

Common Questions & Answers BLM-USFS Greater Sage-Grouse Conservation Plans

Thanks to an unprecedented, science-based, landscape-scale conservation effort across the western United States, the U.S. Fish and Wildlife Service concluded that the greater sage-grouse does not warrant protection under the Endangered Species Act. A key factor in the FWS analysis is the federal land management plans developed by the Bureau of Land Management and U.S. Forest Service, who manage roughly half of the sage-grouse habitat. These plans play a major role in an effort whose scale is unequalled in the history of wildlife and landscape conservation in the United States.

What action is the BLM and USFS taking today?

The Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) are issuing Records of Decisions that finalize plans for 98 land use plans in 10 states across the West: California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, Utah, South Dakota, and Wyoming.

A Record of Decision (ROD) is a written public record identifying and explaining the reasoning for the agency's decision, in this case, the final land use plans or plan amendments for protecting greater sage-grouse on BLM or USFS lands. The final land use plans or plan amendments are attached to the RODs and become effective as of the RODs' signing.

The plans seek to conserve important sagebrush habitat, address threats to the greater sage-grouse, and support sustainable economic development across the West.

What are the next steps?

The plans will be implemented by the BLM and USFS, in close coordination with state and local partners, as well as through continued collaboration with the Sage-Grouse Task Force and local working groups. The BLM and USFS will also continue to engage local partners on site- and project-specific issues.

As part of ROD implementation, the BLM and the USFS are recommending the withdrawal of lands within Sagebrush Focal Areas (SFAs) from location of mining claims, subject to valid existing rights.

Why was this planning effort needed?

In March 2010, the U.S. Fish and Wildlife Service (FWS) found that the [greater sage-grouse](#) was warranted for protection under the ESA. Higher priorities precluded the FWS from proposing a listing rule, so it has been a "candidate" species for the past five years. In its 2010 petition finding, the FWS identified the primary threat as the loss and fragmentation of sagebrush habitat, coupled with a lack of adequate regulatory mechanisms to protect habitat across the bird's range.

Roughly half of greater sage-grouse habitat is on federal public land. The principal regulatory mechanisms for BLM are Resource Management Plans (RMPs), and for the USFS, Land and Resource Management Plans (LRMPs).

What is the Greater Sage-Grouse Conservation Strategy?

The BLM and USFS developed the Greater Sage-Grouse Conservation Strategy in response to the FWS 2010 petition determination and commitment to make a listing determination by the end of Fiscal Year 2015. The BLM and USFS committed to amend 98 land use plans through a coordinated, cooperative approach to incorporate regionally appropriate, science-based conservation measures throughout the range of the greater sage-grouse. The planning strategy illustrates the BLM and USFS commitment to long-term, range-wide greater sage-grouse conservation and habitat restoration.

Where does the BLM-USFS effort fit in the bigger picture?

Effective conservation of the greater sage-grouse and its habitat requires a collaborative, science-based approach that includes strong federal plans, a strong commitment to conservation on state and private lands, and a proactive strategy to reduce the risk of rangeland fires.

The planning effort involves coordination between the BLM and the USFS, which manage roughly half of the remaining sage grouse habitat; relevant state agencies, which make decisions affecting state and private lands and manage the sage-grouse; and USDA's Natural Resources Conservation Service, which provides technical assistance and financial support for conservation on private lands. The FWS has supported the planning process through dedicated technical assistance and the development of new science and biological expertise; landscape-level private land conservation; and partnering with state and federal agencies to develop new approaches to focus efforts on the most important threats in the most important landscapes to advance conservation across the range.

How were the BLM and USFS land use plans developed?

The BLM-USFS plans build upon the foundation for sage-grouse conservation initiated by a number of states, including Wyoming and Montana's core area strategy, Idaho's three-tiered conservation approach, and Oregon's "all lands, all threats" approach. The plans also reflect guidance developed collaboratively by the BLM and USFS to reflect feedback on the draft plans from the FWS.

The plans were developed in coordination with a range of stakeholders and cooperators, including farmers and ranchers, energy developers, state fish and wildlife agencies, and many others.

Draft Environmental Impact Statements (EISs) were released for public comment and review in 2013. The final EISs were released in May 2015 and were subject to a 60-day Governor's Consistency Review period, as well as a concurrent 30-day protest period. The final plans are

the result of a robust, multi-year public process, including public scoping sessions, public meetings and a public comment period on the draft EISs.

What comments did the Final EISs receive?

The BLM and USFS received protests from 283 state and local governments, non-government organizations and individuals. In addition, nine Governors of the affected western states provided Consistency Review letters. Five states appealed the BLM's responses to their Consistency Reviews. The BLM Director's resolution of the appeals has been submitted to the states and will be published in the Federal Register.

The BLM and USFS sought to accept as many changes as were consistent with the purpose of the planning effort to conserve greater sage-grouse and its habitat both in a collaborative manner and with measures that provide the Service with regulatory certainty. In many instances, the BLM and USFS clarified language in the plans to address these issues. Protest resolution reports describing the protest issue and responses have been prepared and are available at www.blm.gov/sagegrouse.

Why did the BLM-USFS issue four Records of Decisions?

The multiple RODs reflect the differences between the western and eastern portions of the range acknowledged from the beginning of the BLM-USFS Greater Sage-Grouse Conservation strategy. Wildfire is a large challenge in the Great Basin region, whereas energy development is fragmenting habitat in the Rocky Mountain region. In addition to these distinctive challenges, procedural differences also divide the two regions. All of the actions taken in the Great Basin Region amend existing BLM plans, whereas the Rocky Mountain region included amendments as well as full plan revisions, covering a far wider range of activities than greater sage-grouse conservation. Because of differences in the underlying legal authorities between the BLM and the Forest Service, each of the agencies created and signed its own regional RODs. As a result, there are four RODs, one from each agency for the Great Basin region and one from each agency for the Rocky Mountain region.

What changed between the plans that were made public in May and the final plans released today?

The changes from the proposed final to the final plans are mostly either technical corrections or clarifying editorial changes, such as corrections to calculations of metric equivalents or expanded definitions included in the EISs and proposed plans. A list of the changes can be found in the RODs.

Why are the BLM and USFS recommending mineral withdrawals?

The FWS identified habitat disturbance and fragmentation caused by certain hardrock mining operations as a threat to sage-grouse habitat. As a result, the BLM and USFS land use plans recommend that the Secretary of the Interior exercise her authority under the Federal Land Policy and Management Act to safeguard the most important landscapes identified by the FWS within Priority Habitat Management Areas – identified as Sagebrush Focal Areas – by withdrawing them from the operation of the hardrock mining law.

With the finalization of the BLM-USFS plans, the Secretary is taking prompt action to consider the recommendations. Through a public, transparent process, the Interior Department will seek to ensure that the Sagebrush Focal Areas that anchor the range-wide conservation strategy for the greater sage-grouse are protected from the threat of hardrock mining, subject to valid existing rights.

How does the withdrawal process work?

Subject to valid existing rights, the Interior Department will propose to withdraw approximately 10 million acres of public and National Forest System lands located in the states of Idaho, Montana, Nevada, Oregon, Utah, and Wyoming from location and entry under the United States mining laws. This segregation, which lasts up to two years until the Secretary decides whether to make the withdrawal, prohibits the location and entry of new mining claims in the designated areas.

The notice of proposed withdrawal will publish in the *Federal Register* on September 24, 2015. The notice begins the segregation period and opens a 90-day public review period for the proposed withdrawal.

During the segregation period, studies and environmental analyses will be conducted to determine if the lands should be withdrawn to protect sage-grouse habitat from location and entry of new mining claims. This process will invite participation by the public, tribes, environmental groups, industry, state and local government, as well as other stakeholders. These efforts will be undertaken under the leadership of the BLM in cooperation with the USFS and in compliance with the National Environmental Policy Act. Under FLPMA, the Secretary can withdraw these lands for a maximum of 20 years.

Does the withdrawal impact valid pre-existing rights?

No. Neither the segregation for up to two years, nor any subsequent withdrawal, would prohibit ongoing or future mining exploration or extraction operations on valid pre-existing claims. Neither the segregation nor the proposed withdrawal would prohibit any other authorized uses on these lands.

How can I comment on the proposed minerals withdrawal?

The 90-day public comment period begins on September 24, 2015. Comments should be addressed to the BLM Director, 1849 C Street NW (WO-210), Washington, DC 20240 or submitted electronically to blm_wo_sagebrush_withdrawals@blm.gov.

What science or outside reports were used to develop the plans?

The plans are grounded in the best available science, drawn from published literature and input from recognized experts, state agencies, the U.S. Geological Survey, the FWS and other sources. Among the many reports and studies guiding the development of the plans are: a first-of-its-kind “Conservation Objectives Team” report that identifies priority conservation areas for the sage-grouse and specific threats to the birds’ survival, prepared by experts from both state and federal

agencies; a “National Technical Team” compilation of science prepared by the BLM that provides options for dealing with the most significant threats to the sage-grouse; and a series of reports on how to address the threats of rangeland fire and invasive species prepared in collaboration with the Western Association of Fish and Wildlife Agencies.

How extensive is the greater sage-grouse’s range? Why is its habitat declining?

Currently, the occupied range of greater sage-grouse covers approximately 173 million acres across 11 states in the West and two Canadian provinces, representing a loss of roughly half of the species’ historic range. The primary threat to the habitat is loss and fragmentation due to increasingly intense rangeland fires, invasive species and development.

How much of the habitat is managed by the federal government versus state and private land?

Based on various ways of calculating, the short answer is that the BLM and USFS manage roughly half of the remaining greater sage-grouse habitat.

The FWS has calculated there is 173 million acres of sage-grouse habitat, which includes 11 western states and two Canadian Provinces. Of that, 92 million acres are managed by the federal government (53%) and 75 million acres (43%) by states and private landowners. The remaining 4% is managed by other entities. All federal agencies are included in the 53%.

Of the 136 million acres of habitat contained in the BLM and USFS planning area, 67 million acres (49%) is administered by the BLM or USFS. Nearly 8 million (6%) is state or locally managed and 55 million acres (40%) is privately owned. The remaining 5% is managed by other entities, including other federal agencies.

Why did public materials previously say that the BLM and USFS manage ‘nearly two-thirds’ of habitat?

The ‘two-thirds’ number relates to the proportion of the Priority Areas for Conservation identified by the FWS in the COT Report that are managed by the BLM and USFS. The final BLM and USFS plans analyze and protect a more refined area of *priority* habitat that aligns closely but not exactly with the Priority Areas for Conservation. Of the nearly 60 million acres of *priority* habitat in the planning area, the BLM and USFS manage 35 million acres (59%), about three-fifths of remaining priority sage-grouse habitat. States or local governments manage 3.4 million acres (6%) and private, private land is 19.2 million acres (32%). The remaining 3% is managed by other entities including other federal agencies.

How many greater sage-grouse exist?

At one time, the greater sage-grouse population likely numbered in the millions, but various estimates suggest populations fluctuate between 200,000 to 500,000 birds range-wide. Greater sage-grouse are managed by state agencies, who track population trends primarily by counting males at leks.

How many states are involved in the greater sage-grouse conservation effort?

There are 11 western states with greater sage-grouse habitat that are taking conservation actions: California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, Utah, South Dakota, Washington and Wyoming. However, Washington State's greater sage-grouse habitat is primarily on state and private lands, so it is not included in the BLM-USFS planning effort.

Are the two sub-populations of the greater sage-grouse, the Columbia Basin Distinct Population Segment and "Bi-State" Distinct Population Segment, addressed in this planning effort?

No. Greater sage-grouse in Washington have been managed under a specific Washington Greater Sage-Grouse Recovery Plan since 2004. The BLM and USFS have limited involvement in the Columbia Basin Population and only manage about 5 percent of the remaining habitat for this population. As part of its 2015 finding, the FWS determined that the Columbia Basin is not a Distinct Population Segment of the greater sage-grouse that warranted listing.

In April 2015, the FWS determined that the Bi-State population does not require the protection of the ESA due, in large part, to the development of the Bi-State Action Plan, a conservation plan developed by partners in California and Nevada over the past 15 years and secured with \$45 million in funding.

Is the Gunnison sage-grouse a part of this planning strategy?

No. The Gunnison sage-grouse is a separate species and not included in this Greater Sage-Grouse Conservation Strategy.

What are the BLM and USFS doing to address wildland fire?

Rangeland fire can destroy sagebrush habitat and lead to the conversion of previously healthy habitat into non-native, cheatgrass-dominated landscapes. Experts have identified fire, fueled by invasive species, as one of the greatest threats to sagebrush habitat, particularly in the Great Basin region of Idaho, Utah, Nevada, Oregon and California.

The Department of the Interior has issued a comprehensive, science-based [strategy](#) to address the more frequent and intense wildfires that are damaging vital sagebrush landscapes and productive rangelands. This strategy will fight the spread of cheatgrass and other invasive species, position wildland fire management resources for more effective rangeland fire response, and accelerate the restoration of fire-impacted landscapes to native grasses and sagebrush.

In addition, the Department finalized a [National Seed Strategy](#) to increase the production, storage, and use of seed stocks from native vegetation to restore fire-impacted landscapes across the Great Basin.

How do the plans achieve conservation?

The plans provide a layered management approach that offers the highest level of protection in the most valuable habitat, known as Priority Habitat Management Areas. Within priority habitat, the plans seek to limit or eliminate new surface disturbance, particularly in Sagebrush Focal Areas, identified by the Service as “stronghold” areas essential for the species’ survival. The plans seek to minimize disturbance in General Habitat Management Areas, which are lands that require some special management to sustain greater sage-grouse populations, but are not considered as important as priority habitat. Additional information on the plans is available at <http://www.blm.gov/wo/st/en/prog/more/sagegrouse.html>.

The categories most common to the BLM-USFS plans are:

- **General Habitat Management Areas (GHMA):** BLM or USFS-administered lands that require some special management to sustain greater sage-grouse populations, but are not considered as important as priority habitat.
- **Priority Habitat Management Areas (PHMA):** BLM or USFS-administered lands identified as having the highest value to maintaining sustainable greater sage-grouse populations. These areas align closely with Priority Areas for Conservation (PACs) identified by state wildlife agencies and included in the Conservation Objectives Team report.
- **Sagebrush Focal Areas (SFA):** BLM or USFS-administered lands that are a subset of Priority Habitat and align with FWS-identified important landscape blocks with high breeding population densities of sage-grouse, existing high quality sagebrush habitat, and a preponderance of federal ownership or protected area that serves to anchor the conservation value of the landscape.

Due to differences in state approaches and ecological considerations, some plans contain additional habitat categories. In addition, some states do not have Sagebrush Focal Areas.

Are the plans uniform in every state?

No. The plans include common elements across the range to address threats to the bird, while also allowing for state-based variations where different approaches or priorities were consistent with the overall conservation objectives. The federal plans build upon the foundation for sage-grouse conservation initiated by a number of states, including Idaho’s three-tiered conservation approach, Wyoming and Montana’s Core Area Strategy, and Oregon’s “All lands, All Threats” approach. The plans also reflect guidance developed collaboratively by the BLM and USFS to reflect feedback on the draft plans from the FWS.

Will the plans apply to state or private lands?

The plans will only apply to activities on federal public lands and federal subsurface minerals.

How do the plans affect existing oil and gas leases or rights-of-way?

The plans respect valid existing rights, including those for oil and gas development, renewable energy, rights-of-way, locatable minerals, and other permitted projects.

Will oil and gas development be allowed under the plans?

Yes. The plans seek to reduce surface disturbance from oil, gas and geothermal development while recognizing valid existing rights. The BLM will work with lessees, operators and proponents of proposed fluid mineral projects on existing leases to mitigate adverse impacts to sage-grouse by avoiding, minimizing and compensating for unavoidable impacts. The plans prioritize future leasing and development outside of Priority and General Habitat Management Areas, and restrict surface disturbance associated with new federal leases in Sagebrush Focal Areas and Priority Habitat Management Areas.

Advances in drilling technology have enabled companies to access oil and gas deposits without disturbing the surface directly above those deposits, making it possible to conserve sensitive habitats while still developing subsurface resources. In states without a demonstrated all-lands regulatory approach to managing disturbance, the BLM will require no-surface occupancy measures in new federal oil and gas leases in Sagebrush Focal Areas and, with exceptions, in Priority Habitat Management Areas in order to limit surface disturbance to protect sensitive habitats. Exceptions will be limited to proposed development that will have no impact or a positive impact on sage-grouse.

The BLM estimates that for oil and gas, approximately 90 percent of lands with high to medium potential are located outside of federally managed priority habitat.

How will the plans impact coal development?

The plans will seek to minimize surface disturbance caused by mining activities in Sagebrush Focal Areas and other priority habitat. The plans will ensure that greater sage-grouse habitat will be an important consideration in the BLM review of proposed coal mines or coal mine expansions.

The plans do not propose any new areas for future coal leasing; the areas that may be made available through future leasing in the resource management plans have not changed for 30 years. Nor do the plans authorize any specific leases or mining operations; any new coal leases would require environmental reviews specific to the particular lease application.

The Interior Department is working separately to pursue reforms to the federal coal program. These include proposals – such as the Stream Protection Rule – to address the environmental impacts of coal mining. They also include reforms to make sure American taxpayers are getting a fair return on the coal resources managed by the federal government.

Is there a uniform approach to grazing?

The plans recognize – as does the U.S. Fish and Wildlife Service – that well-managed livestock grazing can be compatible with long-term sage-grouse conservation. The plans do not close greater sage-grouse habitat to livestock grazing, nor do they require a one-size-fits-all approach to grazing allotments. Instead, the plans recognize the need to evaluate habitat based on varied local ecological conditions and site potential when deciding where and how to apply different types of management.

During grazing permit renewals and modifications on lands within sage-grouse habitat, the BLM will use the best available science to incorporate locally developed management objectives for sage-grouse habitat and rangeland health standards, consistent with ecological potential. The BLM and USFS will prioritize monitoring for compliance, review and processing of grazing permits in sage-grouse habitat, with a focus on Sagebrush Focal Areas and lands containing riparian areas and wet meadows.

Will the plans allow transmission lines to cross greater sage-grouse habitat?

The plans require that developers seek to avoid placing new transmission lines and other linear developments in sage-grouse habitat. Where important habitat cannot be avoided, mitigation measures will be required.

Do the plans restrict off-road vehicle use?

The BLM-USFS plans do not propose any permanent or temporary road closures. Under the plans, use of off-road vehicles will be limited to existing roads and trails within priority habitat areas. Off-road vehicle use is also limited to existing routes in general habitat areas, with the exception of Colorado and Wyoming. The BLM and USFS will make further decisions on road designations and closures through a separate, public planning process. Temporary closures will be considered in accordance with existing regulations. The BLM and USFS will continue to work with the public to address particular situations, such as access for individuals with disabilities.

Will the conservation efforts impact military readiness?

The plans deal only with BLM and USFS land and have no effect upon military lands. The DOD has officially stated that it does not anticipate any significant adverse impacts to its mission from the FWS listing decision, whatever its outcome. There are multiple military installations or facilities with confirmed populations of greater sage-grouse. Each installation has voluntarily undertaken conservation actions to benefit the sage-grouse and sagebrush habitat which the FWS considered in its review of the species' status.

Outside of regulatory measures, will the plans address habitat restoration and fire management?

The plans build on habitat restoration and improved fire management that federal, state and local partners have been investing in for years. The plans incorporate management actions to help reduce the threat of rangeland fire and to restore fire-impacted landscapes, consistent with the Secretary's recently released "[Integrated Rangeland Fire Management Strategy](#)." Additional new actions to support those activities are the President's \$60 million budget request for sage-grouse conservation and the President's proposed fire budget fix.

Does hunting greater sage-grouse pose a threat to the species?

The FWS does not believe hunting is a threat to sage-grouse range-wide. State wildlife agencies have conservatively managed sage-grouse hunting opportunities by reducing season lengths and harvest limits in response to concerns about population declines.

In 2010, the FWS concluded that hunting was not a threat to the species and, based on current information about harvest rates, it continues to not have substantial impacts to sage-grouse. To date, changes in the management of sage-grouse hunting have reduced mortality associated with hunting range-wide.

Why is Wyoming's plan different than other states? Is it consistent with the National Technical Team report?

Wyoming has the most sage-grouse habitat and largest sage-grouse population in the United States. In 2008, Wyoming implemented a core area strategy, the first "all lands" regulatory mechanism developed by state or federal officials to conserve the greater sage-grouse and its habitat. To date, Wyoming's proactive, landscape-level approach has proven to be an effective management strategy for conserving important greater sage-grouse habitat and encouraging robust development elsewhere.

The National Technical Team report is a compilation of science prepared by the BLM that provides options for dealing with the most significant threats to the sage-grouse. In coordination with the FWS, the BLM considered and analyzed the National Technical Team conservation measures, as well as the Wyoming Governor's 2011 Executive Order on the management of greater sage-grouse core areas, in order to develop plans for Wyoming federal public lands that meet the conservation objectives of the planning effort.

Will the terms and conditions of grazing permits be based on greater sage-grouse population numbers?

No. The terms and conditions for grazing permits will be based on maintaining or achieving healthy grazing conditions on the rangelands managed by the BLM and USFS, just as they have in the past.

How does the 3% disturbance cap in priority habitat work? What happens when the 3% cap is exceeded?

Sage-grouse populations have the greatest chance of persisting when landscapes are dominated by sagebrush and natural or human disturbances are minimal. The greater the disturbance, the less likely it is that sage-grouse will persist. The 3% disturbance cap was recommended in the National Technical Team [report](#) based on the findings of peer-reviewed studies by a number of scientists.

The 3% cap is a management requirement that applies to proposed ground-disturbing activities in priority habitat. If a proposed project would exceed the cap within a specified area, the project will be denied or must be mitigated so that the cap is no longer exceeded.

The BLM and USFS will make its disturbance calculations available as quickly as possible now that the Records of Decision have been signed. These calculations will provide interested parties

with information about the current levels of greater sage-grouse habitat disturbance within priority habitat. The agencies will update these calculations as needed, at a minimum of once every year.