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# Appendix J

## Areas of Critical Environmental Concern Evaluation



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### INTRODUCTION

During the scoping process for this RMPA/EIS the BLM invited the public to nominate or recommend areas on public lands for GRSG and their habitat to be considered as Areas of Critical Environmental Concern (ACECs). In response the BLM received ACEC nominations from a number of interested organizations. Section 103 of the Federal Land Policy and Management Act (FLPMA) defines ACECs as public lands for which special management attention is required (when such areas are developed or used or when no development is required) and to protect and prevent irreparable damage to important historic, cultural, or scenic values; fish and wildlife resources; or other natural systems or processes or to protect life and safety from natural hazards. Section 202(c)(3) requires that priority be given to the designation and protection of ACECs in land use plans. Other factors set forth in FLPMA include consideration of the “relative scarcity of the values involved and the availability of alternative means and sites for realization of those values”; and the weighing of “long term benefits to the public against short-term benefits” (Sec. 202(c)).

Research Natural Areas (RNAs) are managed under the ACEC authority as areas with valuable ecological resources and representative cells for plant communities. These areas are protected and maintained in natural conditions, for the purposes of conserving biological diversity, conducting non-manipulative research and monitoring, and fostering education. The identification and establishment of a national network of RNAs was congressionally mandated for the US Forest Service in the National Forest Management Act (NFMA) (36 CFR Sec. 219.25; 36 CFR 251.23), and the BLM and National Park Service have been cooperators in this program for over 30 years. The Department of the Interior and the Department of Agriculture, Pacific Northwest Research Station

developed an Interagency Strategy for the Pacific Northwest Natural Areas Network in July 2009 (General Technical Report PNW-GTR-798).

The identification of potential ACECs and the designation of ACECs will be done through the planning process in accordance with the BLM's procedures for preparing, approving, and revising Resource Management Plans. FLPMA also states that ACEC identification "shall not, of itself, change or prevent change of management or use of public lands" (Sec. 201 (a)). Thus, there may be locations where an environmental resource has been identified as a potential ACEC that, nevertheless, will not be protected through ACEC designation. The designation and development of special management attention for a potential ACEC is a management decision done through the RMP process.

### **ACEC NOMINATIONS**

During the scoping process for this RMPA/EIS the BLM received ACEC comments/potential ACEC nominations from Western Watersheds Project (WWP). In response, all GRSG PPH was identified as a single huge ACEC, with the intent to protect all breeding, brooding, winter, and other critical sagebrush and occupied sage-grouse habitat. The boundaries of this citizen potential ACEC were developed by following the designated PPH boundaries on 4,547,043 acres. In addition, in response to citizen ACEC comments from WildEarth Guardians (WEG), the BLM identified 17 potential ACECs for Oregon following an interdisciplinary process on 4,041,905 acres. The ACEC boundaries were created by merging all active GRSG leks and occupied habitat, sage-grouse brooding, transitional and winter habitat, and high quality sagebrush habitat. Many potential ACECs included large blocks of sagebrush habitats in PPH and PGH at higher elevation (> 5,000 feet) with the intent that with vegetation changes because of climate change, many sagebrush habitats will be moving upslope through time and could serve as refugia for the birds in the future (i.e., future suitable habitat). Attention was paid to connectivity between the 17 ACECs and to existing ACECs and RNAs and isolated leks, with an attempt to provide for movement corridors. All ACECs were also designed to follow BLM ownership and livestock grazing allotment boundary or pasture fences, resulting in both PPH and PGH habitat being included. Using the abovementioned criteria, 17 ACECs were identified on 4,041,905 acres within the four districts.

### **ACEC EVALUATION PROCESS**

Based on the two proposals from the public, the "all PPH ACEC", and the "17 ACEC" potential ACEC proposal, the areas were evaluated using an interdisciplinary process as identified in BLM Manual 1613 - Areas of Critical Environmental Concern, to decide if these areas should be carried forward for further evaluation in the land use planning process under various alternatives. The ACEC evaluations were conducted by a subgroup of the BLM's GRSG core team, which included federal and state wildlife biologists, a botanist, a range and fire ecologist, GIS support, and land use planners assigned to the project. Additional input was provided by specialists from each Field and District Office

as needed. The BLM core team evaluated the two external ACEC nominations, to determine relevance and importance. Sage-grouse habitat and existing vegetation information was evaluated for the areas. Draft GIS maps and attributes were created and reviewed and adjustments were made based on local understanding and knowledge of sage-grouse and habitat in the mapped areas.

## **RELEVANCE AND IMPORTANCE CRITERIA**

As mentioned in the introduction, to be considered for designation as an ACEC, an area must meet the requirements of relevance and importance as described in the Code of Federal Regulations (43 CFR 1610.7.2). The definitions for relevance and importance are as follows:

### **Relevance**

An area is considered relevant if it contains one or more of the following:

1. A significant historic, cultural, or scenic value (for example, rare or sensitive archaeological resources and religious or cultural resources important to Native American Indians).
2. A fish and wildlife resource (for example, habitat for endangered, threatened, or sensitive species or habitat essential for maintaining species diversity).
3. A natural process or system (for example, endangered, threatened or sensitive plant species; rare, endemic, or relict plants or plant communities; and rare geologic features).
4. A natural hazard (for example, areas of avalanche, dangerous flooding, landslides, unstable soils, seismic activity, or dangerous cliffs). A hazard caused by human action could meet the relevance criteria if it is determined through the resource management planning process that it has become part of the natural process.

### **Importance**

An area is considered important if the value, resource, system, process, or hazard described has substantial significance to satisfy the importance criteria, which generally means it is characterized by one or more of the following:

1. Has more than locally significant qualities that give it special worth, consequence, has meaning, distinctiveness, or cause for concern, especially compared with any similar resource.
2. Has qualities or circumstances that make it fragile, sensitive, rare, irreplaceable, exemplary, unique, endangered, threatened, or vulnerable to change.
3. Has been recognized as warranting protection to order to satisfy national priority concerns or to carry out the mandates of FLPMA.

**Special Management Attention**

Following BLM Manual 1613, to be designated as an ACEC, an area must require special management attention to protect the relevant and important values. Special management attention refers to management prescriptions developed during preparation of an RMP or amendment to protect the important and relevant values of an area from the potential effects of actions permitted by the RMP.

**Potential ACECs**

**A.** For the “All PPH ACEC” proposal (Alternative C) as nominated by WWP, the following meets the relevance test necessary for ACEC designation as:

1. Sage-grouse are a wildlife resource that are a candidate for Federal listing and are a BLM Special Status Species.
2. The proposed ACEC contains key natural processes and natural systems (high quality sagebrush plant communities), that are critical for the survival of sage-grouse, as identified as potential priority habitat (PPH).

The following “All PPH” potential ACEC also meets the Importance test necessary for ACEC designation as:

1. This ACEC has more than locally significant qualities that gives it special worth and cause for concern. These PPH areas have been identified as priority habitat for sage-grouse by the state and contain the higher-density lekking sites that are known in Oregon and that have been identified as key sage-grouse habitats. These areas link to PPH habitat in Nevada and Idaho, and include higher elevation habitats that the birds are likely to move into in the future as temperature regimes continue to increase and push big sagebrush plant communities and sage-grouse higher in elevation.
2. The proposed ACECs have qualities that make them unique and rare—areas of intact sagebrush plant communities supporting sage-grouse—that are vulnerable to change. Areas in southeast Oregon have been nationally recognized as having some of the higher sage-grouse densities and more high quality intact sagebrush habitat within the Great Basin.
3. The sage-grouse has also been recognized as needing protection at a multi-state, Great Basin scale and is a national priority. These ACECs that are made up of all PPH contain the best of the habitats as designated by the state.

**Special Management Attention. Alternative C, “All PHMA ACEC Proposal”**

The special management attention that was developed is the same as the objectives and actions developed for PHMA in Alternative C found in Tables 2-12 and 2-13.

**B.** For the ACEC proposal as nominated by WEG (Alternative F), 17 potential ACECs were nominated, and were found to meet the relevance test necessary for ACEC designation as:

1. Sage-grouse are a wildlife resource that are a candidate for Federal listing and are a BLM Special Status Species.
2. The potential ACECs also contain key natural processes and natural systems (high quality sagebrush plant communities) that are critical for sage-grouse.

The following “17 ACEC” proposal also meets the Importance test necessary for ACEC designation as:

1. These ACECs have more than locally significant qualities that give them special worth and cause for concern. These proposed areas contain the higher-density lekking sites that are known in Oregon and that are some of the highest densities in the Great Basin. These areas serve as refugia for the bird, are spatially arrayed to connect to existing ACECs and RNAs and to other potential ACECs and priority and key sage-grouse habitats in Nevada and Idaho. They also include habitats that the birds are likely to move into in the future as temperature regimes continue to increase and push big sagebrush and sage-grouse higher in elevation.
2. The potential ACECs have qualities that make them unique and rare—areas of relatively intact sagebrush plant communities supporting sage-grouse—that are vulnerable to change. Areas in southeast Oregon have been nationally recognized as having some of the higher sage-grouse densities and more high quality intact sagebrush habitat within the Great Basin.
3. The sage-grouse has also been recognized as needing protection at a multi-state, Great Basin scale and is a national priority. These potential ACECs contain the some of the best of the ‘Core’ habitats as designated by the state.

The following areas were identified as potential ACECs under the “17 ACEC” proposal.

**#1 Diablo Peak - Acres: 345,250**

Values: Core sage-grouse leks, nesting and brooding habitat, connectivity between proposed East Warner ACEC and existing ACECs in PPH, contains suitable habitat at higher elevation.

**#2 East Warner – Acres: 313,182**

Values: High density of sage-grouse leks in core, nesting, brooding and wintering habitat, connectivity between proposed Diablo peak and proposed ACECs in Nevada, existing ACECs and RNAs in PPH, contains suitable habitat at higher elevation.

**#3 Hill - Acres: 74,778**

Values: Core sage-grouse leks, nesting and brooding habitat, connectivity with proposed ACECs in Nevada and between existing ACECs and Hart Mountain. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#4 Beaty Butte - Acres: 507,050**

Values: Core sage-grouse leks, nesting, brooding, and wintering habitat; connectivity with USFWS Sheldon Refuge and Hart Mountain. The ACEC contains suitable sage-grouse habitat at the higher elevations. Contains important habitat for other wildlife (pronghorn antelope).

**#5 Jackass - Acres: 428,057**

Values: Core sage-grouse leks, nesting, brooding and wintering habitat; connectivity to the south with Hart Mountain. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#6 Lone Mountain - Acres: 244,797**

Values: High density of sage-grouse leks in core, nesting, brooding and wintering habitat; connectivity to the south with Hart Mountain and existing ACECs. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#7 Trout Creek - Acres: 675,218**

Values: High density of sage-grouse leks in core, nesting, brooding and wintering habitat; connectivity to proposed ACECs in Nevada, and across southeastern Oregon east to west, and existing ACECs and RNAs. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#8 Corner – Acres: 355,598**

Values: High density of sage-grouse leks in core, nesting, brooding and wintering habitat; connectivity with key sage grouse habitat in Idaho and proposed ACECs in Nevada, existing ACECs and RNAs, and habitat in the Fort McDermitt Shoshone Paiute Indian Reservation. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#9 Antelope – Acres: 117,076**

Values: High density of sage-grouse leks in core, nesting, brooding and wintering habitat; connectivity with key sage grouse habitat in Idaho and to proposed ACECs to the north and south. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#10 Cow Creek – Acres: 42,776**

Values: Core sage-grouse leks, nesting, brooding and wintering habitat; connectivity with key sage grouse habitat in Idaho and to proposed ACECs to the north and south. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#11 Star Mountain – Acres: 102,858**

Values: High density of sage-grouse leks in core, nesting, brooding and wintering habitat; connectivity with Red Hills and Cow Creek. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#12 Red Hills – Acres: 83,849**

Values: High density of sage-grouse leks in core, nesting, brooding and wintering habitat; connectivity with Star Mountain and Cow Creek. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#13 Willow – Acres: 53,803**

Values: Core sage-grouse leks, nesting and brooding habitat; connectivity to virtue flat and red hills and existing ACEC and RNA. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#14 Virtue Flat – Acres: 21,938**

Values: High density of sage-grouse leks in core, nesting, brooding habitat; ongoing long term research sites, northern most populations, connectivity across Snake River with key habitats in Idaho.

**#15 Goose – Acres: 4,785**

Values: Sage-grouse leks in core, nesting, and brooding habitat; connectivity with adjacent proposed ACECs.

**#16 Buck Creek – Acres: 143,151**

Values: High density of sage-grouse leks in isolated core habitat, nesting, brooding and wintering habitat; connectivity with Frederick Butte. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**#17 Frederick Butte – Acres: 527,739**

Values: High density of sage-grouse leks in isolated core habitat, nesting, brooding and wintering habitat; connectivity with Buck Creek. The most northwest population of sage-grouse in Oregon. The ACEC contains suitable sage-grouse habitat at the higher elevations.

**Special Management Attention. Alternative F, “17 ACEC Proposal”**

The special management attention that was developed is the same as the objectives and actions developed for PHMA and GHMA in Alternative F found in Tables 2-12 and 2-13.

**PREFERRED ALTERNATIVE AND PROPOSED PLAN**

Under the preferred alternative and the proposed plan, the developed management actions will provide for the conservation of GRSG and habitat within the areas proposed as ACECs in Alternatives C and F. These areas were identified as meeting the ACEC relevance and importance criteria and were determined to need special management attention as ACECs in Alternative C and Alternative F. The management actions developed for those alternatives provide for that protection. However, additional special management attention is not necessary to protect the identified values following the objectives and actions proposed under the preferred alternative and proposed plan. The relevant and important values will be maintained or improved under the preferred alternative and proposed plan, and the designation of ACECs under the preferred alternative is not needed.