

# Executive Summary

## ES.1 EXECUTIVE SUMMARY

The greater sage-grouse (GRSG) is a state-managed species that depends on intact functioning sagebrush ecosystems. This expansive sagebrush landscape is managed by a mix of federal, tribal, state, and local agencies (e.g., counties and conservation districts), as well as private landowners. The Bureau of Land Management (BLM) manages approximately half of GRSG habitat as part of the agency's multiple use/sustained yield mission.

State and Tribal-led efforts to conserve the species and its habitat date back to the 1950s. For the past three decades, state wildlife agencies, the BLM and other federal agencies, and many others in the range of the species have collaborated to conserve GRSG and its habitats. The BLM's land management plans (collectively referred to as resource management plans [RMP]) include goals, objectives, and management actions for managing GRSG habitat on BLM-administered public lands in ten Western states (California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah and Wyoming). These plans include management for GRSG Habitat Management Areas to provide for conservation, enhancement, and restoration of GRSG habitat. GRSG also occur in Washington but have limited distribution on BLM-administered lands and are primarily influenced by actions on private lands. Therefore, GRSG in Washington are not included as part of this plan amendment.

The U.S. Fish and Wildlife Service identified the threats to GRSG as part of evaluating whether GRSG warranted being listed as threatened or endangered in 2005, 2010 and 2015. Many of these threats have been addressed in the BLM's prior GRSG planning efforts in the 2014/2015 plan revisions and amendments, and again in all states except Montana and the Dakotas with a 2019 series of state-specific amendments. Despite years of management attention from multiple state and federal agencies GRSG habitat continues to be impacted and lost.

The BLM has prepared this Draft Resource Management Plan Amendment (RMPA)/Draft Environmental Impact Statement (DEIS) to analyze potential amendments to specific GRSG goals, objectives, and management actions contained in 77 existing RMPs to enhance GRSG conservation through management of GRSG habitats on BLM-administered lands. These amendments seek to continue providing the BLM with locally relevant decisions that achieve rangewide GRSG conservation goals consistent with the agency's multiple use and sustained yield mission, and GRSG management efforts with Federal, State, local, and Tribal partners. The ten-state planning area includes nearly 121 million acres of BLM-administered public land. GRSG habitat management areas occur on approximately 69 million acres and are the focus of this effort.

## ES.2 PURPOSE OF AND NEED FOR ACTION

The 2015 and 2019 GRSG planning efforts address the threats to GRSG and their habitat. Given continuing losses of habitat across all landownerships, and resulting long-term population declines, the BLM's purpose and need is to consider amending RMPs to update a sub-set of the GRSG goals, objectives, allocations, and management actions to ensure management on BLM-administered lands respond to changing land uses, improve efficiency and effectiveness of GRSG management, provide for consistent conservation

based on ecological boundaries, and provide the BLM with locally relevant decisions that accord with rangewide GRSG conservation goals. The BLM is focusing on the following rangewide management actions:

- Clarifying the existing GRSG RMP goal
- GRSG habitat management area alignments (i.e., to incorporate new science and improve alignment along state boundaries) and the major land use allocations therein, including criteria-based management for non-habitat within the habitat management areas
- Mitigation for impacts to GRSG habitats
- GRSG habitat objectives
- Disturbance cap
- Fluid mineral development and leasing objective
- Fluid mineral leasing waivers, exceptions, and modifications
- Renewable energy development and associated transmission
- Minimizing threats from predation
- Livestock grazing
- Wild horse and burro management
- Areas of Critical Environmental Concern
- Adaptive Management

Given the diversity of GRSG habitats and their conditions across the sagebrush landscape, some habitat management concerns are more effectively addressed at the local level. As such, the purpose of this planning effort also includes amending some state-specific RMP management actions to facilitate GRSG habitat conservation efforts.

Changes to RMPs may be needed to –

- address the continued GRSG habitat losses that are contributing to declines in GRSG populations,
- ensure habitat management areas and associated management incorporate recent relevant science to prioritize management where it will provide conservation benefit (including providing durability when considering the effects of climate change),
- provide continuity in managing GRSG habitats based on biological information versus political boundaries, while allowing for management flexibility to address different strategies in identifying habitat management areas with state agencies (see Appendix 3) as well as local habitat variability, and
- refine and clarify other aspects of RMPs.

### **ES.3 RESOURCE TOPICS IDENTIFIED THROUGH SCOPING**

In the November 2021 Notice of Intent the BLM invited the public to identify issues, management questions, or concerns related to the preliminary purpose and need. Public comments were evaluated to identify issues related to GRSG habitat management and management for other public land resources and values. Issues were invited at both the range-wide and state-specific perspectives. Based on input received, the BLM refined the list of specific management actions and topics to consider for amendment (see Scoping Report chapter 3 at: <https://eplanning.blm.gov/eplanning-ui/project/2016719/570>).

This RMPA is not reconsidering all existing GRSG management actions from the 2015 RMP Amendments and revisions or the 2019 RMP Amendments. Management actions in the existing RMPs that do not need

to be changed to meet GRSG conservation goals will not be considered for amendment and will remain unaltered in the existing RMPs (see **Appendix 2** for the list of existing GRSG RMP goals, objectives, and management actions from each state, and which are being considered for amendment). See Section 1.6.2 in Chapter 1 for issues and management from the Scoping Report that are not being considered for amendment in this RMPA/EIS and associated rationale. Existing RMP management decisions related to these issues/management will continue to apply.

### ES.3.1 Issues Retained for Further Consideration in this RMPA/EIS

The following resource topics identified during public scoping are being carried forward for further analysis in this RMP Amendment/EIS.

- Special status species (including GRSG)
- Fish and wildlife
- Air resources and climate
- Soil resources
- Water resources
- Vegetation, including riparian areas and wetlands
- Wild horses and burros
- Cultural resources
- Lands with wilderness characteristics
- Wildland fire ecology
- Livestock grazing
- Recreation
- Travel and transportation
- Mineral resources
- Lands and realty
- Areas of Critical Environmental Concern (ACECs)
- Tribal interests
- Social and economic conditions, including environmental justice

## ES.4 ALTERNATIVES CONSIDERED

The development of alternatives was guided by the BLM's identified purpose and need, while remaining responsive to issues identified by our partners, in alignment with planning criteria, and compliant with Federal laws, regulations, policies, and standards, including the multiple-use mandates specified by FLPMA. This planning process considers six alternatives. These alternatives have been derived from scoping, interagency coordination, and internal discussions. The alternatives developed provide strategies to address management trade-offs related to planning components while aligning with the purpose and need.

### ES.4.1 Alternative 1

Alternative 1 includes the applicable elements of the 2015 Approved RMPAs (ARMPA) that are being analyzed for potential amendment. It does not include all the goals, objectives, and actions from the 2015 ARMPAs, as not all need to be changed to meet GRSG conservation goals. Under Alternative 1, the BLM would re-adopt the applicable GRSG habitat management area boundaries, goals, objectives, and actions from the 2015 Records of Decision (ROD)/ARMPAs (as updated through applicable maintenance actions). The existing language in the plans from the 2019 ARMPAs would revert to that contained in the 2015 ARMPAs (as maintained). Due to the U.S. District Court of Idaho's preliminary injunction preventing implementation of the 2019 amendments (see explanation in Alternative 2 summary below) this alternative reflects how the BLM is currently managing GRSG habitat on public lands. While the states have similar concepts in their RMPs (e.g., disturbance cap, adaptive management, livestock grazing, threats on predation), the detail on application varies. This alternative also includes designation of some areas of PHMA as Sagebrush Focal Areas (SFA) with a recommendation to withdraw them from mineral location and entry under the Mining Law of 1872 and prioritization for various other activities related to vegetation treatments, livestock grazing, and wild horses and burros.



### **ES.4.2 Alternative 2**

Alternative 2 is the No-Action Alternative and includes the applicable decisions from the 2019 Greater Sage-Grouse ROD/ARMPAs efforts except areas in Montana/Dakotas. Management in Montana/Dakotas would be based on the 2015 amendments because they were not amended in 2019. This alternative, including the habitat management area boundaries and associated management in the 2019 amendments, is the No Action alternative because it reflects management currently in the BLM's approved RMPs. The U.S. District Court for the District of Idaho has issued a preliminary injunction, preventing the BLM from implementing the 2019 amendments, but not vacating them or their Records of Decision. Because the 2019 RODs were not vacated, the decisions from the 2019 amendment effort remain the GRSG management language in the BLM's RMPs. Under this alternative the BLM would apply the applicable management from those 2019 efforts. Alternative 2 was developed through coordination with each state's applicable agencies, cooperating agencies, and public input to increase alignment with the State's GRSG conservation plan and strategies. It was further refined for alignment with BLM policies at the time those RMPAs were developed. While major land uses are similar to Alternative 1, differences between the states increased (e.g., differences in mitigation between states [required vs. voluntary, net gain vs. no net loss], as well as the potential to use compensatory mitigation instead of avoidance). SFAs would be removed from the BLM RMPs in all states except Oregon and Montana. Areas formerly identified as SFAs would still be managed with all the protections of PHMA, but would no longer include a recommendation for withdrawal and prioritizations would be the same as the rest of PHMA.

### **ES.4.3 Alternative 3**

Alternative 3 includes the most restrictive measures to protect and preserve GRSG and its habitat. Alternative 3 would update the habitat management area boundaries based on new information and science that has become available since the 2015 and 2019 efforts. All habitat management areas would be managed as PHMA. The BLM would close PHMA to new fluid mineral leasing, saleable minerals/mineral materials permits and nonenergy leasable minerals leasing (development associated with existing permits and leases would not be precluded). PHMA would be recommended for withdrawal from location and entry under the Mining Law of 1872 and would be unavailable for livestock grazing. PHMA would also be right-of-way (ROW) exclusion areas. Where there are currently designated wild horse and burro herd management areas overlapping PHMA, the wild horse and burros herd management area would become a Herd Area that is not managed for wild horses and burros. Under Alternative 3, the BLM would designate 11,139,472 acres of ACECs specific to the management of GRSG; the ACECs would include portions of PHMA and would have the same allocations (i.e., allowable uses) as the rest of PHMA. No areas would be identified as SFA because Alternative 3 considers the greatest level of restrictions on resource uses in all GRSG HMAs.

### **ES.4.4 Alternative 4**

Alternative 4 would update the habitat management area boundaries and associated management based on new information and science that has become available since the 2015 and 2019 efforts. While many of the allocations would be similar to Alternatives 1 and 2, areas to which management would be applied are updated to reflect new science. In Wyoming all PHMA management would be changed to no surface occupancy stipulations for new oil and gas leases (all other states already have this stipulation in PHMA). In addition, management associated with some of the major minimization measures (e.g., disturbance cap, adaptive management) is adjusted to address cross-boundary coordination of shared populations, rangewide biological and managerial concerns based on monitoring, and experience gained since 2015. Alternative 4 allows compensatory mitigation to be used under specific conditions. Additional

compensatory mitigation may be required where habitat and/or population adaptive management thresholds have been met. Alternative 4 also provides more opportunity for consideration of local habitat characteristics when applying mitigation exceptions but requires functional habitat prior to granting the exception. Areas previously identified as SFAs are managed as PHMA with removal of the withdrawal from mineral entry recommendation and prioritization strategies.

#### **ES.4.5 Alternative 5**

Alternative 5 considers other potential alignments of habitat management areas and associated management to balance GRSG conservation with public land uses. Updated state GRSG management area boundaries are considered on public lands in this alternative. Habitat management areas are similar to but refined from Alternative 4. Restrictions would generally be similar to Alternative 4, except for oil and gas in Wyoming which is similar to Alternative 2. However, reasonable differences in management would be considered while still providing GRSG conservation. Alternative 5 considered options with fewer restrictions on resources and provide more opportunities for considering compensatory mitigation to offset impacts on GRSG and its habitat. There are additional flexibilities associated with granting exceptions to fluid mineral stipulations and the disturbance cap. For wind, solar, and major rights-of-way Alternative 5 has less direct avoidance and provides more opportunities for considering compensatory mitigation to offset impacts on GRSG and its habitat. Areas previously identified as SFAs are managed as PHMA with removal of the withdrawal from mineral entry recommendation and prioritization strategies.

The BLM identified Alternative 5 as the preferred alternative in this Draft EIS. This alternative was selected after review of comments submitted by other government agencies, public organizations, state and tribal entities, interested individuals (during scoping) and cooperating agencies. Identifying a preferred alternative does not indicate any decision or commitments from the BLM. In developing the Proposed RMPA/Final EIS, the next stage of the planning process, the decision maker may select various goals, objectives, allocations and management prescriptions from each of the alternatives analyzed in the Draft RMPA/EIS. The combination of goals, objectives, and management prescriptions may also vary by state to address circumstances that vary between the states. This allows the BLM to select the best strategy that incorporates appropriate GRSG habitat management actions to meet the RMP goals and objectives, is consistent with the purpose and need, is in accordance with the agency's mandate to manage public lands for multiple use and sustained yield and aligns with state and local plans and policies to the extent possible.

#### **ES.4.6 Alternative 6**

Under Alternative 6, management for all habitat management areas and the topics being considered in the range of alternatives would be the same as under Alternative 5, but with the addition of designating ACECs. ACEC boundaries (and acres) would be the same as under Alternative 3, but management would be less restrictive within the ACECs compared to Alternative 3, though generally more restrictive than the rest of Alternative 6 PHMA.

### **ES.5 SUMMARY OF ENVIRONMENTAL CONSEQUENCES**

**GRSG:** All alternatives would apply some restrictions on resource uses within habitat management areas to reduce impacts on GRSG. The acreage and location of habitat management areas varies by alternative, and impacts on GRSG would similarly vary, with the BLM managing the most PHMA under Alternative 3, followed by Alternatives 4, 1, and 5/6 in descending order. The fewest acres of PHMA and General Habitat Management Areas (GHMA) would be managed under Alternative 2. The simple comparison of acreages does not reflect the incorporation of new science published since 2015 that more accurately identify



important GRSG habitats. Under Alternative 1, restrictions on development and avoidance/exclusion areas, would be focused in PHMA, while energy development, mining, ROWs, and other surface disturbing activities would be focused outside of PHMA. The BLM would incorporate adaptive management, mitigation, disturbance caps, habitat objectives, and monitoring, to reduce the total net impact on GRSG. Impacts from Alternative 2 would be similar to those under Alternative 1, with more flexibility incorporated in the management of activities that can impact GRSG, and the BLM would remove SFA in all states except OR and MT. Increased flexibility could increase potential impacts on GRSG habitat, including the potential for disturbance, degradation, and loss. Alternatives 1 and 2 habitat management areas do not reflect the most current research identifying habitat value for long-term persistence of GRSG, including potential habitat impacts resulting from climate change. Therefore, management actions may be incongruent with long-term conservation where Habitat Management Areas overlap areas of little conservation value, or do not capture areas key to GRSG persistence.

The greatest protection for GRSG habitat is under Alternative 3, which has the largest PHMA acreage with the greatest restrictions. However, actions to implement the Alternative 3 allocation making public lands unavailable to grazing would require increased fencing to separate federal and nonfederal grazing lands, resulting in possible habitat fragmentation, increased collision risks, increased opportunities for GRSG predators. Further, removal of grazing could allow for the buildup of fine fuels, which may increase the risk of a large-scale wildfire that would damage or destroy large areas of GRSG habitat.

Under Alternatives 4, 5, and 6, incorporation of new information and science that has become available since the 2015 and 2019 efforts would refine management for GRSG and associated habitats and improve cross-boundary coordination of shared populations compared with Alternatives 1 and 2, thus potentially improving management of GRSG across its range. These alternatives also retain components of the 2015 and 2019 amendments that continue to provide conservation to GRSG. Alternatives 5 and 6 may have more impacts than Alternative 4, given the fewer restrictions on resource uses and providing more opportunities for considering compensatory mitigation to offset impacts on GRSG and its habitat.

**Natural, biological, and cultural resources:** Protections for GRSG under all alternatives would result in incidental protections for other natural, biological, and cultural resources, including vegetation, fish and wildlife, other special status species, soil resources, water resources, cultural resources, tribal interests, air quality, climate change, and wilderness characteristics. The location and magnitude of impacts would be similar to those summarized for GRSG, based on habitat management area acreages and particular restrictions under each alternative. As described for GRSG, the removal of livestock grazing under Alternative 3 could result in an increased risk of wildland fire that could destroy or damage natural, biological, or cultural resources. Removal of all horses and burros from herd management areas that overlap with PHMA under Alternative 3 would result in short-term disturbances from human presence and round up activities. In the long-term the combination of removing livestock grazing and wild horses and burros could have positive benefits for grazing wildlife due to removal of uses that compete for similar resources.

**Resource uses:** Impacts on resource uses, including mineral development, livestock grazing, lands and realty, and renewable energy, are typically inversely related to impacts on GRSG. Alternative 3 would have the greatest effects on resource uses by making PHMA unavailable for livestock grazing and closing PHMA to mineral, ROW, and renewable energy development. There would be less variability in the differences between Alternatives 1, 2, 4, 5, and 6, and would be based on HMAs acreages and resource management

differences. For instance, management of PHMA as no surface occupancy (NSO) in Wyoming under Alternative 4 would increase restrictions on fluid mineral development compared to the other alternatives for that state. However, the NSO stipulations in areas of high development could limit flexibility of managers to locate disturbances in areas with the least potential for conflict with GRSG conservation. Areas managed as limited to existing routes and minimizing GRSG impacts through measures on recreation permits and facilities will vary by alternative based on differences in acres of PHMA. While SFAs under Alternative 1 and all PHMA under Alternative 3 would be recommended for withdrawal from location and entry under the Mining Law of 1872, the recommendation for withdrawal does not itself restrict any resource uses. As such, there would be no effects on locatable mineral claims or mine development. If, in the future, the Secretary of the Interior were to propose a withdrawal of the land from location and entry under the Mining Law of 1872, that proposal would be subject to appropriate NEPA and other analysis and if the Secretary were to withdraw the land following such analysis, location and entry under the Mining Law of 1872 would no longer be allowable, subject to valid existing rights.

**Special designations:** ACEC management would be unchanged under Alternative 2, 4, and 5 compared with Alternative 1. ACECs under Alternative 3 would have the most restrictive management, thus providing the greatest level of protection to the GRSG habitat in these areas, but reduce flexibility in application of the BLM multiple use mandate. The same ACEC boundaries are identified in Alternatives 3 and 6, but management of these areas is less restrictive under Alternative 6. For example, ACECs would be open to leasing but not allowing surface occupancy (Alternative 6) versus closed to leasing fluid minerals (Alternative 3). However, Alternative 6 management actions would still protect GRSG habitat and prevent most damaging habitat impacts.

**Social and economic conditions:** The nature and types of social and economic impacts associated with management actions under the alternatives would be similar across GRSG range, however, effects would not be evenly distributed and may be felt at the individual community-level to a greater degree. Under Alternative 3, the BLM would no longer manage PHMA for livestock grazing, mineral, and renewable and non-renewable energy development, supporting lower levels of these activities across GRSG range. Although the adverse economic impacts under Alternative 3 are likely to be concentrated in mineral extraction and livestock production sectors, reduced economic activity in public land-dependent sectors will have a ripple effect which causes economic activity in other sectors of the economy slow. Changes in economic conditions could affect rural quality of life and reduced levels of mineral development which could lead to shifts in the local economic base that create higher levels of unemployment and underemployment in some mineral dependent economies. Displaced workers in more diversified economies are likely to have an easier time finding new employment while rural residents may have to commute further for work or may have to consider re-locating out of the area. Those lacking financial resources to either commute further or relocate will be especially impacted. The scale of closures under Alternative 3 would have adverse impacts on social and economic conditions in a large number of communities and could affect fiscal budgets at both the local and state level of government, especially in states like Wyoming where taxes on mineral production serve as the largest source of tax revenue for multiple levels of government. However, Alternative 3 would provide the greatest protection of nonmarket values for GRSG and sagebrush ecosystems.

Alternatives 1, 2, 4, 5 and 6 would support higher levels of economic activity in natural resource-dependent economies across the planning area relative to Alternative 3. The adverse economic impacts of PHMA closures under Alt 3 would be compounded in communities where a significant portion of

residents either work in the oil and gas and mining sector or operate small family-owned ranches with affected grazing permits and ranching is their sole source of income, or where rural residents work in mineral extraction as a way to support a family while operating a small family-owned ranch. Restrictions on O&G development under Alts 2, 4, 5, and 6 could have a large negative impact on economic and fiscal conditions in some Western Colorado counties, which may affect social conditions and quality of life in some affected communities.

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