not have an impact on sage-grouse and still achieve objectives of the proposal and the disturbance limitations, relocate the proposed activity and proceed with the appropriate process for review, decision and implementation (NEPA and Decision Record). This Step does not consider redesign of the project to reduce or eliminate direct and indirect impacts, but rather authorization of the project in a physical location that will not impact Greater Sage-grouse. If the preliminary review of the proposal concludes that there may be adverse impacts to sage-grouse habitat or populations in Step 4 and the project cannot be effectively relocated to avoid these impacts, proceed with the appropriate process for review, decision and implementation (NEPA and Decision Record) with the inclusion of appropriate mitigation requirements to further reduce or eliminate impacts to sage-grouse habitat and populations and achieve compliance with sage-grouse objectives. Mitigation measures could include disturbance buffer limits, timing of disturbance limits, noise restrictions, design modifications of the proposal, site disturbance restoration, post project reclamation, etc (see Mitigation Measures and Conservation Actions Appendix (Appendix X) for a more complete list of measures). Compensatory or offsite mitigation may be required (Step 6) in situations where residual impacts remain after application of all avoidance and minimization measures.

Step 6 – Apply Compensatory Mitigation or Reject / Defer Proposal

If screening of the proposal (Steps 1-5) has determined that direct and indirect impacts cannot be eliminated through avoidance or minimization, evaluate the proposal to determine if compensatory mitigation can be used to offset the remaining adverse impacts and achieve sage-grouse goals and objectives. If the impacts cannot be effectively mitigated, reject or defer the proposal. The criteria for determining this situation could include but are not limited to:

- The current trend within the Priority Habitat is down and additional impacts, whether mitigated or not, could lead to further decline of the species or habitat.
- The proposed mitigation is inadequate in scope or duration, has proven to be ineffective or is unproven is terms of science based approach.

- The project would impact habitat that has been determined to be a limiting factor for species sustainability.

- Other site specific information and analysis that determined the project would lead to a downward change of the current species population or habitat and not comply with sage-grouse goals and objectives.

If, following application of available impact avoidance and minimization measures, the project can be mitigated to fully offset (while striving for conservation gain) impacts to the species and comply with sage-grouse goals and objectives, proceed with the appropriate process for review, decision and implementation (NEPA and Decision Record).

The BLM/USFS, via the WAFWA Management Zone Greater Sage-Grouse Conservation Team, will develop a WAFWA Management Zone Regional Mitigation Strategy to guide the application of the mitigation hierarchy to address greater sage-grouse impacts within that Zone. The WAFWA Management Zone Regional Mitigation Strategy will be applicable to the States/Field Offices/Forests within the Zone's boundaries. Subsequently, the BLM [name of Field Office]/USFS [name of Forest]'s NEPA analyses for implementation-level decisions, which have the potential to impact greater sage-grouse, will include analysis of mitigation recommendations from the relevant WAFWA Management Zone Regional Mitigation Strategy(ies).

Implementation of the Regional Mitigation Strategy may involve managing compensatory mitigation funds, implementing compensatory mitigation projects, certifying mitigation/conservation banks, and reporting on the effectiveness of those projects. These types of mitigation implementation actions may be most effectively managed at the State-level, in collaboration with partners. BLM State Office/USFS Region may find it most effective to enter into an agreement with a State-level program administrator (e.g. a NGO, a State-level entity) to help manage these aspects of mitigation. The BLM/USFS will remain responsible for making decisions that affect Federal lands.

The BLM's Regional Mitigation Manual MS-1794 serves as a framework for developing and implementing a Regional Mitigation Strategy. The Appendix [X] provides additional guidance specific to the development and implementation of a WAFWA Management Zone Regional Mitigation Strategy.