Appendix C

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APPENDI C
COMMENTS B RESO RCE PLANNING ISS E

The BLM received a total of 7,472 discrete comments during the Greater Sage-Grouse LUPAs/EISs scoping period. Of those comments, 5,253 applied to the range-wide planning area, 1,023 were specific to the Great Basin Region, and 1,196 specific to the Rocky Mountain Region. These comments were classified by process category and by planning issue. Comments for each process category and for planning issue category are included in this appendix. Comments are included verbatim from the comment letters; however, information in letters that was not considered a comment is not included here. Comments pertaining to multiple planning issue categories are included in each category. Comment letters can be viewed in their entirety at https://connect.doi.gov/uniquesig9a79b9d61a63982645 fad83233d9ce7a/uniquesig0/InternalSite/Login.asp?resource_id=A59F1E5B16ED 4320A717A2AD0F62F245&login_type=2&site_name=sharepoint&secure=1&orig_url=https%3a%2f%2fconnect.doi.gov%2f. Comments are included for the following groups, and are ordered by range-wide, region, subregion, or state:

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Table C-1
General Comments Outside the Scope of the EISs

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	I am serving my third term on the County FSA committee and have tried every way possible to improve the CRP program. As it stands now we can only graze the CRP for 1 year for management practices during a ten year contract. This is a waste and the feed on these tracts become worthless in about three years. They need to be harvested or grazed every third year.	All	Both	rmc0010GB
2.	The Bureau of Land Management Notice of Intent, published in the Federal Register 12/09/2012, states, "The BLM and FS will address socioeconomic impacts of the alternatives." Wind farm developers make all kinds of positive claims about the benefits of job creation and tax revenues coming into counties from wind powered electrical generation. Most of the jobs are temporary and only last during the construction phase of a wind farm. The contractor building the facility brings much of the workforce in. Their personnel don't buy or build houses but rather rent existing housing or park their travel trailers in RV campgrounds for the duration of the project. This fact is based on my observation of a wind farm facility constructed in Lincoln County, Kansas from 2007 to 2010. Once completed only a small handful of workers are needed to operate the Facility.	All	Both	rmc0038GB
3.	A socioeconomic impact that gets little consideration for wind farms is sustainability, or the lack thereof. Developers of wind farms have financial incentives that promote development but not sustainability. Double declining 5-year depreciation allows wind farm developers to depreciate the unsubsidized capital cost of installed equipment in five years. For the first 10 years of operation they get a production tax credit of 1.9 cents per kilowatt-hour of energy produced.	All	Both	rmc0038GB
4.	There is mounting evidence that government mandated installation of "green" energy actually destroys jobs and has a negative economic impact. Spain wanted to be a world leader in renewable energy development. An associate professor at King Juan Carlos University testified to the U.S. Congress, "Spain has already attempted to lead the world in a clean energy transformation. But our research shows that Spain's policies were economically destructive." As many countries in the financially broken European Union face bankruptcy and loan defaults, the government incentives to expand wind power and other forms of "green" energy are being reduced and tens of thousands are losing their jobs. In California there are at least three large wind energy sites, Altamont Pass, Tehachapi, and San Gorgonio, where the operators just walked away when government incentives dried up. Local taxpayers are left to clean up thousands of abandoned wind turbine towers.	All	Both	rmc0038GB
5.	As stated earlier in this comment, Lassen County is not a wealthy county. If wind farms are permitted, constructed and then abandoned, the county will not have the resources to reclaim the sites and return them to pre-wind farm conditions.	All	Both	rmc0038GB
6.	The management disaster that the US Forest Service has achieved in mis-managing the nation's forests should not be a model for this effort.	All	Both	cfc0035GB
7.	Eliminate all hunting season.	All	Both	cfc0047GB
8.	Open season on all predators (no limit)	All	Both	cfc0047GB
9.	Instruct Fish and Game to improve wildlife and bird management.	All	Both	cfc0047GB
10.	As long as extremist courts are allowed to govern professional personnel and decision making you don't have a chance. Look how your hands are tied with the mustang. Your expertise and capabilities mean nothing when decisions are made from the bench - Good Luck.	All	Both	cfc0064GB
11.	Many of these groups simply want to end all grazing on public land and the use of Federal land by humans. These groups	All	Both	cfc0065GB

Table C-1
General Comments Outside the Scope of the EISs

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	would like to see the BLM, Oregon Fish and Wildlife and other supportive groups fail in the goal to keep the Sage-grouse off the endangered list.			
12.	My comment on the Sage Grouse is that I think coyotes, bobcats, eagles and hawks have a greater affect on sage grouse population than humans do.	All	Both	cfc0028RM
13.	I think any sage grouse management should include increased predator control. I believe predator control would result in the quickest increase in sage grouse number.	All	Both	cfc0029RM
14.	3. The importance of predator control cannot be overemphasized where sage grouse are concerned, so predator control must be part of the management plan also.	All	Both	cfc0030RM
15.	The powersports industry as well as the broader OHV community have been partners to the USFS as it moves through its Travel Management Rule and continues to support BLM efforts to move to designated route systems, and have actively encouraged rider groups and individual riders to meaningfully participate in these processes. However, we are concerned that OHV recreationists may become fatigued as there is literally no end to efforts to limit motorized use. As many Forests wrap up the initial implementation of the Travel Management rule and OHVers begin to utilize the "new" systems of trails and areas they are now again being singled out in this process. While we understand that effective management requires continual review and management conditions are ever changing, we are concerned that motorized recreationists will feel that no decisions are final, as every decision is seemingly followed, and trumped by, yet another national effort that calls for ever less OHV opportunities.	All	Both	emc0330GB
16.	BLM land that are no longer part of a National Park, National Wildlife Refuge, or National Forest should be transferred to the states for them to manage.	All	Both	emc0217GB
17.	An example of this is the bull trout, the endangered species paper work lists the Salmon River Basin as not having an issue, and in fact the fish is in great shape and not in any danger, in other words very stable.	All	Both	emc0045GB
18.	ADMINISTRATIVE The following issues are outside the scope of the EIS since only Land Use Plans (LUP) are being amended. While the LUP's don't address politics or funding, the regulatory mechanisms for sage grouse and their habitat within the LUP's won't be successful without addressing the following subjects. It is impossible for the Conservation Measures goal, " maintain and/or increase sage-grouse abundance and distribution by conserving, enhancing or restoring the sagebrush ecosystem upon which populations depend in cooperation with other conservation partners" to be met without addressing politics and funding at the SO / WO levels. FUNDING ISSUE: Lack of out-year planning funds for enhancement projects Regular annual program funding in most renewable resource programs doesn't include funds for out-year planning, especially in BLM. BLM managers take a dim view of specialists performing future planning while the current year's workload exists and that workload many times is well funded by permit applicants whose projects are "fast-tracked" by Congress and upper levels of BLM. Without out year planning, it is nearly impossible to obtain and use some types of matching funds. It is especially difficult or nearly impossible to plan and execute a larger scale habitat enhancement project in programs other than fire's fuels	All	Both	emc0083GB

Table C-1
General Comments Outside the Scope of the EISs

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	reduction program. In part, this is because BLM project funds are only available for one year. New money isn't needed, just reprogramming of existing funds. ISSUE: Lack of maintenance funds for existing sage grouse habitat enhancement projects Congressional funding to land management agencies for habitat projects is for new projects – only new projects count as target accomplishments. Normal maintenance of existing projects can't be accomplished because there is little funding for maintenance and any maintenance work actually done doesn't count for anything under the reportable units of accomplishment to Congress. New money isn't needed, just reprogramming of existing funds. ISSUE: Lack of BLM carryover funding ability Although there are several opportunities to match agency funds through programs like Challenge Cost Share and Sikes Act, the BLM's funding cycle makes these funds very difficult to use. The federal year begins October 1. Most state funding cycles begin July 1 and many conservation organization's funding cycles begin January 1. That leaves 9 months or less to complete a project or place it under contract. A large, higher dollar project such as a vegetation habitat enhancement can't make it through the planning / contracting system in this time period. BLM is very adverse to carry-over funding which would solve some of the problem. The USFS funding cycle a little better in that there is a two year budget cycle and carryover funding is routinely done. LIVESTOCK GRAZING ISSUE: Livestock grazing program's agency / Congressional politics will hinder sage grouse management Livestock grazing on both BLM and USFS allotments has always been politically problematic. Some agency employees whose job is to implement LUP's and oversee AMP's believe they must protect livestock permittees from terms of permit and allotment plan terms / conditions; the mission of their job hasn't been made clear. In many cases, though, when agency employees try to enforce regulations requiring livestock grazers to simply obtain a grazing permit, to enforce terms of the grazing permit, implement objectives in an RMP or enforce terms of an AMP, these efforts are met with insurmountable resistance within the agency's upper administrative levels. Without every BLM person at every level going in the same direction as per the LUPs objectives and actions, meaningful sage grouse habitat management cannot occur. Resistance to trying to enforce grazing regulations, terms of permits, LUP guidelines etc is not unfounded as Congress has punished both agencies and individuals for trying to manage livestock grazing; some livestock permittees have extraordinary political power. The American public, many agency managers and field personnel do not understand that livestock grazing on public lands and USFS administered lands is not a right – it is a privilege. WILD HORSES ISSUE: Excessive wild horse numbers and yearlong grazing by wild horses Politics and the emotional drama surrounding horse gathers aside, funds for removal and maintenance can't keep up with the number of wild horses needing to be gathered. Without wild horse numbers being at AML in the majority of areas, sage			

Table C-1
General Comments Outside the Scope of the EISs

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	grouse habitat management cannot be accomplished in Nevada. FIRE-Fuels, HABITAT RESTORATION ISSUE: Economic and regulatory barriers for performing landscape sized habitat enhancement Treatment of woodland or other vegetation areas in an amount beneficial to sage grouse is expensive because of the cultural clearances needed and because of the hand labor / heavy machinery needed in some types such as the woodland. Regulatory cultural clearances, often subject to the approval of state SHPO's, are needed on nearly every acre of a proposed treatment area which creates a bottleneck due to the gridded physical inventory required. Habitat enhancement projects of any size in other vegetation types suffer from the same problems. As a first step, if the federal cultural resource specialist ok's a project, that needs to be good enough for the SHPO. I have 26 years of field experience with sage grouse habitat in the USFS and BLM, most at the journey level or above. I have 12 years USFS journey-level field experience during the ESA listing of the Mexican spotted owl along with the litigation before and after that listing.			
19.	Twenty-one Landscape Conservation Cooperatives are being established across the country by the USDI 'to better integrate science and management to address climate change and related issues.' The Great Basin LCC 'will provide to a wide array of managers a range of scientific and technical support tools for landscape-scale conservation design.' The steering committee will consist of twenty-four persons. Nineteen will be government or NGO employees, and five will be private representatives. Apparently those would be the five taxpayers who foot the bill for all the others. The Secretary of the Interior issued Secretarial Order 3110 designating selected lands as 'Wild Lands,' allowing the BLM to administrate them as wilderness areas. Now defunded by Congress, the Order circumvents the 2003 Norton-Leavitt Settlement prohibiting new Wilderness Study Areas.	All	Both	emc0087GB
20.	Prior to 1981, when the surface rights regulations were enacted, you could mine or perform exploration activity on BLM administered land without obtaining a permit or posting a bond. In 1981, a project took only a few days or weeks to permit. Now 30 years later, to obtain an approved Plan of Operation that requires an Environmental Assessment requires in excess of $100,000 in baseline studies and up to or more than four years for studies and permitting. For an Environmental Impact Statement this time and cost is likely to be more than double. The permitting process has become onerous and fraught with unnecessary bureaucratic delays. The current regulatory climate is now at best difficult and at worst punitive. In addition, prior to 1981 there were no bonding costs. Now bonding costs are exorbitant. Between permitting and bonding, the costs and time associated with bringing a new orebody on line or even expansion of a continuing operation has become horrendous. This has driven nearly all of the small miners out of business and left primarily the major mining companies who have availability to larger capital and staffing. Also, it has eliminated the ability to mine smaller or marginally economic orebodies due to the time and cost involved with the permitting process. Over the past 30 years mining on BLM administered land as become highly regulated.	All	Both	emc0091GB
21.	Putting these birds on the endangered list, brings to mind, could there be another way to study these birds?, without causing such a divede amoug our many interested citizens. This listing will cause very bitter feelings between the many "distant dogooder groups" and the people who deal with the real problems of land management, each day of their life. Is this push for	All	Both	emc0143GB

Table C-1
General Comments Outside the Scope of the EISs

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	listing of the sage grouse a"land grab".			
22.	Native coyotes and especially non-native ravens are a far greater threat to the Sage Grouse than humans are. Ravens and coyotes eat the Sage Grouse eggs and prey on young Sage Grouse chicks. Rather than restricting or banning human use on private and public lands, a far better solution would be to reduce the raven and coyote populations. Placing a bounty on these predators and scavengers would be far cheaper and a much more effective solution to protecting the Sage Grouse populations.	All	Both	emc0144GB
23.	Although BLM does not have control over state wildlife assets, it is your best interest to have a policy that strongly encourages state wildlife agencies to put a moratorium on sage grouse hunting for 5 years. A moratorium review should be conducted to determine success of such actions.	All	Both	emc0164GB
24.	I believe that state wildlife agencies would be better suited to take the lead on sagegrouse management.	All	Both	emc0167GB
25.	Several years ago a study was done on the decline of the sage grouse in this area by the Fish and Game Department. The study determined that coyotes, ravens, crows and magpies were most likely the biggest threat to sage grouse population decline. They were going to implement a predator control program until Western Watersheds Project filed an injunction with the courts to have it stopped. It is my personal opinion that this was done not in the interest of preserving wildlife, but because it did not fit the WWP agenda of ending all grazing on public lands.	All	Both	emc0208GB
26.	There are a few things that need to happen to help the sage grouse. One thing is the state governments in the areas affected by sage grouse need to stop having any hunting seasons , until the birds recover to where they should be. I am a hunter and have seen what has happened to them and if properly managed they would come back.	All	Both	emc0211GB
27.	My last comment concerns fires on the INL. The INL is a valuable resource in terms of habitat and solidarity for the sage grouse. But in the last 10 years, fires have destroyed lots of the sage brush. Has any consideration been given to habitat restoration on the INL?	All	Both	emc0231GB
28.	In addition there is no mention of non-native predators (Red Fox & Raccoon) and the devastation to Grouse that they have caused.	All	Both	cfc0006RM
29.	There is no mention of the Grouse deliberately killed by hunting while working peoples livelihoods are severely affected.	All	Both	cfc0006RM
30.	Definitive research on the issue of predation by Common Ravens. We are aware of some research that has been done and also of much anecdotal evidence that the proliferation of Common Ravens in the Great Basin during the past half century has had a major impact on nesting success of Sage Grouse.	All	Both	emc0397GB
31.	Based on this information we strongly recommend that in deriving valid decisions through NEPA analysis, that first BLM use any available local data. studies. maps and documented behavior patterns and or traits of the actual birds in this area as a base to all) dicision that would drive the RMP/LUP management guidelines for Sage Grouse. It is imperative therefore. that the data collected for years by our local Sage Grouse Working Group and DWR be recognized and given the highest level of credibility in this process.	All	Both	emc0410GB
32.	We are encouraged that representatives from the land management agencies have consistently stated that the objective of the current planning efforts are to implement practices that will remove the sage grouse from the candidate species list. We	All	Both	fxc0006GB

Table C-1
General Comments Outside the Scope of the EISs

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	remain concerned that progress toward that objective may not be sufficient to dissuade the United States Fish and Wildlife Service from proceeding with a threatened or endangered listing within the established timeframe. Further, such efforts could also be circumvented through litigation.			
33.	We understand the political pressure to maintain a limited sage grouse hunt but find the collection of data through this avenue statistically suspect. While the FWS has ranked hunting near the bottom of the list of Identified Threats to Greater Sage Grouse. the impact is not negligible and the cost of implementation is comparatively small	All	Both	fxc0006GB
34.	Finally. as landowners that have made a great effort to improve our private lands, we should be rewarded for managing for many wildlife species rather than penalized. Riparian communities in the west are largely privately owned, and play a key role In the life cycle of sage grouse and every other living organism on our rangelands. Perhaps land managers could be rewarded for good management practices instead of being forced into regulations developed for inappropriate managers.	All	Both	fxc0010GB
35.	I would first like to question the listing of this bird in Nevada. Sage grouse populations in Nevada are much higher then they were in presettlement days. The first explorers that crossed Nevada mentioned sage grouse minimally in their journals. The Indian's diet consisted mostly of roots and tubers, and the explorers had to eat their horses in order to survive when crossing Nevada. The sage grouse population then grew along with the sheep and cattle ranching population. Now population estimates range from 80,000 to 150,000 birds, many more birds than the first settlers encountered. The population has decreased but that does not mean that the bird is near extinction. Therefore, I encourage the BLM to argue this point with the US Fish and Wildlife Service and help them prove to Judge Winmill that there is no need to list this bird because its population is no where near extinct. This listing seems to be nothing more than an agency listing in order to gain control over mining, recreation, agriculture, private property rights and the BLM and other agencies that will be forced to adhere to more restrictive policies. This is proven by the fact that neither the US nor the Nevada Fish and Wildlife is including predator control or decreased hunting in trying to solve this problem. The BLM should fight this "necessary but precluded" label as wen as the actual listing.	All	Both	fxc0013GB
36.	The greater sage-grouse should not be listed. Why list this bird as endangered when there are many thousands more birds then needed to maintain the USFWS's "minimum effective population size" of 5000 birds?	All	Both	fxc0013GB
37.	Early 80's studies of collared grouse showed 75% of successful nesting hens were shot. Smaller broods and later season hunts led to the harvest of hens intended to be young grouse.	All	Both	cfc0011RM
38.	Surface Disturbance the prairie dog transborders (ie moving, fence, human activity) are equal to mineral development.	All	Both	cfc0020RM
39.	What has the Douglas Range District done to make itself not so hostile, unprofessional to land owners i.e. incorrect mapping not following guideline as in the Thunder Basin Prairie Dog Management Plan.	All	USFS	cfc0020RM
40.	An economically vigorous fur trade reduces the coyote population, which increases chick survival rate.	All	Both	emc0013RM
41.	Another thing that should be banned before cattle is hunting sage-grouse. There is no doubt that a man with a gun does more damage by killing the bird than a cow does just looking at it. If sage-grouse are close to being endangered why in the heck is there still an open hunt on them?	All	Both	cfc0068GB
42.	The ESA has a dismal failure rate. Spending money is no object, and I object to my hard earned tax dollars being spent on such fluff as brochures and propaganda to force the listing of one more bird or animal	All	Both	emc0279GB

Table C-1
General Comments Outside the Scope of the EISs

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
43.	I REALIZE MONEY IS THE MASTER BUT COMMON SENSE SHOULD PREVAIL, and there seems to be unlimited funds for ESA.	All	Both	emc0279GB
44.	NOW, let me chastise the above groups and this study. Your priorities are totally WRONG. In business we prioritize the must do, should do and may do and concentrate on the real issues keeping in business. You should be extending all resources towards the must do; such as Fire Mitigation associated with the Pine Beetle problem in Colorado and Wyoming. Your departments want private parties to cut dead trees and get rid of slash, but you do little. I am involved in a CWPP in Jackson County and it is frustrating to watch our federal agencies lack of effort. So get all hands away from their WORD and PowerPoint studies and start cutting. All of the sage grouse will be gone if a	All	Both	emc0052RM
45.	The FWS Findings4 found that a minimum effective population of up to 5,000 individuals will safeguard GSG from the long-term risk of extinction. The FWS Findings argue "a minimum effective population size must be 5,000 individuals to maintain evolutionary minimal viable populations of wildlife (retention of sufficient genetic material to avoid effect of inbreeding depression or deleterious mutations)." See FWS Findings,4 page 13959, 2nd column, 1st paragraph, underlined emphasis added. Given the lack of any published estimates establishing a more specific minimum effective population for GSG, the FWS Findings conclude from the best scientific and commercial information available that "up to 5,000 individual sage-grouse may be necessary to maintain an effective population size of 500 birds…" and "the minimum viable population size necessary to sustain the evolutionary potential of a species… has been estimated as high as an adult population of 5,000 individuals (Traill et al. 2010, p. 32)." See FWS Findings,4 page 13985, 2nd column, 2nd paragraph, underlined emphasis added. The FWS Findings establish lower minimum effective populations that put discrete GSG communities at risk of extirpation at localized or regional scales. The FWS found that geographically isolated sage-grouse populations "that fell below 50 breeding adults" were at risk for short-term extirpation, while populations "that fell below 500 breeding adults" were at risk for long-term extirpation. See FWS Findings,4 page 13959. Thus, the minimum effective population for GSG to maintain sufficient genetic material to protect the species from the long-term risk of extinction was found by the FWS to be as high as 5,000 mature birds range-wide, while the minimum effective population to guard against extirpation of geographically isolated populations was found to be 500 breeding adults.	All	Both	emc0395GB
46.	Table 4 of the FWS Findings reports GSG population estimates by state/region based upon 2002 to 2008 data. The estimated range-wide GSG population totals more than 535,000 birds. See FWS Findings,4 Table 4, page 13921. The total estimated current GSG population of more than 535,000 birds is 107 times greater than the minimum effective population (5,000 birds) that protects the species from the long-term risk of extinction, making it clear that GSG are far from being endangered with imminent extinction. Thus, GSG do not legally qualify for listing as "endangered" under the ESA. Instead, the FWS Findings engage in hand-wringing that presumed trends of declining populations, if continued, may threaten the species with extinction sometime in the future. If the estimated contemporary (1985 to 2007) rate of decline of 1.4% annually (page 13922) 4 were to continue into the distant future, it would take 330 years for the estimated current GSG population to shrink to the minimum effective population of 5,000 birds. Speculating what might occur more than three centuries from now stretches way beyond the foreseeable future into the remote future. Thus, GSG are not in danger of extinction in the foreseeable future, so do not currently qualify for listing as "threatened" under the ESA.	All	Both	emc0395GB

Table C-1
General Comments Outside the Scope of the EISs

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
47.	I am strongly opposed to the Bear Ranch Land Swap. Mr. Koch's organization claims that trading a few acres of land close to HWY 50 near Blue Mesa is beneficial for the sage grouse. However, in trade for a few acres there and other land in Utah they want to take access away from the public near the Gunnison National Forest (the BLM strip and adjacent land -1846 acres) and privatize it. Perhaps even run a train through the BLM strip if they get their land grab. One of the largest elk herds of CO is in the adjacent Gunnison National Forest. The BLM strip provides access for quiet users and people that are respectful of the habitat.	All	Both	emc0169RM
48.	While FWS may engage in the proposed planning process as a regulator responsible for implementing the ESA, the agency should also participate as a land manager responsible for administrating key sage-grouse habitat. FWS currently manages 21 refuge units, totaling more than two million acres, within the historic range of Greater Sage-grouse (see Appendix 4) (some refuges have more sagebrush habitat than others). Presently, many of these refuges are in the process of completing their comprehensive conservation plans (CCPs) or reviewing existing plans for updates. The value of these lands to sage-grouse recovery should not be overlooked, especially if refuge CCPs are appropriately amended, including to potentially expand existing refuge boundaries to protect additional sagebrush steppe. The National Wildlife Refuge System Administration Act (16 U.S.C. §§ 668dd-668ee, as amended) directs the Secretary of Interior to "plan and direct the continued growth of the System in a manner that is best designed to accomplish the mission of the System, to contribute to the conservation of the ecosystems of the United States, to complement efforts of States and other Federal agencies to conserve fish and wildlife and their habitats, and to increase support for the System and participation from conservation partners and the public" (16 U.S.C. §§ 668dd(a)(4)(C)). To support growth of the refuge system, the statute also provides the Secretary the authority to "[a]ccept donations of funds and to use such funds to acquire or manage lands or interests therein" and "[a]cquire lands or interests therein by exchange for acquired lands or public lands, or for interests in acquired or public lands, under his jurisdiction which he finds to be suitable for disposition" (16 U.S.C. §§ 668dd(b)(2), (3)). The Secretary could also designate new refuge units in the form of Legacy Conservation Areas like that established in the Flint Hills in Kansas (USFWS 2010). While not entirely regulatory in nature, establishing such areas could contribute to sage-grouse conservation by uniting public lands management goals with complimentary, federally funded initiatives on private land to conserve sage-grouse on mixed land ownerships (see e.g., NRCS 2011; NRCS 20097).	All	Both	emc0391GB
49.	The federal government must consult with western states about their desired hunting seasons for sage-grouse. Recovering sage-grouse must include increasing populations to support sustainable harvest goals. The BLM and USFS should ensure that federal conservation planning supports western states annual harvest goals.	All	Both	emc0391RM
50.	Pursuant to the Natural Gas Act, FERC approves all new interstate natural gas pipelines, and any expansions of existing interstate natural gas systems, by iss ing certificates of public convenience and necessity. The FERC process includes the consideration of effects to federal and state sensitive species. FERC certificates often include conditions requiring applicants to obtain permits from other federal, state, triba l, and/or local agencies before construction may begin. The time required to obtain these approvals and to coordinate with the various agencies has increased in recent years, undermining the predictability and timeliness of pipeline permitting.	All	Both	emc0278GB

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51.	Both legal hunting and illegal poaching may pose a threat to already declining sage-grouse populations. State wildlife agencies are currently charged with determining sustainable hunting limits for sage-grouse, which is generally based on the concept of compensatory and additive mortality. This theory presumes that hunting is not additive to overall grouse mortality and does not account for any additional reductions in population. The validity of the idea that hunting is a form of compensatory mortality for upland game birds has been questioned in recent years, and many recent studies suggest that hunting of upland game, including the greater sage-grouse is often not compensatory. Hunting levels based on the concept of compensatory mortality generally assume that overwinter mortality is high, which is not true for sage-grouse. The underlying assumptions of this theory, thus, may not correlate to sage-grouse as well as other species. Additionally, state wildlife agencies currently aim to keep harvest levels below 5 to 10 percent of the population, based on recommendations from several prominent authors known for their writings about sage-grouse. However, it is unclear what the recommendation is based on and has not been directly studied or tested with regard to its actual impacts on sage-grouse populations. Although the Fish and Wildlife Service recently concluded that recreational hunting is not a significant threat to the species, nevertheless it is a source of direct mortality that combines with other impacts to negatively affect sage-grouse populations. There is very little relevant information regarding the impacts of poaching or illegal hunting on sage-grouse populations. While we know that an increase in human access often leads to an increase in poaching, it is unclear whether the effects on sage-grouse are significant. This is a reasonably foreseeable impact deserving of more study.	All	Both	emc0276GB
52.	In reference to the Joanah Field, the BLM had total disregard for all wildlife and the effects of habitat and water and air pollution. The need to start extracting with minimal impact, this includes coal mining, rock mining, mineral and natural gas.	All	Both	rmc0001RM
53.	EISs and SEISs should recognize the importance of predation to grouse numbers and provide adequate authority and flexibility to local land managers to use all available control methods.	All	Both	emc0284GB
54.	5. page 12, Recreation. The annual hunting or harvest season of sage-grouse by recreationalists should be terminated. Scientific rhetoric exists that shows annual bird hunting does not impact sage-grouse numbers; but, just one sage-grouse hen taken or harvested equates to the loss of seven to twentyone chicks. This is based on the average life span of sage-grouse of three years and the average clutch of seven eggs per successful nesting.	All	Both	emc0289GB
55.	We pray that your attention will be on the predation problem. The sage grouse are preyed upon by coyotes and ravens. Both of which are extremely numerous. Maybe we can have incentives for the public to hunt these predators. Maybe we can expand our government trapping programs rather then decrease them as we have been.	All	Both	emc0293GB
56.	BLM is on the edge of making the same errors that occurred with the Northern Spotted Owl. The listing decision and subsequent designation of critical habitat for the spotted owl destroyed the logging and sawmill industries for three states based on the premise that logging of old growth timber was causing the decline of spotted owl populations. Comments submitted in 1989 on the listing decision suggested that predation by the barred owl was causing undetermined levels of mortality but this was brushed aside. Twenty years later, much of the designated critical habitat has burned, taking the old growth habitat and the owls with it. Notwithstanding no logging for 20 years, the spotted owl status is unchanged. Now DOI proposes to shoot barred owls given the rates of predation on the remaining spotted owls, 77 Fed. Reg. 14036 (Mar. 9, 2012),	All	Both	emc0371GB

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	while doubling the critical habitat that will be closed to logging, 77 Fed. Reg. 14062 (Mar. 8, 2012); c.f. 77 Fed. Reg. 12985 (Presidential memorandum directing USFWS to consider economic impacts, including some logging in the expanded critical habitat).			
57.	Since 2008, WLC has performed three intensive biological field surveys and no evidence or sign of sage-grouse has been identified on our project site. These surveys were performed by a third-party environmental consulting firm by qualified scientists. In addition, WLC's geologists and environmental staff have also visited the site on a regular basis since 2008, and the presence of sage grouse within the project area and immediate vicinity has never been documented. However, according to NDOW's Greater Sage-grouse Habitat Categorization Map, the immediate vicinity of our project area is designated as "Essential/Irreplaceable Habitat". Because evidence of sage grouse has not been found on our site, WLC questions the accuracy of the published maps. Please identify what information was utilized to determine the boundary of the "essential/irreplaceable habitat". Please identify if the Sage-grouse Habitat Categorization map can be revised to more accurately reflect actual site conditions. Please define "essential/irreplaceable habitat" and "habitat of moderate importance" and what is allowed and restricted within these designations. In addition, we also assume that drawing boundaries on maps is sometimes a very subjective decision. Are these "irreplaceable habitat" area decisions reviewed internally to very accuracy? Are these discretionary decisions? WLC has a concern that regulatory agencies (e.g., BLM and NDOW) will use the Greater Sage-grouse Habitat Categorization Map at a project-level scale and will use the maps (and the identified boundaries) to set policies and as a basis for decision making. Although NDOW clearly states on their web site that the maps should not be used at a project-level scale, BLM and NDOW are likely to impose strict mitigation measures and possibly restrict an applicant's use of public land based on the identified boundaries shown on the Categorization Map.	All	Both	rmc0068GB
58.	Analyze the financial impacts/burdens on the nation's budget of the petition process under the Endangered Species Act as related. To the Greater SageGrouse. (This wou,ld include mandates for changes to Land Use Plans and all the pertinent actions required for successful completion.)	All	Both	rmc0055GB
59.	According to the Nevada Board of Wildlife Commissioner's report in August 2011, an estimated 6.3% of the Greater Sage-Grouse in Nevada were harvested in 2009. From 2004-2008, the fall harvest average was 3.52%. NV Energy requests that hunting, as well as all other land uses that have the potential to impact sage grouse, be fully considered in the EIS.	All	Both	rmc0049GB
60.	The BLM should fight this "necessary but precluded" label as well as the actual listing.	All	Both	fxc0013GB
61.	The greater sage-grouse should not be listed. Why list this bird as endangered when there are many thousands more birds then needed to maintain the USFWS's "minimum effective population size" of 5000 birds?	All	Both	fxc0013GB
62.	Please accept this fax as my fonnal complaint of disapproval for any and all changes in grazing practices as a result of a potential listing of the Sage Grouse as threatened or endangered. To list the Sage Grouse as either would be in direct violation of the endangered species act as actual numbers of live birds far exceed the numbers required to trigger listing in either category	All	Both	fxc0017GB
63.	The recommendations made by fish and wild life as to the amount of standing grass needed to camouflage the birds is ridiculous and unattainable	All	Both	fxc0017GB
64.	The minimum effective population for greater sage-grouse to protect the species from the longterm risk of extinction	All	Both	emc0409Gb

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	range-wide has been determined by the FWS to be 5,000 mature birds, while the minimum effective population on a regional scale has been determined to be 500 breeding adults. See FWS Findings (footnote 4) at pages 13959 and 13985. The proposed EIS process must analyze the current population level in relationship to the minimum effective population. The current estimated population for greater sage-grouse is between 350,000 and 535,000 birds, which is 70 to 107 times greater than the "minimum effective population" of 5,000 birds. See FWS Findings (footnote 4) at page 13921. In fact, given the estimated contemporary (1985 to 2007) rate of decline of 1.4% per year (see FWS Findings (footnote 4) at page 13922), it would take 300 to 330 years for the estimated current greater sage-grouse population to dwindle to the minimum effective population of 5,000 birds. Clearly, the greater sage-grouse is not endangered with imminent extinction, and it is unreasonable to conclude that the species is threatened with extinction in the foreseeable future, so there is no reason to list the greater sage-grouse as “endangered” or “threatened” under the ESA.			
65.	These negative economic impacts are unnecessary and the conservation measures you propose are unwarranted because the greater sage-grouse is not legally qualified for listing as "endangered" or "threatened" under the Endangered Species Act. The NOI alleges that the purpose of the proposed project is to "avoid a potential listing under the Endangered Species Act" by the US Fish and Wildlife Service (FWS). The Endangered Species Act (ESA) states that the purpose of the Act is to "provide a means whereby ecosystems upon which endangered species and threatened species depend may be conserved.." (see ESA, Purposes). Since this purpose applies only to ecosystems "upon which endangered species and threatened species depend" a finding that a species is endangered or threatened must occur before the ecosystem that supports the species falls under the purview of the Act. By definition under the ESA, an "endangered species" is "any species which is in danger of extinction" and a "threatened species" is "any species which is likely to become an endangered species within the foreseeable future.." (see ESA, Definitions). Thus, under the ESA, a species can only be listed as "endangered" if it faces imminent extinction, or as "threatened" if it is at risk of extinction in the foreseeable future. The minimum effective population for greater sage-grouse to protect the species from the long-term risk of extinction range-wide was found by the FWS to be as high as 5,000 mature birds, while the minimum effective population on a regional scale was found to be 500 breeding adults. See FWS Findings, 3 pages 13959 and 13985. The current estimated population for greater sage-grouse is between 350,000 and 535,000 birds, which is 70 to 107 times greater than the minimum effective population of 5,000 birds. See FWS Findings,3 page 13921. In fact, given the estimated contemporary (1985 to 2007) rate of decline of 1.4% per year (see FWS Findings,3 page 13922), it would take 300 to 330 years for the estimated current greater sage-grouse population to dwindle to the minimum effective population of 5,000 birds. Speculating about what might occur three centuries from now reaches into the remote future, well beyond the foreseeable future. The greater sage-grouse is not faced with imminent extinction or extinction in the foreseeable future, so is not legally qualified to be listed as either "endangered" or "threatened" under the ESA. Existing Wilderness Areas, National Wildlife Refuges, National Parks, and National Conservation Areas likely already support more than 5,000 GSG and sufficient high quality habitat to support them. These nationally designated areas are already managed under special regulatory mechanisms that in many instances mirror the proposed mechanisms that current sage-grouse planning strategies recommend for conservation of the species and its habitat. If so, there is no need to implement additional conservation measures anywhere else in the GSG’s occupied range because its numbers and population	All	Both	emc0402GB

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	trends in these nationally designated areas already supply sustainable populations and habitats to meet or exceed the minimum effective population, thereby safeguarding the species against the risk of extinction.			
66.	In view of new information brought to my attention I believe there may be a fundamental question concerning the legitimacy of qualifying greater sage-grouse for listing consideration under ESA based upon USFWS estimated existing population citations (between 350,000 and 535,000 birds) and USFWS estimated rate of decline citations (1.4% per year) versus the minimum effective population for greater sage-grouse needed to protect the species from the long-term risk of extinction range-wide as determined by the USFWS to be 5,000 mature birds. (Reference the attached authored by Western Range Service).	All	Both	emc0373GB
67.	The NOI and the National Strategy were noticed for comment. In fact, with respect to the National Strategy, individuals, state agencies, industry and interest groups concerned with sage-grouse conservation submitted an extensive amount of information during that comment period. In contrast, the IMs were effective upon issuance and were not noticed for comment. Prior to the issuance of the December 2011 IMs, AWEA suggested to BLM that the policies set forth in those documents should not be established through the issuance of IMs but rather evaluated through a notice-and-comment process14 as they would determine the outcomes of the RMPs at issue in the NOI. In other words, the policies that will drive and frame the actual conservation measures have already been determined without an opportunity to comment on them. BLM has never provided an explanation as to why IMs, which add substantive requirements to the National Strategy and the NOI should not be similarly noticed for comment. As we explain further below, we reiterate that failure to notice the Ims for comment was a violation of the APA.	All	Both	emc0344GB
68.	Many grazing decisions that remain the underlying basis for current management never had any real NEPA conducted on them. For example, DNAs and "Plan Conformances" with the old MFP is the only NEPA coverage for nearly all the Montana Mountain Lone Willow PMU lands. Or they were subject to only minimal EA analysis where often false claims of non-significant impacts were made about disturbance impacts. So there has been no honest detailed analysis of adverse direct, indirect and cumulative impacts of grazing, and no valid hard look taken at a range of alternatives. This continues up to the present. For example, Ely BLM has issued separate, piecemeal Eas staggered over time for several permittees in large allotments like Duckwater. Each treats the grazing of one permittee as separate from all other. The analyses brush over the degree of ecological degradation that is occurring, and how severe or significant this degradation may be.	All	Both	emc0411GB
69.	BLM goes to great lengths to avoid addressing livestock grazing impacts and changing allocations at all even in the context of preventing spread of invasive species. Here is an example of how BLM has been operating to shirk its obligation to conduct adequate environmental analysis and address and control invasive species impairment of the public lands. BLM conducted a Weed EIS Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic EIS finalized in 2007. Throughout this process, WWP and other environmental groups asked that BLM address grazing and make significant changes in livestock grazing and other land use allocations to deal with expanding invasive species threats. We emphasized that BLM must address the causes of weed invasion. But we were told repeatedly by BLM Weed EIS lead Brian Amme that No, the Weed EIS would not do that. Addressing livestock grazing and stocking was an allocation and that was done at the Land Use Plan level. So BLM's weed EIS only focused on NEPA analysis of herbicides. It also ignored NEPA analysis of its plans to impose massive treatment disturbance through fire/fuels projects across millions of acres laid out	All	Both	emc0411GB

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	in a parallel document Draft Vegetation Treatments on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Report (PER). The PER was never analyzed under NEPA. BLM refused to address the causes of weed invasion. BLM also ignored analysis of a citizens' alternative and science-based recommendations to integrate passive restoration with some active management to address causes and restore weed-invaded sites. BLM proceeded to implement a battery of vegetation treatments described but never analyzed under NEPA in its PER report. No integrated controls on livestock as weed vectors and grazing as a cause of weed infestation and spread have been applied, nor has any overall analysis of the massive treatment disturbance's weed-promoting effects. Sage-grouse habitats have since suffered weed invasions. The expensive fire and fuels treatments that have degraded and altered sage-grouse habitats have, predictably, often become infested with extensive cheatgrass invasion that is exacerbated by chronic livestock grazing disturbance. Examples; Ely BLM Cherry Creek, Austin Fuelbreaks, Elko Owyhee border Fuelbreaks, Spring Valley Veg Treatments, etc			
70.	While parrying environmental group concerns with its Weed EIS ignoring weed-promoting allocations, the BLM all the while was developing Land Use Plans that did not deal with grazing use allocations in any substantial way whatsoever. BLM did not make any real changes at all in livestock grazing allocations or land areas open to/suitable for grazing use. For example, in 2007-2008, BLM signed Records of Decision for the long-anticipated Ely RMP and several other controversial RMPs as well. These RMPs, rather than examining livestock grazing disturbance as a causal factor of weed invasion and much other degradation, and then making significant reductions in allocations under the Land Use Plan, just continued the status quo. There was no effort to reduce livestock stocking rates that promote disturbance and cause invasive species invasion and spread, or to assess risk and threats of weed invasion and determining that sagebrush lands at high risk of weed invasion were unsuitable for continued grazing use. BLM merely kept the allocation the same, and found nearly all lands continued to be suitable for imposition of grazing disturbance. The allocation was that all lands remain open to grazing - with status quo AUMs on the books until later analysis. So virtually the entire land area of critically important sage-grouse habitats in these RMPs was open to livestock disturbance (and often multiple overlapping disturbances of both sheep and cattle grazed in the same land area).There was also no adequate scientific baseline provided for these RMPs related to livestock grazing and ecological conditions, carrying capacity, or other factors in the first place. BLM just rubberstamped the AUMs forward, and kept everything Open to grazing.	All	Both	emc0411GB
71.	The Ely RMP deferred any livestock reductions until later FRH processes. From 2009, up until 2012, Ely BLM has proceeded to issue livestock grazing decisions based on FRH processes and watershed assessments that overwhelmingly claim trees and horses are the causes of land health problems, and turn a blind eye to livestock degradation. These fail to fully and fairly separate out current and cumulative livestock grazing disturbance impacts, impacts of horses vs. cattle vs. sheep, impacts of multiple permittees grazing in the same landscape, etc. In its grazing EAs and FRH processes, BLM typically claims that current grazing is not environmentally significant. Only if there is severe damage, BLM might admit livestock are a cause. Then, the primary changes made are shifting livestock use a bit (actions resembling the weak near-status quo NTT grazing provisions) or more sagebrush treatment and tree removal. BLM minimizes any need for on-the-ground grazing AUM reductions by pointing back to the allocation of the land for livestock grazing in the RMP to justify status quo, or near status quo grazing, and allow stocking at levels often far above the actual use that has been occurring. Rarely if ever are AUMs significantly reduced.	All	Both	emc0411GB

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	In the few instances where any reductions are made livestock are often not reduced to levels of average actual use (the average number that has been grazed in recent decades which is often far below the number on the permit). At the time of the RMP, Ely already knew that the AUMs on permits (which was the allocation carried forward in the RMP) far exceeded levels being grazed under Actual Use. Ely churns out grazing decisions permittee by permittee in a staggered and piecemeal fashion -even in instances where there may be 7 or 8 permittees in the same allotment land area, grazing sheep on top of cattle or vice versa. And often analysis of impacts of the Proposed Action are based not on the number of livestock actually being grazed, but instead under the assumption that the full permitted number on paper have caused the damage. Not only must the Ely and other RMPs be amended, all the harmful Decisions issued under these RMPs must be scrutinized and revised immediately under this sage-grouse process.			
72.	Agencies routinely minimize the level of environmental analysis conducted - and this continues up until March 2012. For example, the Owyhee BLM is proposing to analyze the impacts of livestock grazing across several allotments spanning over a quarter million acres. These allotments include very important sage-grouse habitats that are being highly degraded by livestock grazing and trampling that is promoting weeds. But the BLM is Scoping these as a single meager EA. The Scoping actions described are reminiscent of livestock industry proposals from 25 years ago. The problem is NOT the lack of information. The problem is BLM refusing to deal honestly with land uses like public lands ranching. See USDI BLM Garat, Castlehead Lamber. In Garat, for example, BLM is proposing to graze livestock at numbers greatly above the levels of actual grazing use that Priority habitats and occupied General habitats.	All	Both	emc0411GB
73.	Jarbidge, Ely Westside, Bridgeport, Martin Basin (Santa Rosa) and other Humboldt-Toiyabe Forest EIS's Are Symptomatic of Agency Failures In 2008-2009, the Forest after several years finalized a Jarbidge Rangeland EIS that was based on a theory of "herbivory" as laid out in a pamphlet by Dietz. This pamphlet was derived from the Nebraska greenhouse studies of Crider –Take Half, Leave Half. The Forest's EIS view overwhelmingly focused on "herbivory" and a very narrow view even of that. It pervaded a series of Rangeland EIS processes that started circa 2004-2005 up through 2011. This same long-obsolete view of the impacts of livestock grazing drove other Rangeland EISs (the Martin Basin EIS in the Santa Rosa region, the now-retracted Ely Westside Rangeland EIS, the retracted Bridgeport EIS, and the Mountain City EIS that was aborted after the Forest had agreed to consider an alternative developed by WWP with the Forest's assistance). Despite being presented with large volumes of information on the adverse impacts of livestock grazing an all components of the sagebrush ecosystem, and sage-grouse and other wildlife habitats, and adverse impacts of livestock grazing and livestock facilities like fencing and West Nile virus-promoting water troughs, the Forest has proceeded up through the present, in this same livestock industry range myth-based analysis.	All	Both	emc0411GB
74.	I oppose cheap energy at great cost to the environment. We need the incentive to conserve	All	Both	fld0005rm, fld0005gb
75.	I also oppose public subsidization of the meat industry, whether in direct payments to corn and soy farmers, or in lax environmental regulation.	All	Both	fld0005rm, fld0005gb

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76.	Sage brush grows in some of the most inhospitable environments this country offers. Encroachment be other species of trees like Juniper and some Pine species change the environment enough that the sage brush will suffer and often recede. Management of the other species would enhance the ability of the sage brush to flourish. Please consider the following: Where necessary, make unwanted species available to uses such as firewood or other uses where the public would be encouraged to come and remove them without restriction.	CO	BLM	emc0067RM
77.	Even more ironic is the fact that Colorado still has a hunting season for sage grouse; hence, we question whether draconian conservation measures are warranted.	CO	Both	emc0143RM
78.	Here are a few assaults by other human that kill sagehens, all intentional. Some people shoot them with shotguns, rifles, pellet guns, bb-guns, bow and arrows, crossbows, and even slingshots. Since they are heavy breasted and would rather walk than fly, some people want to eat their meaty breasts and use the birds as easy targets. Crafty falconers turn their pet birds on sagehens for practice in the isolated areas.	CO	Both	rmc0016RM
79.	Year around cars run over or hit sagehens when they fly low over roads. In the spring, people spray their food with chemicals intended to kill weeds, sagebrush, willows, insects or to help make hay grow. Private vehicles, four wheelers, and livestock smash nests and young when they crouch for protection. In the summers, haybinds, and mowing machines often sever the legs as birds hide in tall hay in meadows with shy young. People on snowmobiles chase then during the dead of winter chasing birds from place to place since sagehens don't fly far when spooked. This human fun stresses the birds in the frigid cold sometimes causing death.	CO	Both	rmc0016RM
80.	All year long roaming pet dogs and cats kill eggs, young, and adults often times not even eating them.	CO	Both	rmc0016RM
81.	Some ranch employees blast sage hens every time they see one for food to help feed their families. Its sure illegal, but a few WCO can't catch them in such a big area.	CO	Both	rmc0016RM
82.	While the impacts of other users, both positive and negative, are peripheral to our operations, the costs of mitigation measures are of great concern. Our ratepayers grow weary of bearing the vast majority of the cost of salmon and steelhead mitigation while sportsmen and commercial fishing contribute very little to species recovery.	GB	Both	rmc0056GB
83.	My family has entered into a multi-year Conservation Program Contract with the USDA Natural Resources Conservation Service for the Idaho Sage-Grouse Initiative restricting use of our land to improve or maintain the quantity and quality of food and/or cover for sage-grouse. It is inconceivable to me that one federal agency (USDA-NRCS) would be so diligent to prevent the listing of the Greater Sage-Grouse while other agencies are entertaining the Gateway West Transmission Line proposal (application across federal lands in multiple western states coordinated by BLM) to authorize occupancy of adjacent and nearby federal lands for uses that would locate substantial structures and necessary staging sites, access roads, etc. in critical sage-grouse habitat, thereby permanently displacing the sage-grouse.	IDMT	Both	rmc0071GB
84.	One of the alternative routes of the proposed Gateway West line would locate a section of line and one or more towers on our private property, which is adjacent to National Forest Service System Lands. Siting of such massive structures and related infrastructure along with introduction of invasive species (which can never be totally mitigated) through ground disturbance	IDMT	Both	rmc0071GB

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	and wildfire which would be increased due to construction and monitoring improvements via vehicle access constitute the three top threats to the greater sage-grouse. As BLM spokeswoman JoLynn Worley stated, " ... any disturbance on lands where there are sage grouse leks or what we are identifying as preliminary priority habitat for sage grouse can pose a threat."			
85.	We have entered into a multi-year Conservation Program Contract with the USDA Natural Resources Conservation Service for the Idaho Sage-Grouse Initiative restricting use of our land to improve or maintain the quantity and quality of food and/or cover for sage-grouse. It is inconceivable to us that one federal agency (USDA-NRCS) would be so diligent to prevent the listing of the Greater Sage-Grouse while other agencies are entertaining the Gateway West Transmission Line proposal (application across federal lands in multiple western states coordinated by BLM) to authorize occupancy of adjacent and nearby federal lands for uses that would locate substantial structures and necessary staging sites, access roads, etc. in critical sage-grouse habitat, thereby permanently displacing the sage-grouse.	IDMT	Both	rmc0072rm
86.	One of the alternative routes of the proposed Gateway West line would locate a section of line and one or more towers on our private property, which is adjacent to National Forest Service System Lands. Siting of such massive structures and related infrastructure along with introduction of invasive species (which can never be totally mitigated) through ground disturbance and wildfire which would be increased due to construction and monitoring improvements via vehicle access constitute the three top threats to the greater sage-grouse. As BLM spokeswoman JoLynn Worley stated, " ... any disturbance on lands where there are sage grouse leks or what we are identifying as preliminary priority habitat for sage grouse can pose a threat."	IDMT	Both	rmc0072rm
87.	We have a small population in the Dillon area that could be very negatively impacted by the proposed MSTI power line.	IDMT	Both	flb0046gb
88.	On Coyote Ridge, near San Jose, California, a biologist studying the Bay checkerspot butterfly noticed that wherever the cattle were removed, the butterflies left, too. He discovered that without grazing, the range was taken over by Italian rye grass, which choked out the native plantains that the butterflies ate. Fortunately, people listened to him, and today conservation efforts on Coyote Ridge include grazing plans to preserve butterfly habitat (Nash 2009).	MT-RM	Both	emc0013RM
89.	When the Nature Conservancy took over the Matador Ranch in Phillips County, they immediately cut back on grazing. The result was that they lost their longbilled curlews. These birds depend on sparse grass for nesting and cow manure for foraging and camouflage. When the Nature Conservancy increased grazing pressure, the curlews came back. (Pers comm Linda Poole, Phillips County.)	MT-RM	Both	emc0013RM
90.	Anti-grazing bias has been especially harmful to native fish populations. 1.3.1.1 The Spikedace of the Verde River On the upper Verde River in Arizona, the US Forest Service removed cattle grazing to protect the habitat of a desert minnow, the spikedace. With the cattle gone, the vegetation changed. This altered the hydrology of the river. The Forest Service took a river ecosystem that was 80% native fish and turned it into an ecosystem with 20% native fish (Daggett 2008, p. 54). No spikedace has been found there since the cattle were removed. (Dagget 2005, p. 45). 1.3.1.2 Dalhousie Springs Kodric-Brown et al. (2007) document the extirpation of 18 fish populations in Dalhousie Springs, Australia, after the removal	MT-RM	Both	emc0013RM

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	of feral donkeys and camels. 1.3.1.3 Ash Meadows Kodric-Brown and Brown (2009) document the extinction of a pupfish population in an Ash Meadows desert spring that was altered when feral horses were fenced out.			
91.	Protection can be extremely dangerous for rare species. The Czechs had beautiful, rare orchid species in forest meadows. They protected them from human impact, the yearly hand scything for hay that had been happening there for centuries. Once the orchids were protected, the trees expanded into the meadows and the orchids all went extinct. In Ash Meadows in the United States and Dalhousie in Australia, rare desert spring fish were protected from livestock. Once the fish were protected, the desert springs were overgrown and became wet meadows instead of pools. The fish were not able to live out of water, and 19 populations went extinct (Kodric-Brown & Brown. 2007. Front. Ecol. Environ. 5(10): 549- 553.)	MT-RM	Both	emc0023RM
92.	Finally. as landowners that have made a great effort to improve our private lands, we should be rewarded for managing for many wildlife species rather than penalized. Riparian communities in the west are largely privately owned, and play a key role In the life cycle of sage grouse and every other living organism on our rangelands. Perhaps land managers could be rewarded for good management practices instead of being forced into regulations developed for inappropriate managers.	NVCA	Both	fxc0010GB
93.	With that being said public land grazers are extremely concerned about the impact the above referenced Notice of Intent will have on the range livestock industry in Nevada.	NVCA	Both	emc0304GB
94.	As proponents for the Proposed Action to implement new sage-grouse conservation measures, BLM and USFS must comply with the above-cited Council on Environmental Quality ("CEQ") regulations. These regulations apply universally - regardless of whether the EIS evaluates a private-sector Proposed Action or an agency-driven Proposed Action. The current map does not satisfy the CEQ regulations pertaining to data quality or accuracy. When NVMRA member companies submit a Plan of Operations for a proposed mineral exploration project to BLM and USFS, the agencies typically require NVMRA member companies to retain qualified biologists to perfonn on-the-ground wildlife surveys of our project areas to identify habitat areas for sage-grouse and other wildlife species. The agencies use this infonnation to prepare the NEP A documents required to evaluate the impacts of our proposed activities. We would never be allowed to provide decade-old satellite imagery data - even to provide a generalized overview of habitat conditions - to satisfy the agencies' requirements for wildlife baseline data for the NEPA analysis.	NVCA	Both	emc0327GB
95.	I would first like to question the listing of this bird in Nevada. Sage grouse populations in Nevada are much higher then they were in pre-settlement days. The first explorers that crossed Nevada mentioned sage grouse minimally in their journals. The Indian's diet consisted mostly of roots and tubers, and the explorers had to eat their horses in order to survive when crossing Nevada. The sage grouse population then grew along with the sheep and cattle ranching population. Now population estimates range from 80,000 to 150,000 birds, many more birds than the first settlers encountered. The population has decreased but that does not mean that the bird is near extinction. Therefore, I encourage the BLM to argue this point with the US Fish and Wildlife Service and help them prove to Judge Winmill that there is no need to list this bird because its population is no where near extinct	NVCA	Both	fxc0013GB

Table C-1
General Comments Outside the Scope of the EISs

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
96.	This listing seems to be nothing more than an agency listing in order to gain control over mining, recreation, agriculture, private property rights and the BLM and other agencies that will be forced to adhere to more restrictive policies. This is proven by the fact that neither the US nor the Nevada Fish and Wildlife is including predator control or decreased hunting in trying to solve this problem.	NVCA	Both	fxc0013GB
97.	Finally. as landowners that have made a great effort to improve our private lands, we should be rewarded for managing for many wildlife species rather than penalized. Riparian communities in the west are largely privately owned, and playa key role In the life cycle of sage grouse and every other living organism on our rangelands. Perhaps land managers could be rewarded for good management practices instead of being forced into regulations developed for inappropriate managers.	NVCA	Both	fxc0010gb
98.	If sage hen may be listed as an endangered species, why are they still being hunted?	NVCA	Both	fxc0014GB
99.	The old timers talk about how there were lots of sage grouse when there were high numbers of livestock and high predator control. The Sage Grouse Production and Mortality Studies released by NDOW in 1988, Project W-48-R-21 states 'There has been a continual decline in sage grouse numbers across Nevada for the past 30 years." The summary goes on to say that, "Ravens were determined to be the greatest predator with the dummy nest losses of 39% occurring in 'good Sage Grouse habitut"'. The summary also states that, "magpies, badgers, and even ground squirrels prayed on eggs."	NVCA	Both	fxc0014GB
100.	A separate study done in 1942 by game researcher Warren Allred found in Wyoming that "89% of all sage grouse nest were being destroyed by predators-of which 23% were attributed to ravens and 14% to coyotes." It has been said at meetings that sage grouse numbers peaked in the 1950's, but people have disputed. That predator contol was a factor by saying that there is no real scientific data to prove this. Even though the poison 1080 and government trapping was used extensively for predator control in the 1950's and 60's. These meetings also showed that predation was not thought to be a real problem. It was stated that ravens and other birds eat 50% of the eggs. It was further stated that the eggs that did survive into chicks later died, because there wasn't any "good" habitat for them to survive in.	NVCA	Both	fxc0014GB
101.	Dr. Peter Coates, a wildlife biologist from the USGS also proved that ravens destroy a lot of sage grouse nests. Although he went on to say: 1. If the habitat was 'good' the ravens couldn't get the eggs, but again NDOW's 1988 Project W-48-R-21 showed that wasn't the case. Maybe this is because as Dr. Coates mentioned, ravens in the avian world, are comparable to chimpanzees in intelligence and so the ravens will find nests even in 'good' habitat. 2. He also said predation efforts were made on ravens one year and the next year more ravens came back, but when we looked at his 2004 'The Effects of Raven Removal on Sage Grouse Nest Success paper he notes that, "due to the time lag between the beginning and completion of restoring sagebrush stepp communities and the rapidly declining rate of sage grouse abundance, it may be important to incorporate raven damage management activities for endangered populations until habitat quality is sufficient at concealing nests from predators." From this statement he shows that predator control is necessary. Should predation efforts on ravens be carried out 3 to 4 more years to really determine if more ravens come back?	NVCA	Both	fxc0014GB
102.	In response to BLM's recent scoping and infonnation meetings for the 10 Resource Management Plans (RMPs) within 4 BLM districts in Oregon, the Department encourages BLM to incorporate, at a minimum, the sage-grouse conservation guidelines	OR	Both	emc0088GB

Table C-1
General Comments Outside the Scope of the EISs

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	identified in the April 2011 Greater Sage-grouse Conservation Assessment and Strategy for Oregon (GSCAS).			
103.	Nice flat open areas in thin sagebrush or grassy knolls that have been used by sage grouse for millions of years to strut and boom, but are now sites for house trailers, corrals, or water wells. The Jackson County sheds now sits on such a big lek site where sagehens boomed until it was built taking away another of the many breeding area. Along Ughtning Ridge is another such site.	OR	Both	rmc0016RM
104.	In Oregon we are particularly interested in the population of Golden Eagles that are currently gaining a foothold in the area of the wind farm being built in the Bend/Redmond area. We feel there are modifications that could be made to accommodate NOT having to bludgeon wildlife to death. This will include our Silver Hair Bat that is near extinction.	OR	Both	fla0106gb
105.	My recommendation would to stop hunting the sage grouse on the Aquarius Plateau and use this population as a brood to transplant and increase populations in other areas, as this was successfully done in 2004 to 2008 in a transplant from Parker Mountain to the Strawberry valley in northern Utah.	UT	Both	rmc0062gb
106.	I don't see a need for federal control or regulations to manage sage grouse in the Thunder Basin National Grasslands. I believe the state should have control over it's wildlife and management of species. Federal regulations are not needed or wanted in Weston County.	WY	Both	cfc0027RM
107.	2. The Wyoming Game and Fish Department has the personnel, the expertise and ability to manage - sage grouse in the State of Wyoming. Additionally, the Wyoming Game and Fish is charged with the responsibility to do this, not a Federal agency.	WY	Both	cfc0030RM
108.	Hunting is not an issue in the USRBCA at this time. Much of the suitable habitat in the Jackson Hole area lies in Grand Teton National Park and the National Elk Refuge and has been closed to hunting since their establishment. The remainder of the area has been closed to all sage-grouse hunting since 2000 to protect these small isolated populations	WY	USFS	emc0144RM
109.	Limit plans and actions to nothing more and nothing less than the Wyoming Governors Executive Order.	WY	Both	emc0176RM
110.	Since there is no known nor proven method to control expansion of large numbers of prairie dogs upon the sage grouse habitat within the Category 1 boundary except rodenticide. I propose that you change the policy on the use at rodenticide. It's the only proven method tor protection ", habitat for the sage grouse. Least of all, our tax dollars should not be wasted upon experimental type, 01 control for the prairie dogs who encroach upon habitat where they are not desired. Prairie dogs are aggressive and expand their territory and ultimately destroy habitat used many other species, They do have their own obligate species which follow their use and expansion patterns, which seem to do well by following the prairie dogs. Their own ability 10 expand very quickly into vast amounts of acreage by its own definition insures they will then the plague cannot keep their numbers low for an appreciable amount of time. The United States never be short prairie dogs for the enjoyment of many folks. However, the sage grouse is adversely affected by loss of habitat resulting from the inhabitation and decimation of their habitat by prairie dogs, These two species cannot coexist.	WY	Both	rmc0043RM

Table C-2
Comments Related to Issues to Be Solved by National Policy

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	The issue of hunting a candidate (or endangered) species needs to be addressed and analyzed in the EIS. Will these priority habitat areas become de facto hunting preserves, since there is still a hunting season on these birds?	All	Both	rmc0027GB
2.	If the BLM is concerned about Sage Grouse Populations why do they allow sport hunting to continue?	All	BLM	rmc0041GB
3.	We are loosing the sage-grouse species for one reason they are being killed by humans. Any effective strategy will reduce the opportunity for humans to harass and kill these birds. Roads should be closed to major sage-grouse habitat. Signs should be erected that discourage hunting. ORVs disturb the birds. The BLM and USFS should erect signs (and monitor use) that tell people ORV use is discouraged.	All	Both	emc0016GB
4.	THIS IS THE SAME AGENCY THAT IS SABOTAGING AND KILLING EVERY SINGLE WILD HORSE IN AMERICA. SENDING TIIEM TO SLAUGHTERHOUSES, TAKING THEM OFF THE RANGE THEY HAVE LIVED ON ALL THEIR LIVES, AND HOUSING THEM SO TAXPAYERS HAVE TO PAY TO FEED THEM. THOSE HORSES WERE KEEPIGN THEMSELVES QUITE FINE ON THE LAND BELONGGING TO NATIONAL TAXPAYERS BUT THIS VENAL, VICIOUS AGENCY CALLED BUREAU OF LAND MANAGEMENT WANTS TO GIE THAT LAND OVER TO CATTLE RANCHERS WHO PAY $5.00 AN ACRE PER YEAR TO DESTROY THE LAND.	All	BLM	emc0020GB
5.	THE LAND IS DESTROYED BY CATTLE. THE PLANS OF THIS AGENCY NEED TO BE SCRUTINIZED MUCH MORE CLOSELY THAN THEY ARE. THIS AGENCY IS GETTING AWAY WITH WHOLESALE WILDLIFE MURDER.	All	BLM	emc0020GB
6.	The endangered species law is being used to gain control over landscapes and seascapes rather than to protect species. We do not believe Congress intended the act to be used in this manner. Despite the healthy and stable numbers, the sage grouse is being considered to be listed based on speculative risks of what might happen to the species. Predictions of species responses based solely on projected changes in the availability of suitable habitat are likely to be inaccurate because they fail to account for important processes that potentially may influence extinction. We believe that there should be a requirement that a population is in a state of decline before a listing is made. If climate change or energy development is the issue, and the (Fish and Wildlife) Service says it's not going to regulate climate change or oil and gas, don't list the sage grouse under the ESA. The law should not be used for purposes for which it was not intended. The ESA should be focused on species recovery, not restoration of ecosystems that are changing as a result of change over time. The Endangered Species Act has changed from one of the least controversial laws enacted by Congress to one of the most contentious. Criticisms including that the act is costly, contemptuous of private property rights, and ineffective. An effort that eliminates the current system of designating "critical habitat," territory deemed critical to a species' survival is badly needed. Such a designation can open the door to significant land-use restrictions.	All	Both	rmc0001GB
7.	Amended land use plan will state and comply with ESA regulation that requires removal of Sage Grouse listing after the purpose of it has been accomplished.	All	Both	rmc0004GB
8.	The first is simple: If you want to help the bird population and turn the trend to increase, then stop hunting them. Until you see an increase in population and good scientific information to begin hunting them again.	All	Both	rmc0048GB
9.	The issue of hunting a candidate (or endangered) species needs to be addressed and analyzed in the EIS. Will these priority habitat areas become de facto hunting preserves, since there is still a hunting season on these birds?	All	Both	rmc0029GB
10.	For wind farms that have been established, the impact to birds has been devastating. At the Altamont Pass Wind Resource	All	Both	rmc0038GB

Table C-2
Comments Related to Issues to Be Solved by National Policy

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	Area (APWRA) in California, the reported annual collision deaths for eagles was 75 to 110, for red tailed hawks 300, for Burrowing Owls 380 and for American Kestrels 333. That is over a thousand raptor mortalities per year. Many additional bird species are also killed totaling 4,700 annually. At New York's Tug Hill plateau, the completed facility is estimated to kill 16,000 birds and bats annually. Any conventional energy industry would be prosecuted and fined for such mortality. But because wind power is "green" the industry gets a pass. The wind industry claims that the newer designs are bird friendly. Until documented and measurable reductions in bird mortality from wind turbines can be produced, no new wind projects on federal lands should be permitted and a moratorium on construction for approved projects should be instated.			
11.	As it stands now, taxpayers are funding the construction of private wind farms and subsidizing their operation. Why should the public also pay for the decommissioning of failed wind farm sites that ultimately could not compete in a free market economy in the first place?	All	Both	rmc0038GB
12.	The horn hunters are out in full force on our sage-grouse habitats, many illegally cross country on their ATVs. I remain convinced this is probably the largest recreation impact.	All	Both	emc0197GB
13.	I would like clear concise goals established by all agencies that a citizen can access online.	All	Both	cfc0037GB
14.	Coordinate the agency websites. Too many links!	All	Both	cfc0037GB
15.	1. The NEPA process should address aspects of application and implementation of the technical recommendations and describe how the science will inform the policy; 2. Application and implementation of technical recommendations at all levels within each agency should be informed by the science. The alternative - the process fails; 3. The performance of agency employees should be evaluated against application and implementation criteria as informed by the science at all levels of decision making and for all on-the-ground uses and actions; and	All	Both	emc0066GB
16.	In addition to habitat improvement, I believe there is a need to reduce predators and eliminate the hunting of Sage Grouse	All	Both	emc0091GB
17.	I believe we need to eliminate hunting Sage Grouse until they are shown to be rebounding in population.	All	Both	emc0091GB
18.	Stop the hunting first, that should be the first step!	All	Both	emc0119GB
19.	The EIS must determine whether hunting of sage grouse is indeed an insignificant impact on the overall population. Are hunting kills adequately estimated? Are some hunting methods such as unrestrained ATV usage on BLM land harmful in themselves to sage-grouse populations?	All	Both	emc0121GB
20.	It is also curious to us why if the bird's numbers are in decline, we still allow a hunting season in their prime areas? Is this good management, or just a hurried process to get the birds listed?	All	Both	emc0128GB
21.	We understand the political pressure to maintain a limited sage grouse hunt but find the collection of data through this avenue statistically suspect. While the FWS has ranked hunting near the bottom of the list of Identified Threats to Greater Sage Grouse, the impact is not negligible and the cost of implementation is comparatively small. Further, we believe that each industry, indeed each project, should bear the cost of the mitigation it requires.	All	Both	emc0396GB
22.	Our ratepayers grow weary of bearing the vast majority of the cost of salmon and steelhead mitigation while sportsmen and commercial fishing contribute very little to species recovery. This same problem is very evident in the sage grouse debate as many times utilities, ranchers and other commercial interests are asked to contribute most of the funding for mitigation and	All	Both	emc0396GB

Table C-2
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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	habitat improvement while the sportsman that hunt these species are not contributing a commensurate amount. \Vhile we understand the right of the sportsman and the concept of multiple use, it seems very odd that hunting these birds, even though it is considered low impact. Surely cannot help in the effort to improve populations of the sage grouse in these areas			
23.	As an individual in the ranching business, I oppose all efforts of putting the sage-grouse on the endangered species list. Why?	All	Both	cfc0046GB
24.	There is still an open hunt in Idaho. They claim that hunters don't kill enough birds to be significant. (around 7000)the last I heard. I don't know what they think is significant but hunting practices have changed as well. I see hunters riding double on ATV's and riding in jeeps on all four corners. When a group of birds gets up they kill a lot of them with their 10 or 12 gage mag with a full choke. Then they are mobile enough to watch where they land. When they finish they have killed the entire brood. That may be more damaging than the number they kill.	All	Both	emc0377GB
25.	Water developments do not rate very high on the "threats to sage grouse" graph but availability of surface water and distribution of water sources and moist sites is likely very important to grouse in this area relative to the large expanses of xeric habitaq	All	Both	emc0173GB
26.	I have a suggestion for a possible solution to the sage grouse survival. I suggest you break up the geographical '\7\-\ - areas that the sage grouse roam in to different studies, different styles of study. I don't have any idea how many -' l:' different studies that would be, but allow these studies at least 5 years to run there course. Before any of the studies \.0 ~ begin we need an accurate and honest count of all the sage grouse in each of the designated areas. In one of the cr areas I would like the study to allow the hunting of any and all of the birds and animals that prey on sage grouse. The raptors in the sage grouse habitat have gone unchecked for decades allowing there numbers to be far greater than there prey can allow. We all know that the coyotes have gotten way out of control in all of the sage grouse habitat, where you could put a bounty on them to encourage people to thin the numbers down a little. I am not saying you need to wipe these animals out, I am just saying you need to control there numbers to allow for the grouse to thrive. If you could allow the people that enter this designated study area to manage some of the predator numbers I am positive the number of sage grouse will begin to climb.	All	Both	emc0004RM
27.	Also I find it contradictory that it is important to protect the sage-grouse and possibly hurt the Rancher's liveihoods by limiting or not even allowing cattle to graze on public lands when sage-grouse are currently allowed to be hunted. This seems like an oxymoron to me. A good place to start saving sage-grouse is to not allow them tobe hunted. This should be a higher priority than regulatory cattle grazing. When considering a strategy,	All	Both	cfc0069GB
28.	In conclusion, the government should find more productive ways to spend large sums of administrative monies instead of creating more restrictive rules and policies that do nothing but cause economic harm to small ranchers and livestock operators. These businesses are not only tax paying citizens but pay thousands in grazing fees to the BLM and USFS, as well. Do not over regulate to the extent where the small business rancher themselves become an endangered species. Special interest groups do not pay taxes and in all actuality are nothing more than tax shelters for the very rich.	All	Both	emc0148GB
29.	Please support the US Fish and Wildlife's proposal to have endangered species protection for the sage grouse.	All	Both	emc0203GB
30.	With the passage of the March10, 1972 amendment to the Migratory Bird Treaty Act of 1918 the predator pressure to the sage grouse has been building. This amendment granted protection to thirty-two species of birds including eagles, hawks, owls and the Corvidae family. Ravens, like crows are highly opportunistic and exploit a wide range of food sources depending on	All	Both	emc0208GB

Table C-2
Comments Related to Issues to Be Solved by National Policy

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	what is available and when it is available. In addition, they are regarded as being among the most "intelligent" of all birds and are quick to learn about (and exploit) new food sources. Their habit of feeding in large flocks also means that they can easily tackle potential prey much larger than they are. Ravens, crows and magpies are all listed in the "Landowner's Guide to Common North American Predators of Upland Nesting Birds.			
31.	I fnd that I must take great exception to the comments of Idaho Federal District Judge B. Lynn Winmill in his February 6, 2012 decision in favor of Western Watersheds Project vs. BLM. Winmill indicated that BLM had failed to examine the cumulative impact of its actions across a wide expanse of sage grouse habitat, and that actions such as fencing springs to prevent trampling by cattle were unacceptable, since they "ensure(s) that this potential habitat cannot be used by sage grouse." Now I don't have a degree in Rangeland Management, but I do know that typically spring enclosures are built to only keep large animals out. I have never seen one that a sage grouse would not be able to walk under or fly over. Even if someone were allowed to build such an enclosure that could keep small animals out, typically the overflow from a spring development runs into an overflow area so that smaller animals would be able to access water there if they were not able to drink from the water trough.	All	Both	emc0208GB
32.	Deter or shorten the hunting season on the sage grouse. If their numbers really are as low as claimed then the logical solution is not to hunt or cut back the number of days that the season is open. This way the birds can have at least one year to repopulate themselves. A voluntary halt by sportsmen would probably surprise you that they too are concerned and capable of providing support in their management.	All	Both	emc0241GB
33.	Pressures will be heavy from conservation groups and radical groups alike for the listing of the sage grouse as endangered. The action of such would have devastating economic and cultural effects on the American west. I challenge the Bureau of Land Management to stand their ground. They know our public lands and what is right for each different area of it. Trust in the people that really care about the lands and the communities that call them home.	All	Both	emc0241GB
34.	I am opposed to listing the Greater Sage Grouse with the Endangered Species Act. The stringent rules and regulations regarding the bird's conservation impose so many restraints upon ranchers that they will be unable to operate their businesses and produce beef and beef by-products, which are consumed by millions in our country and abroad	All	Both	emc0244GB
35.	I would be willing to see the hunting of sage grouse closed for several years, if it would help to improve the population.	All	Both	cfc0014RM
36.	The Fish & Wildlife Service folks need to get out here on the ground & see the anger and frustration of producers. It's real hard to see things from an office in Washington D.C.	All	Both	cfc0018RM
37.	Hunting sagegrouse doesn't make a lot of sense anymore. If it is continued- all license $ collected should go towards projects providing water for the grouse, which is a limiting factor given short shrify.	All	Both	cfc0018RM
38.	NEPA was designed to protect the human element which is not given true consideration.	All	Both	cfc0020RM
39.	Will there be a mitigation committee to deal with conflict as result of plan that develops	All	Both	cfc0020RM
40.	The Montezuma County Colorado Board of County Commissioners would like to state, for the record, that we are opposed to the listing of the Greater Sage Grouse as an Endangered Species. That said we understand that these comments directed to the BLM regarding the forthcoming Environmental Impact statements published in the Federal Register December 9.	All	Both	emc0032RM

Table C-2
Comments Related to Issues to Be Solved by National Policy

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
41.	While we understand the Greater Sage Grouse is experiencing population decline and that it merits adaptive management strategies in effort to reverse this trend, we do not believe that the scientific evidence currently supports an outright Endangered Species Act (ESA) listing.	All	Both	emc0032RM
42.	The ESA has become a very popular tool for environmental groups and conservation organizations because of the vast regulatory power it carries. The Federal ESA prohibits "taking" of an endangered or threatened animal. This includes some of the obvious and common sense restrictions including that you cannot "harm harass, pursue, hunt, shoot, wound, kill, trap, capture, or collect any threatened or endangered species." However In 1975, the Secretary of Interior broadened the definition of "take" by defining "harm" as: "An act or omission which actually injures or kills wildlife, including acts which annoy it to such an extent as to significantly disrupt essential behavioral patterns, which include, but are not limited to, breeding, feeding, or sheltering; significant environmental modification or degradation which has such effects is included within the meaning of "harm." "Taking" is also interpreted to mean habitat alternation resulting in harm to the species. Whether on private or Federal land, whether intentional or unintentional.	All	Both	emc0032RM
43.	We do not argue that the Sage Grouse is a magnificent bird and worthy of being conserved. However the petition for listing the Sage Grouse identifies many problems which cannot be addressed easily or at all. Clearly the ESA will attempt to assert regulatory control over the things it can affect, such as grazing and energy development yet ignore many things that it cannot affect which often playa more significant role such as fire, precipitation patterns and diseases. ESA regulation will also ignore one plain and simple fact. People are a natural element within the environment. Humans can change the way they interact with the landscape, but humans have as much right to be in the landscape as any other species.	All	Both	emc0032RM
44.	Also, as a rancher that lives and works on the land, there are two issues that continually come up when discussing this with friends and neighbors: · Why do we continue to have a hunting season for sage-grouse when they are on the verge of being listed?	All	Both	emc0043RM
45.	Digressing slightly: As of December 2011, sixteen months after completion of the HAF, the NTT Report notes that it still had not been published, nor had the BLM followed through with direction for its implementation, despite it being a high-priority for completion and a specific element (Strategy 2.2.2) of BLM's National Sage-Grouse Habitat Conservation Strategy (November 2004). Prior to my retirement, I initiated the contract with WAFWA to complete the HAF and know the high degree of anticipation that existed to get it done and in use. Had it been promptly published and guidance issued shortly after its completion, as intended, 1) apparent inconsistencies in how sage-grouse habitat is referenced may have been avoided and 2) field offices and others interested in conducting habitat assessments would likely have made substantial progress by now. After completion, the HAF was posted to a Wyoming Game and Fish web page, (http:// gf.state.wy.us/web2011/Departments/Wildlife/pdfs/ SG_HABITATASESSMENT0000669.pdf). To my knowledge, that is still the only open web source from which it can be downloaded, despite it being a BLM document intended for agency and public use, including private landowners. Unless one knows it is there or knows the name of the document for a web search, they would have difficulty finding it.	All	Both	emc0113GB, emc0036RM
46.	I would like one of the alternatives studied for the EIS to be a moratorium on hunting of greater sage grouse and no other restrictions. If this cannot be done because of conflicting state-federal laws, I would like to have an option where the state can voluntarily opt to ban greater sage-grouse hunting in return for the BLM/USFS not imposing any additional land use	All	Both	emc0262GB emc0107RM

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	restrictions. I would like to see a study of projected Sage-Grouse populations if all hunting of them was banned, or if hunting were banned in selected regions.			
47.	Given the numbers presented by NDOW, we don't see extinction as a problem. If extinction really is eminent, then why not curtail hunting until the numbers build up. A more realistic approach would be to de-list ravens and crows and ease hunting restrictions on coyotes and mountain lions as these predators take a huge toll on eggs and young birds.	All	Both	emc0237GB
48.	1. The Greater Sage Grouse must have its ESA ruling by the end of 2012.	All	Both	emc0074RM
49.	BLM Instruction Memorandum 2012-043 states that the Columbia Basin and Bi-State Distinct Population Segments of sage-grouse will not be included in the planning process. The planning process should include all populations and Distinct Population Segments of Greater Sage-grouse rangewide	All	Both	emc0391GB
50.	Under ESA of the Section 7 consultation requires a biological opinion to be prepared in order to determine whether special constraints need to be imposed. Under BLM's Interim Strategy, restrictions would be imposed on a regional basis which would preclude the possibility of negotiation of best practices and other tools available to mitigate impacts. The planning strategy must not disregard the protocols established under the ESA.	All	Both	emc0340GB
51.	It is apparent that centralized policy overrides science when considering the analyses and conclusions of the sage grouse studies. Whether by intent or coincidence, for the uninitiated but scientifically and technically accomplished reader, the submitted May 15, 2011 USFWS Species Assessment and Listing Priority Assignment Form (USFWS 2011, subsequently noted as Form) is unclear and poorly presented. The 139-page submittal is without page numbers, table of contents or index. Headings are repetitive except where they simply reference letters of the alphabet with no clear subject. That unprofessional and unclear construct makes referencing, cross-referencing and checking tedious beyond the point of deceptive. Given the scale and import of the matter, this is troubling since the presentation obscures both data and analyses, hindering substantive evaluation of the conclusions and recommendations. As a taxpayer, it is appalling that this low quality apparently is standard and acceptable practice by the bureaucracy.	All	Both	emc0274GB
52.	The prime directive of the bureaucracy is growth of the bureaucracy, not growth of the sage grouse population. This is evident since by far the greatest portion of the Form is devoted to regulatory mechanisms. That extensive discussion reads as a rationalization for greater regulatory expansion. Essentially, it states that central planning by an enlarged bureaucracy will improve habitat by restricting or eliminating human activity on or near sage grouse habitat.	All	Both	emc0274GB
53.	12. The BLM Should Push Congress to Designate Wilderness for Wilderness Study Areas that Contain Sage-Grouse Habitat. There are numerous Wilderness Study Areas ("WSAs") throughout the West that contain priority and general sage-grouse habitat, including WSAs within the Greater Yellowstone Ecosystem. Many of these crucial areas of wilderness have been sitting in limbo for over three decades, with lacking the congressional designation necessary to make these WSAs wilderness areas. Because areas designated as wilderness by Congress enjoy protection from some of the most damaging and destructive activities on public lands, the BLM should push Congress to designate wilderness for WSAs that contain sage-grouse habitat. By doing so, BLM would in effect be protecting vital sage-grouse from some of the biggest threats facing the species today. In Idaho, for example, maps suggest that there is priority sage-grouse habitat in several WSAs, including Appendicitis Hill, Black Canyon, Cedar Butte, and Eighteenmile WSAs. Many of the WSAs containing sage-grouse priority habitat should have	All	Both	emc0276GB

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	received Congressional designation years ago, which may have been able to slow the decline of sage-grouse populations across the West. Pushing Congress to designate wilderness in WSAs important for sage-grouse persistence seems a suitable and logical way to ensure protection of some sage-grouse priority habitat, and we urge BLM to do so.			
54.	Quantify the impacts of hunting and work with the appropriate agencies to develop methods to reduce the impacts of hunting of sage grouse.	All	Both	emc0305GB
55.	Lastly we question the legal qualification for the sage-grouse to be listed as a threatened or endangered species. The Fish and Wildlife Service CFWS) findings determined that a minimum effective population of 5,000 sage-grouse will safeguard them from the long-term risk of extinction range-wide.2 The findings estimated that the current population is between 350,000 and 535,000 birds or 70 to 107 times greater than the "minimum effective population" as found by the FWS. On the surface, it appears that the sage grouse is ineligible for listing.	All	Both	emc0318GB
56.	The sage grouse debate is also similar to the spotted owl in that just as the owl was a pretext to stop logging, the sage grouse is a pretext to stop energy and mineral development and livestock grazing. Sound data and objective analysis would have avoided a listing of the spotted owl then and should preclude a listing of the sage grouse now. The spotted owl experience provides a profound lesson on the severe consequences that a listing decision can have on a region. When it is done with incomplete data, the outcome is no better for the species despite the generationchanging human and social costs. BLM has one chance to avoid a similar debacle but it must return to scientific principles that require objective evaluation of a sound data.	All	Both	emc0371GB
57.	The sage grouse is still hunted in most of the affected states. The fact that the NOI and the Technical Team Report omit this important cause of mortality, while focusing on potential and unverified collisions with motor vehicles, underscores the deficiencies in the analysis to date. Even if BLM does not regulate hunting, it must still acknowledge mortality due to hunting. Similarly, wing counts are still used by wildlife agencies to estimate bird populations. They are said to be more accurate than the lek counts, which apply only to observed males. The Technical Team report focuses on improving lek counts while not even mentioning wing counts as the supplemental source of bird populations. The disconnect in the Technical Team Report is also illustrated by its treatment of livestock grazing as a diffuse disturbance while hunting is exempt from all recognition of impact. Hunting is a direct disturbance and typically includes loud noises and motor vehicles. And yet this activity is entirely ignored in the so-called strategy. CLG members support hunting but use this omission as an example to illustrate the tunnel vision employed in IM 2012-44, Technical Team Report, and to document the need of the EIS process to address the role of hunting and correct the errors already made.	All	Both	emc0371GB
58.	Safari Club is pleased that the BLM recognizes that GSG hunting does not pose a threat to the species' conservation. For example, the BLM's GSG "Frequently Asked Questions" page reports: In its March 2010 warranted but precluded finding on listing the Greater Sage-grouse under the Endangered Species Act, the U.S. Fish and Wildlife Service (FWS) specifically looked at the threats to the species posed by hunting. The FWS found that "In the United States, sage-grouse hunting is regulated by State wildlife agencies and hunting regulations are reevaluated yearly. … We have no evidence suggesting that gun and bow sport hunting has been a primary cause of range-wide declines of the greater sage-grouse in the past, or that it currently is at a level that poses a significant threat to the species. … continued close attention will be needed by States and tribes to carefully manage hunting mortality, including adjusting seasons and allowable harvest levels, and imposing emergency closures	All	Both	emc0349GB

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	if needed. In sum, we find that this threat is not significant to the species such that it causes the species to warrant listing under the Act. http://www.blm.gov/wo/st/en/prog/more/sagegrouse/frequently_asked_questions.html. Unfortunately, regardless of the fact that hunting poses no threat to GSG conservation, hunting will be prohibited if the FWS finds it necessary to list the species. The fact that hunting of GSG would be banned, even though it has no detrimental impact on GSG populations and it incentivizes landowners to protect GSG habitat, truly shows the failure of the Endangered Species Act to always work in a manner that advances conservation.			
59.	In 2011, the FWS entered into settlement agreements with two groups, Center for Biological Diversity and WildEarth Guardians, in which the FWS agreed to decide either to list or not to list the GSG by the end of FY 2015. By entering into this settlement, in a case that did not even involve candidate species or the GSG, the FWS voluntarily surrendered its statutory authority to continue to designate the GSG as a candidate species. The FWS and Department of Justice made this decision without the input of the public and without consulting its federal agency and State partners. If by 2015, the FWS finds that one or more of the Endangered Species Act listing factors indicates that the GSG is in danger of extinction or is likely to become an endangered species within the foreseeable future, the FWS will be forced to propose a rule to list the species. Candidate status will no longer be an option. Although the FWS reissued its "warranted but precluded" status for the GSG in 2011, and presumably will do so again in 2012, 2013, and 2014, when FY 2015 rolls around, the FWS will not be able under the Settlements to exercise this authority, regardless of what the science says about the level of threat to the GSG. Currently, the GSG's listing priority is an eight (out of 12, with lower numbers indicating a higher listing priority). Even if between now and 2015, conservation efforts by Federal agencies, States, and other stakeholders improves the status some but not enough to change the warranted finding, the FWS will have no choice but to propose a rule to list the species. In terms of keeping the GSG off the ESA list, these conservation efforts will then be wasted. On the other hand, a continued warranted but precluded determination would recognize these efforts and encourage continued and further efforts to conserve the species to avoid a listing.	All	Both	emc0349GB
60.	The analysis should also disclose impacts of the hunting of the Grouse, which is still allowed in at least 8 of the 11 states where it is found. Importantly, Sage Grouse conservation efforts such as seasonal restrictions and bag limits have been quite successful in maintaining healthy populations. The same has been shown for motorized access and use. For example, Grouse leks are concise, well-established, historic areas that can last for decades. Add to this that leks are mostly in use for strutting/mating during crepuscular hours and that motorized recreation is generally NOT undertaken during those hours ... The two can be successfully separated.	All	Both	rmc0061GB, rmc0035RM
61.	As a concluding remark, it has come to our attention that the BLM recently deferred a decision on the China Mountain EIS Project until the BLM completes the EIS process on sage grouse conservation. The sage-grouse conservation EIS process is likely to continue for numerous years to come, and could be held up in the courts beyond 2014 through the appeal process. It should not be the BLM's policy to defer project decisions indefinitely; and the BLM should be required to "act" on active applications within a reasonable timeframe. The BLM needs to make decisions based on current regulations and not based on regulations that mayor may not be in place in the future.	All	Both	rmc0068GB
62.	The accusation by the U.S. Fish and Wildlife Service that current NEPA performance is lacking in adequate protection requires demonstrated evidence that such is the case with actual examples provided on where inappropriate analysis resulted	All	Both	rmc0058GB

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	in improper land use decisions. We want the documentation provided in this draft EIS to specify actual shortcomings of the current guidance manuals and why shortcircuiting the present framework of land-use management decisions is warranted by this over-reaching grab for unwarranted change.			
63.	The actions contemplated are for a species which is "warranted, but precluded", seeking to avoid a higher level of designation under the Endangered Species Act. If the bird were to gain greater protection through an update in the ESA process, how much more land and regulatory control would be instituted? Would greater landscapes be required? Are the areas that are now designated actually necessary for this level of attention for a species in this status?	All	Both	rmc0058GB
64.	It is also unbelievable that any species could be considered threatened while fish and wildlife maintains an active hunting season on them	All	Both	fxc0017GB
65.	It would make much more sense to pick a few thousand acres or a national park and introduce a plan for the Sage Grouse.	All	Both	fxc0015GB
66.	We believe a new administrative BLM conservation designation is needed to conserve sage grouse core areas and other key fish and wildlife habitats and to sustain our hunting and fishing opportunities. Please consider these recommendations for the creation of a Backcountry Conservation Area designation that will achieve these objectives. We see this designation as just one component of a larger landscape level strategy that should be utilized by the BLM for sage grouse conservation. Please see additional comments that have been submitted by some of the undersigned organizations for more information.	All	BLM	emc0412GB emc0172rm
67.	The BLM currently employs administrative designations under Section 202 of the Federal Lands and Policy Management Act of 1976 that facilitate the conservation of high-value lands, such as Areas of Critical Environmental Concern and Research Natural Areas. While these existing designations provide the necessary tools to conserve lands and can effectively conserve sage grouse habitat, the titles and terminology of these designations often are not understood by people who live near and use these public lands. Rural Westerners and sportsmen can regard these designations with suspicion, and communicating their meaning requires considerable time and effort. As a result, the long-term success of preexisting administrative designations has been severely limited. We believe that a new "BCA" designation that speaks to the values of people using and living near BLM lands would garner significant public support and enable conservation of more acres than could be conserved under existing designations. The BCA designation would represent a multiple-use conservation framework with reasonable vegetation management exceptions to benefit fish and wildlife. Most sage grouse researchers agree that sage grouse declines are due to the loss of sage brush habitat from noxious weed invasion and various forms of development, including activities associated with oil and gas extraction. A BCA designation would allow sage brush habitat conservation and restoration projects that would greatly benefit sage grouse. This framework also would allow vegetation management that protects communities from wildfire while ensuring that these already undeveloped BLM lands retain their backcountry character. We recommend that the BCA administrative designation be used through the land use planning process to conserve unfragmented sage grouse core areas, other fish and wildlife habitat and dispersed recreation from development activities.	All	BLM	emc0412GB emc0172rm
68.	Lands considered for backcountry conservation area designation should encompass the following: (1) High-quality fish and wildlife habitat or primitive or backcountry classifications for recreation opportunities; and (2) One of the following: a. A roadless area with 5,000 or more contiguous acres of BLM lands or; b. An area of sufficient size as to make its conservation practicable. Minimum acreage is not required, but lands should have physical features that enable boundary delineation and	All	BLM	emc0412GB emc0172rm

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	management for conservation purposes.			
69.	We recommend the BCA designation incorporate the following management principles: - This designation would conserve specific, unfragmented BLM backcountry areas with high-quality fish and wildlife habitat and/or significant sporting opportunities. - Designated areas would remain open to public hunting, fishing and trapping, and state fish and wildlife agencies would retain management authority over fish and wildlife populations. - This designation would maintain existing authorized and permitted motorized routes that are important for sportsmen to access backcountry areas for hunting and fishing. - The construction of new motorized routes within designated backcountry areas would be restricted to conserve unfragmented habitat and hunting and fishing opportunities. - Vegetation management would be limited to projects that improve fish and wildlife habitat, control noxious weeds and reduce the risk of wildfire, such as projects to control cheat grass and restore sage brush. - Prescribed burning and the installation and maintenance of water guzzlers would be allowed within designated areas. - Chainsaws, helicopters and mechanical devices, such as game carts, would be allowed within designated areas. - This designation would conserve unfragmented habitat by requiring that utility corridors, pipelines and conventional and renewable energy development be located outside the boundaries of designated areas. - This designation would not affect valid existing rights, public lands grazing allotments or the ability of ranchers to maintain agriculture improvements. Sportsmen want to see a middle-ground conservation designation that conserves unfragmented habitat and hunting and fishing while allowing reasonable exceptions that benefit fish and wildlife. We believe the BCA designation would serve as a valuable tool for the BLM, other stakeholders and the public. We encourage the BLM to adopt this designation.	All	BLM	emc0412GB emc0172rm
70.	Various carrying capacity analysis methods are used by BLM. For example, Elko and some other BLM offices in Nevada set stocking rates based on a bizarre system where theoretical stocking can vary wildly based on precipitation (though the BLM claims levels are adjusted to some kind of average). Underlying and preceding all this is the old adjudication process where ranchers made very inflated claims about the capacity of the land to support very large livestock herds, and then BLM subsequently carved a small slice off that number. The inflated numbers claimed during adjudication processes have never been reduced to levels that could be considered sustainable. So the whole system of stocking of public lands (and allocating AUMs) has been based on high unrealistic numbers all along. Allocations and stocking are seldom whittled down in agency decisions without encountering great resistance from the livestock industry. Managers that want to advance their careers often avoid such controversial actions. Hundreds if not thousands of 10 year grazing permits across the range of sage-grouse are authorized under Grazing Riders annually, often with no full public NEPA process ever having been conducted at any time in the past at all. Grazing permits and outdated and lax use standards are being renewed for 10 years without any environmental review having occurred. Many BLM livestock grazing permits have been carried forward under Congressional riders for another decade without any hard and current integrated look at how grazing is impacting ecological conditions of sagebrush habitats. This means that long-outdated use levels, stocking rates, management practices, all continue without any analysis or agency records adequately tracking the degradation, or the causes of ecological declines. Thus, there has been no coherent and effective action taken addressing degradation and threats. The situation is paralleled on Forest Service lands, as well, where across vast areas of western Forests, there has been no current integrated NEPA analysis of adverse impacts of livestock disturbance. Many Forest and some BLM allotments rely on vintage Allotment Management Plans (AMPs) never subjected to NEPA analysis at all. The Forest continues to piecemeal harmful fencing and water projects in under CEs or	All	Both	emc0411GB

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	minimal Eas that violate NEPA.			
71.	As another example, in 2011 Congressional Riders Attached to the Interior Appropriations attacked the Forest Appeals process. Other examples are the Jarbidge Temporary Non-renewable Use (TNR) Riders that mandated politically powerful ranchers get extra grazing use on the very lands that should have been undergoing recovery for sagebrush species needs. So these Riders enable agencies to slide by with status , or even more, damaging levels of disturbance and lax management, without ever critically analyzing site-specific harms of cattle and sheep grazing disturbance on public lands. Plus even in the case of science showing disease losses of bighorn sheep due to disease transmission from domestic sheep, a 2011 Congressional Rider prevented the Forest from scientifically addressing livestock management and removing the disease-causing domestic sheep from Payette Forest bighorn habitat. The public lands sheep industry is a heavily subsidized burden to taxpayers, with only a hand full of large sheep operations engaged in it (typically 10-15 big operators in each state). Large-scale bighorn sheep die-offs have occurred due to agency failure to remove domestic sheep from bighorn habitats.	All	Both	emc0411GB
72.	BLM's Federal Register Scoping Notice states that the purpose is to avoid a potential Listing by September 2014. Why? What is wrong with integrated oversight, and required controls and agency consultation that would be in place under the ESA? BLM appears more interested in conserving all manner of status quo uses across the landscape than it is in conserving the species. WWP was alarmed in listening to the facilitator for the WY Core process, Bob Budd, talk in Boise in the Idaho statehouse about what he repeatedly termed to the onerous burden of the ESA. Budd repeatedly referred to the ESA with disdain.	All	Both	emc0411GB
73.	This process should fully consider protecting all sagebrush wild lands that remain. It must analyze the adverse cumulative impacts of massive solar or other industrial development on lands critical to migratory bird species that rely on sites within sagebrush that is sage-grouse habitat for nesting, then also need critical resources as these species migrate seasonally. For example, a species like the sage sparrow nests in the lower elevations of the sagebrush biome in continuous and less fragmented expanses of Wyoming big sagebrush. This bird uses sagebrush habitats outside the range of sagegrouse in migration or at other times of the year. Very important sage sparrow nesting habitats are sacrificed in the Idaho, NV and other mapping with the General and Non habitat categories sagebrush is being segregated into. Another example is the loggerhead shrike. The loggerhead shrike in the sagebrush biome uses salt desert shrub and salt desert shrub-sagebrush interfaces, as well as mature and old growth Wyoming and Basin big sagebrush communities. BLM is already treating salt desert shrub communities as sacrifice areas as it tries to continue all manner of development across the public lands. An example of this mindset is the Draft Winnemucca RMP DEIS, which placed nearly all salt desert shrub lands (outside of the Black Rock NCA and its associated Wildernesses) in near-maximum exploitation categories. Yet another example is the continued development, re-development and de-watering of springs under claims of "improvement" with band-aid fencing claimed to be "improving" sage-grouse brood rearing habitat. This of course destroys the potential of sites to support willows or diverse riparian shrub communities that support several species of migratory songbirds – along with reducing the mesic and wet meadow area extent so sage-grouse too loose out in these projects done to try to vainly mitigate livestock degradation in arid lands.	All	Both	emc0411GB
74.	All actions claimed to be mitigation must be clearly identified and examined in the analysis for a project. The current agency method of dealing with mitigation – as in NDOW/BLM in Spring Valley wind is just to get a big sum of money, and then	All	Both	emc0411GB

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	proceed to do piecemeal scattered livestock projects like fencing and piecemeal vegetation "treatments" that are not analyzed in the industrial development project's NEPA to effectively mitigate for project disturbances. Future piecemeal "mitigation" projects often serve to shift and intensify impacts, and allow landscapelevel degradation to continue unaddressed. An example is the Montana Mountain meadow fencing project – where there has been no current analysis of livestock grazing impacts or consideration of alternatives and application of more conservative use standards. Here, under a closeted Categorical Exclusion, BLM spent mitigation dollars to build even more fencing in Lone Willow PMU lands - while at the same time allowing large numbers of livestock to continue trampling and grazing disturbance to all unprotected meadows, seeps, springs across allotments that have never had any modern day assessment of grazing impacts whatsoever. This will only serve to hasten the demise of the unprotected meadow areas, and intensify grazing disturbance to them. Such piecemeal projects also serve to delay any integrated look at the abusive livestock grazing that is promoting weed expansion across the Lone Willow PMU uplands.			
75.	With the Gateway EIS process, BLM has flailed to placate some agricultural interests. It has added new harmful routes, for which minimum on-the-ground studies have been conducted. BLM allowed very harmful routes to be included in the DEIS – including a route by the Nevada border. One of the alternatives added at the last minute by BLM due to political pressure from agricultural interests on the Snake River Plain who are trying to shift a route onto the Nevada border on top of large areas of relatively less disturbed remote wild sagebrush lands. This line would open up an entire undeveloped region to industrial wind, geothermal industrial-type sites, mining, and other disturbances including intensified livestock grazing. We are very concerned that this flawed mitigation model discusses habitat as "currency" – as if more could readily be minted. See WWP Gateway DEIS comments (Attached), illustrating concerns with this method.	All	Both	emc0411GB
76.	The NTT and IMs fail to address the ongoing deficiencies of agency NEPA processes, and the often false claims of minimal or no significant impacts that are being made by agency managers to justify new developments in critical and key sage-grouse habitats every day.	All	Both	emc0411GB
77.	We are seeing many new very harmful livestock facility projects to extend and intensify livestock impacts being proposed in critical sage-grouse habitats. Instead of acting to conserve, recover and restore sagebrush habitats, BLM and the Forest Service are acting to further disrupt, fragment and destroy. For example, in the very small and isolated Clear Lake population of sage-grouse in NE California and the Oregon border, the Forest Service is now proposing to spend tens of thousands of dollars drilling new wells and building even more west Nile virus-promoting stock troughs with inevitable pooling of water that creates mosquito habitat. The landscape is already laced with lethal fences and fragmented by livestock water developments and troughs. Of course, this will also only serve to increase intensive livestock impacts in areas previously less disturbed, ie. Remnant better condition habitats. And this is all being proposed under a CE. Forest Service and BLM use of Ces and DNAs to ramrod projects through are a significant threat to sage-grouse habitats and populations. Of course drilling a well and punching in new pipelines would have significant impacts, but the Forest here is trying to do this under a CE because its greatly flawed Appeals regulations do not allow Appeal of Ces.	All	Both	emc0411GB
78.	See what you can do about eradicating hunting season on the grouse	All	Both	fld00008rm
79.	See what you can do about eradicating hunting season on the grouse	All	Both	fld0008rm,

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				fld0008gb
80.	In drafting the alternatives for the EIS, the BLM should also work closely with the Colorado Parks and Wildlife to understand and not conflict with their management approach that currently allows a limited annual harvest of the GSG in specific hunting units in northwest Colorado with the purchase of a small game license.	CO	Both	emc0058RM
81.	With all sagehens face, isn't also having a hunting season each Fall on their tiny population of under 3,000 unwise? Sagehens need human help in many ways, not buckshot. Let then be only watchable wildlife until numbers increase into the many thousands. Hunt sagehens then.	CO	Both	rmc0016RM
82.	Maybe Jackson County officials don't have the guts or concern to work with the DOW and demand a stop of the hunting season on sagehens. These locals haven't shown a strong mindset to help the birds in the past. They did set up a local Sage Grouse Working Group that never really changed anything on the ground, but it looked good on paper. But recently, the North Park Stock Growers Association wanted to stop the slaughter, voting to do so. It is now time for the Federal Government to lower the boom big time, saving a wildlife heritage most locals do not seem to appreciate.	CO	Both	rmc0016RM
83.	Some North Parkers and many other Americans would went to see and marvel at sagehens strutting in April. So lets put some teeth into saving them and their habitat. Its time for people to avoid sagehen leks, stop sagehen hunting, make the birds only watchable wildlife, and let the government save the species and their habitat all across North Park and the West.	CO	Both	rmc0016RM
84.	Also the BLM could use it's good offices to put pressure on the Colorado Department of Parks and Wildlife to stop hunting The Greater sage grouse	CO	BLM	emc0183RM
85.	BLM needs to resolve internal policy initiative conflicts within the Department of the Interior (DOI), as they apply to renewable energy development and wild horse management. These land uses are DOI priorities even though they have the same or greater adverse impacts to sage grouse habitat as do other land uses that BLM now proposes to end or restrict;	East	Both	emc0155RM
86.	The sage grouse is still hunted in most of the affected states. The fact that the NOI and the Technical Team Report omit this important cause of mortality, while focusing on potential and unverified collisions with motor vehicles, underscores the deficiencies in the analysis to date. Even if BLM does not regulate hunting, it must still acknowledge mortality due to hunting. Similarly, wing counts are still used by wildlife agencies to estimate bird populations. They are said to be more accurate than the lek counts, which apply only to observed males. The Technical Team report focuses on improving lek counts while not even mentioning wing counts as the supplemental source of bird populations. The disconnect in the Technical Team Report is also illustrated by its treatment of livestock grazing as a diffuse disturbance while hunting is exempt from all recognition of impact. Hunting is a direct disturbance and typically includes loud noises and motor vehicles. And yet this activity is entirely ignored in the so-called strategy. VRLP members support hunting but use this omission as an example to illustrate the tunnel vision employed in IM 2012-44, Technical Team Report, and to document the need of the EIS process to address the role of hunting and correct the errors already made.	East	Both	emc0155RM
87.	We understand the political pressure to maintain a limited sage grouse hunt but find the collection of data through this avenue statistically suspect. While the FWS has ranked hunting near the bottom of the list of Identified Threats to Greater Sage Grouse, the impact is not negligible and the cost of implementation is comparatively small.	GB	Both	rmc0056GB
88.	We support the contention of the Elko County Commission that the absence of the required public comment period	GB	Both	rmc0056GB

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	necessitates suspension of the instructional memorandum pending revision.			
89.	If Sage Grouse numbers have declined to the point that they are considered to be put on the Endangered Species list it seems logical that they not be hunted. In Idaho there is presently a hunting season for Sage Grouse.	IDMT	Both	rmc0030GB
90.	I do not feel that present day hunting needs to happen. If the sage grouse is that close to be listed then hunting should stop immediately. I also feel that the hunting now does not have a big hand in the decline because people from the Boise area (biggest concentration of hunters) will not drive 120 to 130 miles for 1 bird a day and 2 in possession.	IDMT	Both	emc0207GB
91.	I still hunt the areas that my dad and I did "50 years ago",,, and to date I have seen some slight fluctuations in the very stable populations of sage grouse.. They are huntable in numbers ,, I believe the FWP have set seasons and limits prudently…	MT-RM	Both	emc0017RM
92.	When I was a boy on a Southeastern Montana ranch, old timers talked of riding areas of open range over a century ago where sage grouse rose by the thousands in front of them all day long, and to obtain one for food at night one simply rode through a flock and knocked several hens and young grouse down with the knot of a lariat. Near the home ranch, remaining habit was already fragmented and the few surviving localized populations were very susceptible to hunting pressure. A State biologist who recommended annually without success that several areas be closed to hunting finally resigned and left to work in the family hardware store.	MT-RM	Both	emc0082RM
93.	When C Punch started in Nevada in 1968 the sage hen population on the Blue Wing allotment was very small. The main hunting interest was for chucker. The few sage hen that were left were protected by C Punch by not hunting and fencing a few meadows. To my knowledge our effort did not help.	NVCA	Both	rmc0044GB
94.	Even in the 60's and 70's up to 3,000 chucker hunters would show up on opening day and some would remain camped on water sources till the season ended. Unfortunately most of them didn't distinguish between a chucker and a sage hen.	NVCA	Both	rmc0044GB
95.	I have done no research on the subject but it appears in our area the demise of the sage hen has coincided with the introduction and increase in the chucker population. Even if the chucker didn't directly compete with the sage hen they created an increase in hunting in the area which ultimately depleted both species.	NVCA	Both	rmc0044GB
96.	Although sage grouse has been identified as a species in decline, the State of Nevada still allows the hunting of the species. I understand that 2% of sage grouse in the State of Nevada is lost to hunting. If the species is in decline, and if strict conservation measures are being imposed, the hunting of the species should not be allowed under any circumstances. Because hunters provide information on sage grouse to the state and federal government, it is not a justification to allow the hunting of a species that is in decline.	NVCA	Both	rmc0035GB
97.	Hunting sage grouse should be eliminated in most areas unless the grouse become over populated.	NVCA	Both	emc0253GB
98.	While out of the scope of the BLM's planning effort directly I bring up HR 1581/S1087 - Wilderness and Roadless Area Release Act of 2011, co-sponsored by Senator Heller and Congressman Amodei, as an example of short-sighted legislation that is directly counter to what the BLM is trying to accomplish with this EIS. The intension of HR 1581/S1087 is: "To release wilderness study areas administered by the Bureau of Land Management that are not suitable for wilderness designation from continued management as de facto wilderness areas and to release inventoried roadless areas within the National Forest System that are not recommended for wilderness designation from the land use restrictions of the 2001 Roadless Area Conservation Final Rule and the 2005 State Petitions for Inventoried Roadless Area Management Final Rule, and for other	NVCA	Both	emc0401GB

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	purposes."			
99.	As a primary stakeholder, we would like to indicate our support of the Bureau, State Wildlife Agencies and US Fish and Wildlife Service in their efforts to avoid the possible listing of the species under the Endangered Species Act (ESA). We, however, believe other opportunities may be available to consider without placing restrictions on current projects or areas that have a potential to meet the National energy needs of the American people. These scenarios may include blocking up private ownership through direct sale or exchanges in areas processing less potential for habitat and population expansion and therefore focusing resources and conservation measures in those areas of extreme importance to the species. We feel this type of direction would provide a benefit not only to the public and local economy, but to the stakeholders, Federal Land Management agencies and species as a whole. Off-site mitigation measures through habitat enhancement projects have also proven beneficial to species recovery efforts and could be a consideration of our companies where economically feasible.	NVCA	Both	rmc0053GB
100.	How can studies show predators are a concern, but predator control is not being used as a management tool?	NVCA	Both	fxc0014GB
101.	We understand the many demands on BLM management, including the need for revenues from livestock grazing. We believe the livestock grazing fees can be increased if the quality of feed is improved; which it will, if you periodically let the land rest a couple of years. I read that the going rate this year is $1.23 per head (I think the term was grazing unit or something) per month. This is pretty cheap for the cattleman compared to the cost of raising the livestock on their own land. The public is subsidizing the ranching industry. Clearly, we are not ranchers, but many of our neighbors are. We are not vegetarians, and love to eat grass/hay feed beef. So we do have a vested interest in this situation	OR	Both	emc0152GB
102.	Sage Grouse Hunting Permits - Utah Sage Grouse wildlife biologists continue to assess populations as healthy allowing the Utah Division of Wildlife Resources to issue Sage Grouse hunting licenses in selected areas of Utah - within the BLM's Sage Grouse identified habitat.	UT	Both	rmc0003GB

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1.	Remove Lemhi County from the area of concern if there is a viable populations and adequate habitat.	All	Both	cfc0007GB
2.	Preliminary Priority Habitat Map is inaccurate. The area around the City of Salmon needs to be on the East side of the Salmon River. Check with the BLM working group for a more accurate inventory.	All	Both	cfc0007GB
3.	While the BLM is attempting to implement conservation measures for the benefit of sage-grouse and sage-grouse habitat, it is my hope that the NEPA requirement of accounting for the Human Environment and Economy is not forgotten.	All	Both	rmc0025GB
4.	Also, I'd urge the BLM to understand the disadvantages of implementing inflexible, one-size-fits-all standards. It's important that an adaptive, local, case-by-case approach is utilized, with predator control being a part of that approach, for imporving sage-grouse habitat.	All	Both	rmc0025GB
5.	The time of allowable multiple-use activities should be flexible based on monitoring and observation, not across-the-board, inflexible regulations.	All	Both	rmc0025GB
6.	For sage grouse, habitat needs must be defined with quantifiable vegetative objectives (as stated above). The habitat needs to be identified, and regulatory measures put in place that will conserve and enhance critical lek, nesting, brood rearing and winter habitat. High quality habitat on private and public lands throughout the range of sage grouse needs to be maintained.	All	Both	rmc0024GB
7.	In preparing the EIS/SEIS, BLM should analyze the benefit of adaptive, case-by-case approaches that incorporate local expertise and provide management flexibility.	All	BLM	rmc0021GB
8.	- The threats faced by Sage Grouse vary by region. - In some regions, human development may be a dominant threat, where in others predation may be the primary threat issue to be addressed; - In some regions, the loss of lands with large areas of sagebrush may be the primary threat to be addressed. In such areas, integrating sheep grazing into sagebrush steppe management systems, such as in Southwest Montana, could provide landowners and BLM land managers with a eco-friendly and sustainable means of planning and implementing habitat enrichment in sagebrush steppe. A case-by-case management approach such as this would reduce the need for periodic inputs of large amounts of federal funds for mechanical and chemical treatment of federal lands, while benefiting local Montana ranchers, including sheep producers, as well as benefit rural communities; - As such, the BLM should analyze the benefit of the present RMPs, which allow for range management flexibility and the tailoring of approaches to site-specific conditions, knowledge, and culture; - And, as such, MWGA's membership feels that BLM should analyze the benefits of managing sage grouse according to the needs of individual populations, and analyze the draw backs of range-wide and meta population management plans, See, Launchbaugh, et. al, Interactions Among Livestock Grazing;	All	BLM	rmc0021GB
9.	Finally, MWGA's membership recommends that BLM analyze the burdens on local landowners and local governments that would be caused by implementing, in sage grouse management plan, redundant and duplicative wildlife protections already contained in Wilderness Study Area plans, Areas of Critical Environmental Concern plans, Endangered Species Act plans, critical habitat for threated and endangered species act plans, and other provisions of existing land use plans (LUPs).	All	BLM	rmc0021GB
10.	MWGA's membership recommends tbat the BLM analyze, as part of its proposed alternative, plans for the eventual removal of Sage Grouse from Endangered Species List and/or "Warranted but Precluded" list.	All	BLM	rmc0021GB
11.	- MWGA's membership understands that Sage Grouse are currently on the "Warranted but Precluded" list; - MWGA's membership also understands that there is potential for the listing of the species on the Endangered Species List as soon as	All	BLM	rmc0021GB

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	the year 2015; - In light of this, MWGA recommends that the alternatives analyzed and set forth by BLM in the EIS should include protocols for eventual de-listing of this species from any federal list. These protocols should analyze and include: a. A defined monitoring methodology that is both standardized and continuous; b. Provisions that incorporate monitoring data and findings into the management plans developed; c. Progressive benchmarks leading to de-listing. These benchmarks may be population based or based on other success indicators. As these benchmarks are reached, management actions should be altered accordingly until, eventually, de-listing from the candidate list is possible; d. and once sage grouse are removed from the ESA candidate list, land use plans should be adjusted accordingly to allow for more multiple use.			
12.	MWGA's membership recommends that the BLM adopt clear and concise sage definitions as part of its management plans, as well as to	All	BLM	rmc0021GB
13.	- MWGA's membership understands that lack of clarity and exactitude in federal management plans provides the easiest avenue for environmental groups to take to get into federal courts and to file lawsuits. - To mitigate the already high risk of radical groups such as Western Watersheds filing suit on the BLM's efforts to revise its resource management plans that cover sage-grouse habitat, MWGA's membership recommends the BLM undertake the following: i. Make any definitions clear and concise; j. Completely define what constitutes a "lek"; k. Account for the differences in cliffs and elevation; l. Clearly define how barriers are to be established; m. Provide flexibility in buffer distance; n. Measure each buffer from a consistent and clearly defined starting point; o. Do not use inflexible, arbitrary calendar dates for multiple-use activities, such as for grazing start dates; p. Apply the recommendations set forth in (i) through (o) above to nesting issues and to brooding issues; q. Clearly define Preliminary Priority Habitat (PPH) so that BLM personnel can weigh the suitability of sage grouse preservation value against preserving other values; and r. PPH boundaries should be adjusted to exempt certain pockets of land based on topography adaptability and behavior of sage grouse such that 100% of polygon is necessarily Sage Grouse habitat.	All	BLM	rmc0021GB
14.	The public scoping meeting for the sage grouse management EIS was held in Reno, Nevada on January 30, 2012. We understand that the scoping period began in December 2011; however, the opportunity for the public (located in Reno) to gain knowledge about the project (at the January 30 meeting) and the close of the public comment period (February 7) is extremely short. We request that the public scoping period be extended for an additional 60 days.	All	Both	rmc0027GB
15.	WLC understands that the BLM recently issued two instruction memorandums; IM 2012-043 and IM 2012-044. These IMs were issued without public review or input and should be rescinded until the EIS process has been completed. The IMs should be prepared based on the data collected and analyzed in the EIS process. It is unclear exactly what policies and procedures would be implemented by these IMs. The policies and procedures proposed by these IMs are considered a federal action and should have the appropriate NEPA review and public input prior to their implementation.	All	Both	rmc0027GB
16.	It is unclear whether the report produced by the Sage-grouse National Technical Team, A Report on National Greater Sage-Grouse Conservation Measures, December 21, 2011; will be implemented in conjunction with the IMs that were issued, or if the conservation measures recommended in the report will be analyzed in the proposed EIS. The full extent of these conservation measures (as identified by the National Technical Team) were not fully disclosed nor made easily available to the public during the project's public scoping period.	All	Both	rmc0027GB

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17.	Due to the controversial and complex nature of the proposed action, we request the public comment period on the Draft EIS be a minimum 120 days, to allow adequate time to review the DEIS and associated supporting documentation.	All	Both	rmc0027GB
18.	We are certainly concerned about the future management strategy of the Sage Grouse, which is an indicator species. Its status greatly impacts the ability of our constituents to utilize natural resources on our public lands. We are very concerned that the ruling by the U.S. fish and Wildlife Service (USFWS) in March of 2010, has caused the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) to initiate this planning process, which we believe to be premature and politically motivated by conflict oriented activists.	All	Both	rmc0034GB
19.	We ask that the National Greater Sage-Grouse Planning Strategy mandate an "active" rather than "passive" management approach to vegetation and predators, which includes involvement of local officials. Utah developed an effective, collaborative statewide management plan in 2009 that needs to be given a chance to succeed. Also, due consideration must be given to what has been learned and accomplished by the collaborative local working groups. Please include these resources in this strategy.	All	Both	rmc0034GB
20.	I believe that all federal departments and agencies that manage sage-grouse habitat should be involved in the process of creating the BLM Conservation Strategy for the Greater Sage-Grouse; the Bureau of Land Management (BLM), U.S. Forest Service, U.S. Fish and Wildlife Service, U.S. Park Service, the Bureau of Reclamation, and the Departments of Energy and Defense.	All	Both	rmc0020GB; rmc0004RM
21.	Likewise I believe that all federal lands with Greater Sage-Grouse habitat should be included in the planning process, including the Mono Basin and Columbia Basin Distinct Population Segments of sage-grouse.	All	Both	rmc0020GB; rmc0004RM
22.	Management standards must be based on the best available science, and federal planners must ensure that all planning documents make the same prescriptions for land uses across sage-grouse range. Designation of priority and general habitat areas, as recommended by the Sage-Grouse National Technical Team (NTT), and implementing recommendations in the NTT sage-grouse report in each land use plan will accomplish this task.	All	Both	rmc0020GB; rmc0004RM
23.	The historical range is virtually unchanged in the past 100 years .BLM range stewardship has been good since the Taylor Grazing Act. Current range conditions are not neglected but as close to pristine historical conditions as you can get.	All	Both	rmc0041GB
24.	Eureka Moly, LLC, a wholly-owned subsidiary of General Moly, has submitted a Plan of Operations to develop the Mount Hope Project in Eureka County, Nevada. The Mount Hope Project is one of the Nation's most promising and important molybdenum resources. The BLM, Mount Lewis Field Office/Battle Mountain District Office, has prepared a Draft EIS for this project. The public comment period for the Draft EIS is 90-days long (from December 2,2011 to March 1,2012.) Given the scale of the proposed action (e.g., implementation of the recommendations in the NTT Report) we would suggest that a public comment period of at least the same duration as that provided the public on the Mt Hope project is warranted. The proposed conservation measures in the NTT Report will affect 68 RMPs in ten western states and roughly 47 million acres of BLM-administered lands with sage-grouse habitat. By comparison, the Mount Hope Project will impact about 8,000 acres of public land.	All	Both	rmc0037GB
25.	General Moly recognizes the importance of the BLM's proposed sage-grouse conservation measures and appreciates the time constraints associated with preparing the EIS/SEIS to evaluate the proposed conservation measures. However, given	All	Both	rmc0037GB

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	the far reaching ramifications of these measures, it is critical that General Moly and other stakeholders have adequate time to review and develop meaningful comments for this scoping process. Therefore, we respectfully request the comment period be extended to allow at least 30 days for evaluation of the soon-to-be published DOW habitat maps.			
26.	national greater sage grouse planning strategy meetings are only in the states ofnv, id, mt, or, ut, ca, BUT YOU HAVE THE NERVE TO CALL THIS A NATIONAL PLAN. WHY ARE YOU LEAVING OUT THE OTHER 44 STATES, WHOSE TAXPAYERS ARE PAYING TAXES TO SUPPORT THESE BIRDS, THAT WILL BE GROWN AND THEN SHOT TO DEATH BY HUNTER/GUN WACKOS.	All	BLM	emc0020GB
27.	THIS PLAN STINKS THIS SPECIES IS BEING "BROUGHT BACK"AND RESTORED SO THAT YOU CAN THEN OFFER IT UP FOR SELLING LICENSES TO SHOOT IT AND MURDER IT.	All	BLM	emc0020GB
28.	JEAN PUBLIC THIS IS MY COMMENT FO RTHE PUBLIC RECORD. I CANNOT FLY FROM ONE OF THE STATES THA TTHIS AGENCY HAS IGNORED EVEN THOUGH YOU SEND THE BILLS TO NJ. YOUI CERTAINLY HAVE SCHEDULED NO MEETINGS AT ALL IN 44 STATES. YOU ARE DISCRIMIMNATING. TAXATION WITHOUT REPRESENTATION IS GOING ON HERE. YOU ARE ATTEMPTING TO SCAM PUBLIC COMMENT WITH THESE MEETINGS. YOU ARE DISCRIMINATING AGAINST TAXPAEYRS IN THE 44 OTHER STATES.	All	BLM	emc0020GB
29.	Thank you for considering our remarks to not list the sage grouse or to lock up lands that are currently being managed to increase tbe population of this species.	All	Both	rmc0001GB
30.	It is obvious to those watching the politics that the sage grouse is being used as a solution to achieve other objectives. Threats to the sage grouse habitat have been identified as 1) wildfire and invasive species, 2) energy development, 3) fencing and livestock grazing, 4) transmission lines, 5) nesting and brood rearing, 6) sagebrush structure, 7) sagebrush understory, 8) predators and many more. Some in leadership positions would mandate that the sage grouse areas be locked up to prevent any threat that may affect the population and therefore energy opportunities associated \vith the habitat needs would be eliminated. Through the Endangered Species Act, all that is needed is to list a species that is thriving in Utah to accomplish a political gain. On the other hand, leadership will limit or remove activities such as predator control that could increase the species continuation.	All	Both	rmc0001GB
31.	The BLM recently issued two instruction memorandums; IM 2012-043 and IM 2012-044. These IMs were issued without public review or input and should be withdrawn until, at a minimum, the EIS process has been completed. The IMs should be prepared based on the data collected and analyzed in the EIS process. It is unclear exactly what direction these IMs provide the BLM, or what specific policies and procedures would be implemented by these IMs. The policies and procedures proposed by these IMs are considered a federal action and should have the appropriate NEPA review and public input prior to their implementation.	All	Both	rmc0035GB
32.	The full extent of the proposed action analyzed in the EIS is unclear and not fully identified. It is unclear whether the report produced by the Sage-grouse National Technical Team, A Report on National Greater Sage-Grouse Conservation Measures, December 21, 2011; and associated conservation measures will be implemented in conjunction with the IMs that were issued, or if the conservation measures recommended in the report will be analyzed in the proposed EIS. The full extent of these conservation measures (as identified by the National Technical Team) and associated appendices were not fully disclosed nor made easily available to the public during the project's public scoping period (e.g. the link to download	All	Both	rmc0035GB

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	report appendices was not accessible/valid). Additional time is needed and required by the public to review the conservation measures, in conjunction with the priority/general habitat maps (when they are published), prior to the close of the public comment period. Additional information is requested from the BLM to clearly identify the intent of these conservation measures and how they will affect current uses of public land. The appendices identified in the report, A Report on National Greater Sage-Grouse Conservation Measures, December 21, 2011, was not available for download, public review, or comment. The entire document (including the appendices) should be made easily accessible and available to the public.			
33.	I understand that the EIS will analyze the conservation measures as identified in the report, A Report on National Greater Sage-Grouse Conservation Measures, December 21, 2011. The EIS should analyze each individual measure and how each measure individually affects industry and the environment. The EIS should not "lump" all conservation measures into "one alternative" and make a decision on "all measures implemented or nothing". Measures (and project alternatives analyzed in the EIS) should be specific to each industry within each State.	All	Both	rmc0035GB
34.	The U.S. Fish and Wildlife Service's (FWS) decision to list the species and the BLM's ROD on the proposed EIS are connected actions. The EIS must be completed prior to the FWS' decision to list. The FWS cannot make a decision to list until after the EIS has been completed and a ROD issued.	All	Both	rmc0035GB
35.	- Box Elder County does not want to be lumped into a national one-size fits all approach. We feel the Bureau of Land Management (BLM) and the United State Forest Service (USFS) should use flexible standards, look at conditions and recognize local concerns and fit the landscape. - We request that you involve the local community. Include the local Conservation Resource Management and the local sage-grouse work group which has approximately 10 years of data. The BLM and USFS should not ignore the information obtained from the working group in the area. They are the stewards of the land. The BLM and USFS should find ways to interface with the work group. - We request that the BLM and USFS work with the State Department of Agriculture who also has the tools to improve management on the ground.	All	Both	rmc0023GB
36.	Monitoring and documentation should span at least five to six years because of the weather conditions. The methodology of monitoring should be flexible enough to allow local input and modifications on the adaptivity of the species.	All	Both	rmc0023GB
37.	Range improvements to benefit species and maintained by permitees who hold Federal Range Maintenance agreements should be allowed mitigation credits. We strongly support oll-site mitigation for projects that impact sage-grouse habitat.	All	Both	rmc0023GB
38.	- Federal agencies shall cooperate with state agencies, local government and those allowed by agency actions to monitor the progress of the sage-grouse to remove the species from endangered species listing. Once again we as Box Elder County Commissioners ask for cooperating agency status and look forward to working with the BLM and USFS.	All	Both	rmc0023GB
39.	I write on behalf of Barrick Gold of North America to formally request an extension of the public comment period for the Notice of Intent to Prepare Environmental Impact Statements and Supplemental Environmental Impact Statements to Incorporate Greater Sage-Grouse Conservation Measures into Land Use Plans and Land Management Plans, 76 Fed. Reg. 77008-11 (Dec. 9, 2011). At present, the comment period is set to close on February 7,2012.	All	Both	rmc0011GB, emc0002RM
40.	The reasons for this requested extension are that the Technical Team's report, the two instruction memoranda, and the documents, materials, data, studies, records of personal communication, and other materials cited and relied on in the report and memoranda were not available for public review at the time the notice of intent was published. As a result, the	All	Both	rmc0011GB, emc0002RM

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	public, including Barrick, was not afforded adequate time to investigate and consider the effects of those policies on the scoping process and to prepare comments accordingly.			
41.	the greater sage grouse habitat mapping process, by both BLM and state wildllfe agencies has not been completed and made available for public review. Based on comments made by Nevada Department of Wildlife and BLM officials at a public meeting in Carson City on January 18, 2012, it is our understanding that this process is likely to be completed within the next 30 day. This information will be vital in determining the potential impacts of the proposed process. These new measures could have a dramatic effect on the use of Nation's public lands, and thus, the public should be afforded an adequate opportunity to investigate and comment on the new measures before they are incorporated into the scoping process.	All	Both	rmc0011GB, emc0002RM
42.	We are appreciative of BLM's efforts to address this important issue in a timely and reasonable manner. However, in order to ensure that the informed decision making and informed public participation purposes of NEPA are fully implemented for this project, we respectfully request that the public comment period be extended by 60 to 90 days. We also request that BLM and the other public agencies supporting this effort promptly make available to interested persons all of the references, data, methodology, sources, and other items relied upon for the statements and conclusions in the Technical Team's report and in the December 27, 2011 instruction memoranda so that these items can also be evaluated during the public notice and comment period.	All	Both	rmc0011GB, emc0002RM
43.	Sage hens don't like big tall sage unless it has been grazed because of their weight and size they need a runway just like a B-52 to get air-borne. They need wild flowers and the insects the flowers attract to get the chicks started. Grazing=flowers. Western Watersheds, crows, ravens, coyotes, and all hawks are the sage hens worst enemies.	All	Both	rmc0010GB
44.	Consider not only the environmental consequences in the NEPA analysis but also the impacts to the human environmental equally, including not only economic impacts but also grazing, mining, oil and gas as well as recreation.	All	Both	rmc0004GB
45.	In planning and implementation of the long and short term Sage Grouse Strategy NEPA and CEQ guidelines will be followed allowing of local, state and tribal inclusion as cooperating and coordination agency status. This includes participation in the interdisciplinary process and the timely and complete sharing of all data with cooperators. BLM as the lead agency will divulge and explain any deviation from state and local plans in writing and will also address and comment on the impact decisions will cause.	All	Both	rmc0004GB
46.	Sage Grouse planning should set out bench marks and criteria for getting the sage grouse off of the warranted but precluded listing.	All	Both	rmc0004GB
47.	Discussion about definitions has to take place. We need to be clear and concise as to what they mean.	All	Both	rmc0004GB
48.	Decisions should not use inflexible standards but instead promote the advantages of a case by case adaptive approach to create management decisions.	All	Both	rmc0004GB
49.	Methodology of monitoring - should be flexible enough to allow local input and modifications on the adaptivity of the species.	All	Both	rmc0004GB
50.	Establish guideline to allow activities within a PPH if appropriate mitigation is offered.	All	Both	rmc0004GB
51.	Allow and use of exceptions, waivers and modifications to conservation measures based on criteria that are clearly defined and not subject to arbitrary change.	All	Both	rmc0004GB

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52.	In creating LUP amendments, priority mitigation credit will be allowed to resource users that contribute time and funds to projects, programs and work with other users or organizations private or governmental to coordinate land based activities including rangeland and watershed improvements that benefit the species.	All	Both	rmc0004GB
53.	Exemptions should be considered for pre-existing activities including valid existing rights.	All	Both	rmc0004GB
54.	Other resource users will be given mitigation credit for cooperating and working in concert with permittees and state agencies to increase and maintain habitat for Sage Grouse.	All	Both	rmc0004GB
55.	Alternatives that are least restrictive to multiple uses should have priority consideration.	All	Both	rmc0004GB
56.	Federal agencies shall cooperate with state agencies, local government and those allowed by agency actions to monitor the progress of the Sage Grouse to remove the species from any listing.	All	Both	rmc0004GB
57.	1. Complete Federal Agency communication, cooperation and coordination with local government and tribal plans including their direct input shall be allowed and also with state agencies: all who have legally applied for cooperative and coordination agency status. The communication, cooperation and coordination as stated will be adhered to at the maximum extent allowed by law at the predecisional/interdisciplinary and public review stages of this federal action.	All	Both	rmc0004GB
58.	All federal decisions made will be directly addressed substantively in writing by the lead agency and based on supportable data part of which would consist of a cost benefit analysis for species preservation and how those costs or benefits would impact other species and human activities thereby the stability of our nation.	All	Both	rmc0004GB
59.	If available, all data used in LUP amendments will first and primarily be local and State data collected on a case-by-case basis including. "priority mapping:" which shall consist of areas of actual Sage Grouse use.	All	Both	rmc0004GB
60.	A defined methodolgoy for monitoring should be determined. The type and criteria for monitoring should be determined by the local area and those involved at the local and state level that have already been doing the work.	All	Both	rmc0004GB
61.	Continued monitoring of species will be required but will not solve any problems if there is no flexibility through the LUP amendments to allow local input and modifications on the ground to compensate for the specie needs while managing for multiple use.	All	Both	rmc0004GB
62.	In creating LUP amendments, priority mitigation credit wil be allowed to resource users that contribute time and funds to projects, programs and work with other users or organizations private or governmental to coordinate land based activities including rangeland and watershed improvements that benefit the species.	All	Both	rmc0004GB
63.	7. Any changes or modifications in LUP's will include the cooperating and coordinating agencies involved in the creation of the LUP and their input and local plans will be adhered to consistent with bullet point #1.	All	Both	rmc0004GB
64.	Any LUP amendment to address Sage Grouse preservation should leave an amount of flexibility to allow for alternative actions otherwise the plan could prevent preservation instead of enhancement of species and habitat.	All	Both	rmc0004GB
65.	In management decisions, those least restrictive to multiple use will be given priority consideration. Plan flexibility for case by case decisions will allow modifications as needed.	All	Both	rmc0004GB
66.	Any plan strategy adopted will also consider existing planning actions addressing the local species requirements then as stated in Sec 4: (g) Monitoring; 1) The Secretary shall implement a system in cooperation with the States to monitor effectively for not less than five years the status of all species which have recovered to the point at which the measures	All	Both	rmc0004GB

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	provided pursuant to this Act are no longer necessary and which, in accordance with the provisions of this section have been removed from either of the lists published under subsection © to remove from such lists species for which the protections of the Act are no longer necessary.			
67.	If preservation is found to be fruitless for unmitigatable reasons: then implementation of or continuation of restrictive management practices that would impair multiple use goals would not be used or stopped.	All	Both	rmc0004GB
68.	The Town of Junction is certainly concerned about the future management strategy of the Sage Grouse, which is an indicator species. Its status greatly impacts the ability of our constituents to utilize natural resources on our public lands. We are very concerned that the ruling by the U.S. Fish and Wildlife Service in March of 2010 has caused the BLM and U.S. Forest Service to initiate this planning process, which we believe to be premature and politically motivated by conflict oriented activists.	All	Both	fxc0004GB
69.	We are aware of the habitat and management requirement for sustained and increased population growth. We were impressed by the many years of extensive research and data collection on the Sage Grouse that USU has compiled.	All	Both	fxc0004GB
70.	We are greatly concerned about the general health of Sage Grouse population in that it has critical impacts in obtaining utilization of natural resources including grazing, mining, oil extraction, timber cutting, recreation, and etc., which is important to our Region.	All	Both	fxc0004GB
71.	We ask that the National Greater Sage-Grouse Planning Strategy mandate and "active" rather than "passive" management approach to vegetation and predators, which include involvement of local officials.	All	Both	fxc0004GB
72.	I urge you to use the best available science to protect Sage Grouse. I am particularly concerned about the impacts of off road vehicles, grazing, and road building.	All	Both	emc0195GB
73.	I am writing to encourage you to adopt guidelines for BLM lands in the western US that protect the Greater Sage Grouse. You have an obligation to protect the Sage Grouse and its habitat on our public lands. Please use the best available scientific studies as you create these guidelines (e.g. information from the Sage-Grouse National Technical Team).	All	Both	emc0191GB
74.	We would ask that the approach, explained in the accompanying letter, be added to the record for consideration as a workable alternative. I hope all states involved in the sage grouse issue can work together to set a new standard of action and consideration.	All	Both	rmc0047GB, rmc0013rm
75.	The weight of this decision should be taken in the most professional and thorough way since it can, even with the least restrictive use changes, degrade the quality of life for those millions of residents living in the eleven western states where sage brush and sage grouse live. The endangered species act should be applied with the same responsibility as was brought forward in the hipocratic oath taken by many professionals as their mission statement, FIRST AND FOREMOST DUE NO HARM!!	All	Both	rmc0047GB, rmc0013rm
76.	Almost all westerners would like to see more sage grouse numbers, but NOT at the cost to the people, and the economy, and to our freedom to access and to use public lands, that have historically accompanied other species listing. In the past, the federal govenments main approach has been to withdraw and protect habitat and let the listed species increase, more or less on it's own which usually takes decades.	All	Both	rmc0047GB, rmc0013rm
77.	We have also been made aware of extensive efforts being done in Utah through the Utah Greater Sage-Grouse Strategic Management Plan Committee who have done great projects to implement the BLM National Sage-Grouse Habitat	All	Both	rmc0043GB

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	Conservation Strategy. We would strongly recommend that the work of this committee as published in the Utah Division of Wildlife Resources (UDWR), 2009, Utah Greater Sage-Grouse Management Plan, Utah Department of Natural Resources, Division of Wildlife Resources, Publication 09-17, Salt Lake City, Utah, USA, are taken into consideration in your scoping and NEPA process.			
78.	We also note that Utah State University has been heavily involved in researching and documenting impacts on the Greater Sage-Grouse habitat. Their science and local working group plans should be included in your scoping and NEPA efforts as well. (See http://utahcbcp.org/htm/groups/carbon)	All	Both	rmc0043GB
79.	Lastly, with these local plans, there has been a great amount of effort to maintain local control and local input in regards to Greater Sage-Grouse and Sage-Grouse habitat management within our county, and we strongly recommend continued support of these local conservation efforts through following local management plans.	All	Both	rmc0043GB
80.	Why are there no typical scenarios disclosed of a management problem (eg. Oil and gas drilling, livestock grazing, development) and how the BLM is thinking of addressing these threats to sage grouse and other sage-dependent species?	All	Both	rmc0039GB
81.	For as the BLM sage grouse plan website claims: "maintaining and restoring sagebrush landscapes on public lands is the BLM's primary means of conserving sage grouse populations and one of its most important current programs." We are wary that the BLM is planning mere window-dressing of existing degrading practices in order to avoid sage grouse uplisting, rather than the deeper, systemic revamping of agency practices and an end to rubber-stamping of oil and gas leases, resort development concessions, livestock allotment plans, etc. that is really needed.	All	Both	rmc0039GB
82.	The inadequacy of regulatory mechanisms was identified as a major threat to the Greater sage grouse in the U.S. Fish and Wildlife Services "warranted but precluded" finding. The BLM needs to incorporate explicit and enforcable objectives and conservation measures that are the most likely to fully protect and recover sage grouse populations and habitat in Resource Management Plans, based on the best available science- as soon as possible (not just within three years.)	All	Both	rmc0039GB
83.	Language in the new plan must be tightened to affirmatively ensure full protection of the Greater sage grouse. Language such as the BLM "shall," "will," and "must" - should be used instead of vague or voluntary terms such as "may" or "could."	All	Both	rmc0039GB
84.	In 2010 the Fish and Wildlife Service identified as threats sage grouse face across their range, including; energy development, urbanization, agricultural development, and invasive plants. We would add to this list of detrimental imipacts that must be avoided; toxic herbicide use, pesticide use, road and electric utility corridors, poison baiting (not necessarily targetting sage grouse), shooting of sage grouse, and detrimental livestock grazing.	All	Both	rmc0039GB
85.	Sage-grouse occur on a mix of public and private lands, as do sustainable livestock operations, therefore, any sage grouse conservation strategy on public land should consider the negative impacts that strategy may have on private land and the people who work there.	All	Both	rmc0028GB
86.	The NOI does not discuss details for assessing or measuring the adequacy of conserving sage-grouse populations and habitats. The DEIS should describe conservation success in terms of maintaining or expanding current populations and distribution, and/or in terms of the recovery of declining or extirpated populations. The draft EIS should discuss the monitoring of populatins and habitats that will be required to track habitat and population trends, and thus the efficacy of the agnecies' conservation actions.	All	Both	rmc0028GB

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87.	The thought of millions of their habitat being utilized for oil drilling and access roads to such makes me sad and sick. Their numbers are disappearing at a rapid rate and what are we going to get before we stop it? Token little groups in little islands of sage brush? Or a few in zoos?	All	Both	emc0190GB
88.	The public scoping meeting for the sage grouse management EIS was held in Reno, Nevada on January 30, 2012. We understand that the scoping period began in December 2011; however, the opportunity for the public to digest the ramifications of the project and make an informed comment in just a week (the close of the public comment period being February 7) is less than adequate. We request that the public scoping period be extended for an additional 60 days. Nevertheless, we have some general points to make in the interim:	All	Both	rmc0029GB
89.	One important point regarding any extension to or continuance of the process, is the lack of (promised) sage grouse priority habitat maps which would allow stakeholders using public lands to effectively evaluate which areas of direct and individual interest would be impacted by any of the BLM's proposed actions. We request that the Preliminary Priority Habitat and Preliminary General Habitat planning maps, showing designated sage grouse habitat, be made available as soon as possible but at least 3D-days prior to the close of the public scoping period so we can have an opportunity to review and comment specifically and generally. Many groups in Nevada have been asking to view these maps, but NDOW has indicated that the maps are not completed yet. In order for WEDC to adequately assess possible impacts to its exploration and mining projects, the locations of any "Priority Habitat Areas" must be identified. Without this information we will not know how we might be affected.	All	Both	rmc0029GB
90.	WEDC understands that the BLM recently issued two instruction memorandums; IM 2012-043 and IM 2012-044. These IMs were issued without public review or input and WEDC believes that they should be rescinded until the EIS process has been completed. The policies and procedures proposed by these IMs are considered a federal action and should have the appropriate NEPA review and public input prior to their implementation. It is also unclear whether the report produced by the Sage-grouse National Technical Team (A Report on National Greater Sage Grouse Conservation Measures, December 21, 2011) will be implemented in conjunction with he Ims that were issued, or if the conservation measures recommended in the report will be analyzed in the proposed EIS.	All	BLM	rmc0029GB
91.	Priority Habitat Areas need to be qualified. What is the definition? What data were used to determine the boundary? What is the bird density, how was it determined and is it a reliable estimate? Who made the determination and what were their qualifications to do so?	All	Both	rmc0029GB
92.	Implementation of any sage grouse conservation should not require any industry (including mining) to implement mitigation in perpetuity. If mitigation in perpetuity is required, the full details of what is considered "mitigation in perpetuity" needs to be clearly identified.	All	Both	rmc0029GB
93.	All mining operations strive to implement best management practices whenever possible; it makes good business sense. Best management practices and all measures identified through the EIS process need to proven and tested methods so as to be feasible, practical, and economical to both small and large mining operations, to exploration projects and to all types of industries (including small ranchers and local governments).	All	Both	rmc0029GB
94.	Mitigation of impacts to sage grouse habitat by a proposed project must be included if the government is serious about considering the socioeconomic impacts of their actions. Creating new habitat or relocating habitat to where past habitat had	All	Both	rmc0029GB

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	been previously destroyed would appear to be a win-win scenario for both the sage grouse and those that utilize public lands. If the results of mitigation equate to no net decrease or even an increase in sage grouse habitat wouldn't that benefit both the bird and our society as a whole?			
95.	A statewide mitigation bank, for all entities to donate to, might be beneficial. Such a statewide bank would centralize funding for broader habitat restoration projects. All mitigation requirements, whether a statewide bank or mitigation of individual projects, needs to be affordable to all those using public lands. No one group should be targeted or exempted from the cost of mitigation efforts.	All	Both	rmc0029GB
96.	Due to the controversial and complex nature of the proposed action, we request the public comment period on the Draft EIS be a minimum 120 days. To allow adequate time to review the DEIS and associated supporting documentation.	All	Both	rmc0029GB
97.	Please extend comment periods. Maps, GIS Data, etc are not even available online.	All	Both	cfc0003GB
98.	I am Gracian Uhalde c/o John Uhalde & Co Ranch we would like to be involved in any and all meetings regarding and for permiting holders. Phone (775)296-2317.	All	Both	cfc0011GB
99.	The Sage-grouse should be protected as if it were endangered and then ultamatly designated as such. This would also greatly help out with other issues such as southern Utah coal and wilderness.	All	Both	cfc0014GB
100.	Preliminary review of the scoping documents available on January 19, 2012 reveals little or no planned agency coordination with county governments as required under the National Environmental Policy Act of 1969 (NEPAl. Sec. 101 [42 USC § 4331] (a) of NEPA clearly states that local governments have equal consideration during the seoping process. The section also states that the Act intends to, "create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements ofpresent and future generations of Americans," In other words social and economic requirements are to receive equal consideration to environmental requirements.	All	Both	rmc0038GB
101.	The Federal Lands Management Policy Act (FLPMA) also contains explicit language about coordination with local government. Title II, Sec. 202(c)(9) states in part, "...assure that consideration is given to those State, local, and tribal plans that are germane in the development ofland use plans for public lands; ... " Lassen County has an approved land use plan and as such should be included as an equal partner with the other agencies involved in the national greater sage-grouse planning strategy. As BLM and Forest Service land use plans are revised to further the conservation of sage grouse they must also coordinate with the Lassen and other county land use plans to ensure agreement between the plans.	All	Both	rmc0038GB
102.	The NEPA process for the National Sage-Grouse Strategy must include county government to identify, mitigate or avoid negative economic impacts to affected counties.	All	Both	rmc0038GB
103.	Sage-grouse issue should be reduced to local working groups because each area has its own differences of soils, precipitation, altitute and environment.	All	Both	cfc0027GB
104.	Don't overlook in the evaluation or planning process, the work that has already been done with the working group. To ignore the work of the local working groups would be a significant waste of time and data. The planning stratagy should spread from existing successful efforts to fix habitat and success of the birds.	All	Both	cfc0028GB
105.	The Utah Farm Bureau has provided comments. This is in addition to them. As a participant in the PARM, CCARM and SWARM I have witnessed first hand the effects of predation on Sage-grouse numbers. Red Fox, coyotes, eagles, ravens and	All	Both	cfc0029GB

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	crows are devastating to grouse. The PARM working group research has shown that predator control is effective in increasing grouse numbers. The re-introduction of Sage-grouse into Strawberry Valley was made possible because of predator control (red fox). Predators are a much higher threat than livestock grazing.			
106.	Local citizens working together to resolve local and site specific issues offers the best chance for success. Considerable work has already been accomplished at the local level in planning for improved habitat management. To date the agencies have not implemented the majority of these planning efforts. Agencies should prioritize and implement these measures before increasing regulatory control that often paralyzes needed action.	All	Both	emc0202GB
107.	Elko County believes that in recent years the BLM and the USFS has not taken the time and provided the effort to fully evaluate the positive influences that multiple uses have on the federally managed public lands. Elko County believes that there are conservatoin methods and policies that can be implemented while preserving the multiple use concept on all public lands. We believe that wildlife conservation and land stewardship has been a common practice of miners, ranchers, farmers, recreationist and the general populations in the rural areas of the west since the first pioneers and settlers. Many public land users have directly experienced the dramatic policy changes and public land management practices that have been made by the BLM and USFS restricting or curtailing livestock grazing and other multiple uses and also physically witnessed the loss of wildlife in recent years. Many of these changes in policy and land management practices are primarily due to extremist preservationist group's plethora of law suits filed to prohibit multiple uses of public lands in the west.	All	Both	rmc0026GB
108.	The BLM and the USFS states, once seen in great numbers across sagebrush landscapes of the West, sage-grouse have declined in number over the past one hundred years because of the loss and degradation of sagebrush habitats essential for their survival. Greater Sage-Grouse now occupy only about 56% of the habitat that was available to them before the arrival of settlers of European descent. Elko County in part agrees with the loss and degration of the sagebrush habitat portion of the statement, however, we believe that the decline of populations and loss of habitat and degradation has occurred in more recent times over the past 30 years predominatly due to changes in public land use policies implemented by the BLM and the USFS.	All	Both	rmc0026GB
109.	The BLM and the USFS state that they will use the most current science for the analysis, including: The Greater Sage-Grouse: Ecology and Conservation of a Landscape Species and its Habitat (Knick and Connelly, eds. 2010). The BLM and USFS will also use The Western Association of Fish and Wildlife Agencies' (WAFWA) Conservation Assessment of Greater Sage-Grouse and Sagebrush Habitats (2004) and Greater Sage-Grouse Comprehensive Conservation Strategy (2010), as well as the BLM's National Sage Grouse Conservation Strategy). Elko County believes that the BLM and the USFS must also recognize and utilize local and regional historical data and documentation in the development of the Sage-Grouse habitat conservation and preservation initiative.	All	Both	rmc0026GB
110.	Elko County believes that there are many scientific and philosophical questions that must be asked and answered prior to the implementation of conservation and preservation of the Greater Sage-Grouse habitat planning strategies. Is the current decline in wildlife caused by human impacts on public lands or are they a normality of nature? Many would like to believe that most of the west prior to settlement was abundant and profuse with wildlife and wildlife habitat. There have been many government sanctioned and funded explorations and settlements made in the 1800's into the west that document that there was no such abundance of wildlife in the region. Many explorer's and settlers journals documented the widespread lack of	All	Both	rmc0026GB

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	wildlife to sustain even the explorer's expeditions and travels. Many writing that they were forced to kill and harvest their own horses and dogs for food. As is well documented we know that wildlife migrate and move to habitat as needed for life. Could the changes in the wildlife and wildlife habitat over that past 100 years as the biologist state, been a common or natural occurrence? Does the presence of humans really have significant impact over such a diverse community of wildlife? Why do we believe that ecosytems that create such a habitat are so vulnerable, weak and fragile that they cannot survive human presence? Do the wildlife biologists and scientists have sufficient pertinent, credible and reliable data available encompassing the past 200 years to establish baselines as to exactly what the wildlife populations were in specific regions prior to the recent years that indicate declines?			
111.	Elko County believes that the initiative must develop historic baselines and utilize all available data in the development of planning strategies. This would include the idea that perhaps the wildlife biologists and scientists do not have all of the knowledge that would warrant the listing of the Greater Sage-Grouse as an endangered species. Elko County agrees with the BLM and the USFS, that measures should be incorporated into planning strategies that will help protect the Greater Sage-Grouse and its habitat along with all other wildlife and wildlife habitat. However, we believe that the USF&WS and NDOW should also consider the lack of authenic data that would refute the concept that this decline is a natural occurrence prior to formulating a decision that will impact many western communities and their economies. Elko County also believes and states that any planning strategies developed should not reduce, decrease or any way further restrict the multiple use concept on federally managed public lands. Elko County believes that during the deveopment of the planning strategies local customs, historical uses and the economies must be comprehensively evaluated and considered prior to the implementation of any new planning objective.	All	Both	rmc0026GB
112.	It disturbs Elko County that the BLM has internally implemented an interim planning strategy Greater Sage-Grouse and its habitat, outlined in the December 27th, 2011 Instruction Memorandum 2012-043. This memorandum was written and developed without public input or any other agency direction. We believe that the interim planning directives were developed solely by the BLM source without express public input and outside agency direction or supervision and will cause un-necessary hardship to public land users. The BLM should expel the interim policy and follow the planning process to develop the planning strategies in accordance with NEPA and the proposed initiative.	All	BLM	rmc0026GB
113.	The Greater Sage-Grouse listing issue potentially proposes severe negative impacts to many states, counties, communities and regions of the west. We believe that the USF&WS and state wildlife management agencies along with the BLM and USFS must evaluate all of the potential negative economic and cultural impacts prior to making arbitrary and capricious decisions involving multiple uses and planning on public lands. Elko County will continue to participate and remain involved throughout the process as a coordinating/cooperating agency and request to be included in all correspondence concerning this issue.	All	Both	rmc0026GB
114.	I would like to see Township, Range, Section displayed on the NDOW Habitat Categorization Map so that I can determined where my private land is and allotment information to know how this plan is going to affect my operations.	All	Both	emc0196GB
115.	Since it is so important I strongly believe open public hearings should be conducted so that the total impact on areas custom culture and economy can be represented.	All	Both	cfc0030GB
116.	The Endangered Species Act has fallen heavily on the Great Basin. Charges, under NEPA, have been that livestock grazing is endangering species including sage grouse. Were sage grouse listed, it would have the same effect listing the spotted owl had	All	Both	cfc0030GB

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	on the Pacific Northwest timber industry and related economy			
117.	Of course I want to protect sage grouse, and all the sage brush obligates. However I believe this can be done while still responsibly using natural resources on public lands.	All	Both	emc0171GB
118.	Our nation and state agencies have determined that sage grouse populations are declining due to loss of habitat. Actual scientific studies used to draw these conclusions have not been made readily available to the public. The public needs this information in order to participate in public land management in a meaningful way.	All	Both	emc0171GB
119.	Another rumored management strategy is to restrict surface disturbance to less than 3% in areas with sage grouse habitat. That is very little surface disturbance considering the many surface disturbing activities conducted on public lands. Many areas have long ago surpassed this amount of disturbance. Such limited disturbance goes directly against the BLM multiple-use mandate. If this restriction stays in place it is equivalent to setting aside vast acreages of land solely for the purpose of sage grouse habitat. I request that the impacts of sage grouse conservation measures to the BLM multiple-use mandate be fully analyzed in the FEIS.	All	BLM	emc0171GB
120.	The previous scope of science was limited to the stating of opinion of impacts as a belief without actually testing the hypotheical of actual effect as these few examples of current research show.	All	Both	cfc0010GB
121.	I want agencies to do their comprehensive plans on the same schedule. This is possible! It is frustrating to have hearing where various agencies fumble about our plan won't be completed until "X" while other agencies are using data that is about the very same birds and lek sites.	All	Both	cfc0037GB
122.	Continue to promote citizen education that young people can access. Sage grouse are for their future but if they aren't aware of the species they won't work to protect them.	All	Both	cfc0037GB
123.	Decide when and how data will be updated and publsize the schedule so citizens can know where the populations are and how they are doing.	All	Both	cfc0037GB
124.	We encourage strongly to use the work of the local Sage-grouse Working Groups in your planning process and as you implement your plans. They have done a great deal of work and have several research projects that could be very useful. Todd Black, Nicki Frwy and others from USSU would be good contacts. Please do not try to reinvent the wheel.	All	Both	cfc0038GB
125.	Also we need to make sure that all of the knowledge, expertise, and information from the State Advisory Committee for Sage-grouse in Idaho and the local Working Groups is included in whatever Idaho comes up with for a new or amended state plan.	All	Both	cfc0042GB
126.	The states regulate wildlife, this is not a migratory species so interstate commerce does not apply. States that wish to protect this species can dio it through their game and fish agencies.	All	Both	emc0177GB
127.	We fully support all sound scientific decision making as well as multiple use management of public lands.	All	Both	emc0180GB
128.	I am very much in favor of protecting sage grouse throughout our public lands using sound science.	All	Both	emc0161GB
129.	You are intentionally shifting the focus from management that complies with the ESA to management that greatly expands your power, and reduces my freedom. Instruction Memorandum No. 2012-044 reports that the sage-grouse planning strategy will "maintain genetic diversity needed for sustainable Greater Sage-Grouse populations," which is consistent with	All	Both	emc0160GB

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	the ESA. That same Memorandum references A Report on National Greater Sage-Grouse Conservation Measures and implements its guidelines. That Report endorses a goal based upon existing numbers to "sustain these populations." The Report shifts the goal to "sustain" current populations, rather than to maintain "sustainable" populations to avoid extinction as required by the ESA. So, the Memorandum states that the goal of sage-grouse planning is to manage for "sustainable" populations, but deceptively expands that goal by instructing all BLM field officers in all program areas to comply with an alternative goal to "sustain" current populations, 350,000 sage-grouse (70 times as many as the "sustainable" number of 5,000). The purpose for the sage-grouse planning effort is reportedly to implement management guidelines through land use plans that will reduce the need to list the species under the ESA. Thus, the overarching population goal for sage-grouse must be based upon the ESA requirement to maintain sustainable populations that are not at risk of extinction, not to maintain existing populations that are far larger. The scope of the planning effort, and associated issues to be addressed, are constrained by the overarching goal.			
130.	The overall planning process anticipates managing to maintain or enhance sage-grouse habitat to support 75% of the current breeding population. This is still 52 times as many birds as would be needed to meet the requirements of the ESA. The land area proposed to support the 75% breeding population is 120 times larger than the area needed to maintain a sustainable population of 5,000 birds. You are using the sage-grouse planning process to invoke severe resource use restrictions across a vast landscape, when you are fully aware that compliance with the ESA would require protection for far fewer birds on a far smaller area. Your planning rules are intended to control people, not to prevent sage-grouse from being listed.	All	Both	emc0160GB
131.	These proactive measures need to be based solely on the best and most reliable current science with no special interest threat or agenda driven decisions.	All	Both	emc0114GB
132.	Current local land uses need to be considered, with mitigation factors worked around these current uses. Local land users need to be utilized in forming these decisions and implementing the work on the ground.	All	Both	emc0114GB
133.	I am not sure if it is possible for the BLM and USFS to fully implement the regulatory mechanisms available asked for by the FWS to ensure greater sage-grouse conservation	All	Both	emc0070GB
134.	The Harney County Court would like to submit the following comments and questions for consideration during the scoping process for the Planning Process for Sage-Grouse. The Court will be providing these questions to the Lakeview, Vale and Burns Districts as portions of this county are in all three districts. We have requested to be a participating agency with the Burns District process and would request to be able to participate where we can with the Lakeview and Vale Districts, particularly in areas of concern that are known to be different between the two districts. We would also like to request that the EIS be written from the positive rather than as a document that discourages or prohibits actions. The opportunity to prepare this EIS as one that enhances and enables should be one actively pursued!	All	Both	emc0071GB
135.	The January 10 BLM press release stated: "The BLM has identified the following preliminary issues to address in its environmental analysis: greater sage-grouse habitat management, fluid minerals, coal mining, hard rock mining, mineral materials, rights-of way, renewable energy development, wildfire, invasive species, grazing, off highway vehicle management and recreation." Harney County is concerned that a broad brush approach in applying increased regulations in a one size fits all approach may have many negative impacts to sagegrouse, sage-grouse habitat and the people living in the communities in these areas. We would like to begin to be able to address these various issues and wonder if any detailed information is	All	Both	emc0071GB

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	available on each of these issues at this point in time and, if so, whether we might have access to the information or could arrange for a discussion on these topics. We understand that each and every one of the issues identified above may not be an issue on any particular district.			
136.	Various press releases have indicated that "more adequate regulatory mechanisms" are required. If this is the focus of the update what effort has been made to determine what is adequate? Is adequate the same for all areas or will it be tailored to different types of habitat?	All	Both	emc0071GB
137.	How will the EIS analyze and balance the need for conservation on the several dozen other conservation plans for various species which ODFW has prepared? How will conflicting conservation strategies be considered for balance? i.e. fire is advantageous for some species and apparently not for sage grouse habitat.	All	Both	emc0071GB
138.	It is our understanding that one or more Sage Grouse initiatives are being worked on today (one with the Oregon Cattlemen is an example). How will those proactive efforts be protected or coordinated with the EIS?	All	Both	emc0071GB
139.	Will the BLM be developing CCA's in any locations on the District? Will the EIS include this as an option? Will the EIS acknowledge or coordinate any CCA and CCAA effort?	All	Both	emc0071GB
140.	In order for public scoping comments to be relevant and substantive, the public and potentially impacted stakeholders must have the basic information available to them the agency relies upon for their management decisions. Without this basic information the public and stakeholders are disadvantaged and potentially misinformed regarding the location, magnitude, and potential impacts of the proposed management policies.	All	Both	emc0077GB, emc0047RM
141.	From the perspective of the Nevada Mining Association, our members and the public have not been provided adequate time to review and consider critical documents related to the potential impacts of incorporating new Greater Sage-Grouse conservation measures into land use plans and land management plans. The Nevada Mining Association respectfully requests an extension to the scoping comment period to further review and evaluate the following documents: 1. On December 21, 2011 the BLM issued a report prepared by National Technical Team titled "Report on National Greater Sage-Grouse Conservation Measures", which outlines the many land management options and Sage-Grouse conservation measures BLM and USFS are considering for public lands in the west. This important document and the associated background material has not been formally vetted through a public process and, from our perspective, its importance has been understated by the BLM. This document was released several weeks after the scoping comment period had begun and additional time is needed to fully consider its implications to our membership and public lands management. 2. Based upon the findings ofthe National Technical Team's report, two Instructional Memoranda were issued by the BLM. The first, "Greater Sage-Grouse Interim Management Policies and Procedures", was issued on December 22,2011 (IM number 2012-043). The second, titled "BLM National Greater Sage-Grouse Land Use Planning Strategy", was issued on December 27,2011 (IM number 2012-044). These documents were also released several weeks after the scoping comment period had commenced and additional time is needed to fully consider their implications to our membership and land management policy. 3. Critical to sage grouse and land management policy in Nevada is the delineation and identification ofpriority habitat in Nevada. The BLM is looking to the Nevada Department of Wildlife (NDOW) for the preparation ofmaps for Sage-Grouse habitat boundaries. As ofthe date of this letter NDOW has yet to publicly release the habitat maps for Nevada and based on NDOW projections it is doubtful the maps will be available prior to the scoping deadline. In the BLM's own "Guide to Good Public Comments" it states:	All	Both	emc0077GB, emc0047RM

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	"Citizens....often have valuable information about places and resources they consider important and the potential effects proposed federal actions may have on those places and resources". The Nevada Mining Association believes it is unreasonable for the BLM to expect comprehensive comments on EIS scoping without providing the public and stakeholders the benefit of knowing if their operations or interests are located within or in close proximity to priority Sage-Grouse habitat. These maps are clearly critical elements in ensuring BLM is obtaining relevant and substantive comments through the scoping process. For the reasons listed above the Nevada Mining Association respectfully requests a minimum 60 day extension of the scoping comment period once the habitat maps noted above are made publicly available. This will allow our members and the public to fully consider all of the information available in order to ensure the EIS considers all options and alternatives for the effective management of Sage-Grouse and its habitat.			
142.	The National Mining Association (NMA) requests a 90-day extension of the comment period regarding the Bureau of Land Management's (BLM) notice of intent to prepare an environmental impact statement to incorporate greater sage grouse conservation measures into land use plans and land management plans. 76 Fed. Reg. 77, 008 (Dec. 9, 2011).	All	Both	emc0075GB, emc0009RM
143.	BLM published its recent Federal Register notice on the scoping process for the EIS on December 9, 2011, and requested comments by Feb. 7, 2012. However, at the time the notice was published, the agency had not yet made available several critical documents with a direct bearing on the scoping process. For example, four days before Christmas, the Department of the Interior (DOI) related a 74-page Report on National Greater Sage Grouse Conservation Measures without any public notice in the Federal Register. The critical report states that it is part of BLM's effort to develop new or revised regulatory mechanisms, through resource management plans, to conserve and restore the sage grouse and its habitat. Between the Christmas and New Year's holidays, BLM released, again without mention in the Federal Register, two significant instruction memoranda addressing land use planning and management of the sage grouse in the interim period until the RMPs are revised. In addition, at the time of the initial notice, all information on public hearings was still "to be determined," further complicating a timely and appropriate response based on the consideration of input from other stakeholders.	All	Both	emc0075GB, emc0009RM
144.	While we note and appreciate the fact that BLM has extended the comment period until the scoping meetings are completed, this amount of time for such an important issue is insufficient. On the last major comment period regarding the status review of the sage grouse (which did not even involve any actual immediate policy changes), a 120-day comment period was provided after all of the relevant information was made available to the public. See 73 Fed. Reg. 23, 172 (April 29, 2008) (extending the comment period to 120 days).	All	Both	emc0075GB, emc0009RM
145.	Accordingly, and for the reasons explained above, it is appropriate BLM to allow at least a 120-day comment period from when the instruction memoranda become available. Therefore, we request: (1) an extension of the comment period on BLM's notice of intent to prepare and environmental impact statement to incorporate greater sage grouse conservation measures into land use plans and land management plans until May 7, 2012; and (2) suspension of the two BLM instruction memoranda until such time as public comments have been received and fully considered by the agency.	All	Both	emc0075GB, emc0009RM
146.	It is my sincere hope that this study will be based on sound science and research regarding the greater sage-grouse and not be influenced by the politics or preferences of any one group of interested parties.	All	Both	emc0065GB
147.	Please consider, as you put together strategies for the Sage Grouse issues, that these signature birds are a symbol of the wild places in this country, and as such should be carefully maintained. They also represent declining habitat, not just for Sage	All	Both	emc0064GB

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	Grouse, but for many others which share this same habitat. Once these habitats are gone, they will be difficult, if not impossible, to re-establish.			
148.	That land management is currently under the aegis of humans, wouldn't it be logical for humans to devise a carefully crafted long term program, which is based on actual science, (not politically motivated) and come up with a series of steps which can be directed toward restoration of dwindling numbers of animals and plants which populate this region?	All	Both	emc0064GB
149.	Each local area should looked at on a local basis by the people.	All	Both	cfc0062GB
150.	We should not let money and environmental groups shove all this down our throats.	All	Both	cfc0062GB
151.	We need sage-grouse but we also need grazing and everything else we use these public lands for.	All	Both	cfc0062GB
152.	Why should someone in Nevada tell us how to handle our business in Utah. We need local input on this issue not across the board decisions.	All	Both	cfc0062GB
153.	Please speak up and defend your positions so the general public knows you are promoting for all rather than giving inot the few selfish interests	All	Both	cfc0064GB
154.	Another concern I have is with the heavily weighted attention that some 10+ groups or parties who may refer to themselves as conservation or environmental groups. These groups have a few well-organized leaders with good funding. However, they represent a relatively small group of people, a large majority of every community in west are supportive of these vocal and limiting groups. I hope the BLM recognizes this fact.	All	Both	cfc0065GB
155.	Having spent some 49 years exploring and observing vast Oregon sagebrush/desert areas I have found two very specific areas to make my point - one of these areas is in the upper elevations of the Hart MT. NWR Through a period of 20-25 years ago an area with an elevation of 6000 to 6800 ft was covered with thick big sage, some bitterbrush, mahogany and some grass. No sage-grouse could be found. There were mule deer, but no antelope. Some 18-20 years ago a lightening caused wildlife cleanly burned a large area (Hot Fire) . About 15 years after the fire there hundreds of sage-grouse using the area. Antelope were also using the area. The landscape changes Sage-grouse cycle!	All	Both	cfc0067GB
156.	The BLM, Forest Sevice, support groups and individuals need to document select limited areas where Sage-grouse survival factors can be enhanced.	All	Both	cfc0065GB
157.	Please read our posted PRESS RELEASE below as it most certainly relates to mitigating the dire consequences of Sage Grouse impacting Barbed Wire fences --- as well as all Wildlife,Livestock & Humans; that additionally increases the longevity integrity of a wire barrier by eliminating impact damage by those that didn't SEE it. We'd be happy to send a free sample for an in hand evaluation of our FENCE-FLAG	All	Both	emc0014GB, emc0007RM
158.	It is surprising that your material includes Colorado and Wyoming in the sage-grouse area, but there are no meeting arranged in either of those states.	All	Both	emc0015GB
159.	We suggest that BLM/agencies post alilek count and other data on which the Doherty Core/Triage analysis is based, and on which any derivative mapping and population modeling is based on-line for all the western states, so that this can be an open and transparent process where all "stakeholders" have equal access to information necessary to make informed comment. Can we be provided with the information that Doherty et al. used to develop the mapping and analysis so that we may make	All	Both	emc0026GB

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	informed Scoping comments?			
160.	We are very concerned about what appears to be increased secrecy about grouse numbers and other essential information like locations of leks. This is NOT necessary for protection of birds. The location of leks can be masked a bit if that is the concern -like to the nearest half mile, or something. But full accurate accounting, numbers, and the environmental setting have to be presented and mapped in an open way to aid informed public comment. This includes ongoing comments in the Interim on a battery of agency proposals that are underway or will be proposed as this latest BLM process is being conducted. Just a month after hearing Bob Budd (the Wyoming Core/Triage model facilitator) sayin Boise that there were over 400,000 grouse in Wyoming alone, I read an article in a Montana newspaper that had a lower number --- range-wide. If the agencies - and this includes the states/WGA too - truly want public buy-in, and an effective outcome - then full transparency and honesty from the start is critical.	All	Both	emc0026GB
161.	I would like to express my disappointment that there does not appear to be a single scoping meeting in the state of Colorado, even though we have major areas of Sage Grouse habitat. I am personally well acquainted with the Little Snake River area in northwestern Colorado and the Red desert in southwestern Wyoming and have valuable input regarding those areas.	All	Both	emc0028GB
162.	What these comments attempt to convey is that nothing less than a change in agency culture is needed if sage-grouse are to thrive.	All	Both	emc0058GB, emc0015RM
163.	Please list the Greater Sage Grouse as an endangered species. At the very least, treat the Greater Sage Grouse as if it were listed as endangered, because it is the Right Thing To Do. Follow available science Over commodity driven interests.	All	Both	emc0056GB
164.	Place emphasis on the long term and short term protection the greater sage grouse over commodity driven interests. Follow the best available science over commodity driven interests.	All	Both	emc0055GB
165.	Successful management of the Greater Sage-grouse will require the involvement of all federal land-management agencies which hold land within the range of this species. It is our understanding that the US Forest Service has joined in the effort, but we urge that the U.S. Fish and Wildlife Service, National Park Service, Department of Defense, and Department of Energy be engaged as well.	All	Both	emc0068GB, emc0020rm
166.	The scoping documentation, draft environmental impact statement (DEIS), and final environmental impact statement (EIS) records should make it clear that failure to apply and implement is not an option but a requirement if federal listing of sage grouse is to be avoided by implementation of positive recover actions.	All	Both	emc0066GB
167.	In my career with the FWS I had many an opportunity to interact with the Service and the Bureau (the agencies). During that career and since my retirement I have noted many instances of technical-planning recommendations that were not being applied or implemented on the ground on agency-managed lands. That has caused grave concern on my part, because it matters not one bit for "the critter of interest" and its habitats if the technical recommendations that come from an informed planning process never hit the ground.	All	Both	emc0066GB
168.	That in my view is a very serious issue, one that deserves treatment in the development of the preservation and restoration strategy for sage grouse. The agencies must certainly be aware that they now deal with a very sophisticated set of publics, that those publics are well informed of these issues, and that they will certainly take affirmative action of this process fails.	All	Both	emc0066GB

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169.	The agencies have as a matter of routine failed to apply and implement solid technical recommendations in the past as many a court proceeding has documented. This is a waste of tax dollars - in planning and in court. So, there have been and continue to be several reasons, as the agencies well know, that contribute to a legitimate cause for such concern on the part of the publics in this matter.	All	Both	emc0066GB
170.	It is my view that politics and old-guard administration have been and remain obstacles to the implementation of sound science. Said another way, science has not informed and is not informing policy. Rather, policy has subverted and suppressed and is subverting and suppressing science. This travesty is not unique to any particular federal administration or to any particular agency. That has to change if planning processes are to be legitimate - to have actual, societal-level value. For it to continue otherwise perpetuates the charade, wastes human and fiscal resources, and ignores the natural resource problems and their causes. I suggest that this institutional issue has direct bearing on the scoping process and in the environmental analysis that goes into the development of the DEIS and EIS. Disclosure of the issue in scoping and as part of the subsequent NEPA planning process in the development of the DEIS and EIS, respectively, will allow for direct treatment of the issue. Said another way, the two agencies should address this very-real issue up front in the planning documentation. It is as important if not more important than the science, because it has served to trump the science in the past and stands to do so again after this process is completed. That would render the process next to useless in terms of actual accomplishment toward protecting and restoring sage grouse and its habitats.	All	Both	emc0066GB
171.	So, in my view, the NEPA process should address aspects of application and implementation that insure that the science will inform the policy, that application and implementation at all levels within each organization are informed by the science, that the performance of agency employees will be evaluated against application and implementation criteria at all levels of decision making, and that the DEIS and EIS record is clear that failure to apply and implement is not an option but a requirement.	All	Both	emc0066GB
172.	I know there are legal issues in that last statement as it precedes a record of decision. However, I think that the process needs to squarely address those issues up front. The alternative of course is litigation, petitioning, and federal listing of the greater sage grouse by the USFWS. Again, I will be direct. Let's be serious from the get go. Politics and old-guard administration must be addressed as obstructionist to the preservation and restoration of the greater sage grouse and its habitats. An open planning process and an open application and implementation of technical recommendations is necessary to the betterment of the species and it habitat.	All	Both	emc0066GB
173.	I suggest that the agencies must look at all uses of and on the land. The agencies should evaluate those uses against the goals - attainment of preservation and restoration of sage grouse and its habitats by way of application and implementation of the technical recommendations that come from the planning process. If goal attainment requires changes in land use - said another way, if goal attainment is not possible without changes in land use - the disclosure of those requisite changes should be included in the NEPA documentation.	All	Both	emc0066GB
174.	I wish you well in conducting this evaluation and that all participants are able to remain on the ethical high ground free of the subversion of political intervention. Thank you for the opportunity to comment.	All	Both	emc0066GB
175.	Re: Request for Extension of Public Comment Period for the Notice of Intent to Prepare Environmental Impact Statements and Supplemental Environmental Impact Statements to Incorporate Greater Sage-Grouse Conservation Measures into Land	All	Both	emc0067GB, emc0018rm

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	Use Plans and Land Management Plans, 76 Fed. Reg. 77008 (December 9, 2011) Dear Project Managers: The Northwest Mining Association hereby requests a 60 to 90-day extension of the comment period on the above referenced Notice of Intent. The conservation measures being proposed for the greater sage-grouse will have a significant impact on our members. Additional time is required to fully identify the issues that should be considered as the BLM and the U.S. Forest Service prepare Environmental Impact Statements (EIS) and Supplemental Environmental Impact Statements (SEIS) to incorporate conservation measures into Land Use Plans and Land Management Plans			
176.	We request an extension to the public comment period for two reasons. First, greater sage-grouse habitat maps are still being developed by the federal land management and state wildlife agencies. Until those maps are completed, it is impossible for our members to fully analyze the potential impact of the proposed conservation measures.	All	Both	emc0067GB, emc0018rm
177.	Second, subsequent to the publication of the Notice of Intent to prepare the EIS's, the BLM issued several greater sage-grouse management documents relevant to the scoping process, including the National Technical Team report released on December 21, 2011 that includes proposed sage-grouse conservation measures. Then, on December 27, 2011, the BLM issued two instruction memoranda (IM No. 2012-043 and IM No. 2012-044) addressing land use planning and management for greater sage-grouse. Neither the National Technical Team's report, nor the two instruction memoranda were available for public review at the time the Notice of Intent was published in the Federal Register. Not to mention the documents, materials, data, studies and other materials cited in the report and memoranda. As a result, the public was not afforded adequate time to investigate and consider the effects of that material on the scoping process and to prepare meaningful comments accordingly.	All	Both	emc0067GB, emc0018rm
178.	It is critical to NWMA members that they have adequate time to review and develop meaningful comments for this scoping process. Therefore, we respectfully request the comment period be extended for an additional 60 to 90 days. We would appreciate BLM's prompt action on this request given its critical nature to our members' business operations.	All	Both	emc0067GB, emc0018rm
179.	We hope this planning process leads the BLM and USFS to accelerate its ongoing transition away from haphazard management of livestock grazing, energy development, fire management, OHVs, mining, roads, weeds, water development, fences, non-native seeding, etc.	All	Both	emc0078GB
180.	The proposed action involves incorporating conservation measures for greater sage grouse and their habitat into BLM RMPs and USFS LRMPs. Sage grouse are warranted for listing under the Endangered Species Act, mostly because regulatory mechanisms are inadequate to prevent habitat degradation. Since most of that habitat is managed/regulated by the federal agencies, this becomes a very important planning endeavor, and this effort will fail unless it leads to significant changes in the management practices of federal agencies.	All	Both	emc0078GB
181.	We support the use of ePlanning to improve transparency in the NEPA process, reduce paper use, and improve record-keeping throughout the preparation of environmental documents. We urge the agencies to make the website as complete as possible with links to all key science resources and related planning documents and policy documents, etc.	All	Both	emc0078GB
182.	I have read the frequently asked questions sections of the sage grouse website. I am still unclear about the purpose and need on this particular EIS.	All	Both	emc0051GB
183.	Is the purpose and need only to incorporate sage grouse language / priorities into RMP's that may be so old as to not address	All	Both	emc0051GB

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	this species at all, or minimally?			
184.	Is the purpose and need only to evaluate the effects to sage grouse conservation of ongoing program practices done under existing RMP's? And if so, what conservation measures are being used to evaluate the practices against?	All	Both	emc0051GB
185.	Is the purpose and need only to recommend new conservation practices to be incorporated into existing RMP's and/or recommend revision of ongoing practices done under existing RMP's that might be contrary or less than ideal for sage grouse conservation?	All	Both	emc0051GB
186.	Please take a step in the right direction for the BLM and reject the un-nessary listing of the Sage Grouse	All	Both	emc0286GB
187.	I believe that the process would better benefit by making it more of a "joint" effort. By this, I mean that I believe the information that the USU Extension has gained in their efforts over the past couple ofyears seems to be working effectively and that the BLM would better benefit by working along with their findings in a case by case basis to continue the studies and management of the Sage Grouse population rather than to take it over and treat the process as a "whole", seeing as different areas will be affected in different ways. I believe that deep consideration should be given to what has already been learned and accomplished and that the process that was originally began by the USU Extension needs to be given a chance to succeed.	All	Both	emc0325GB
188.	While I, personally, believe in the cause and its efforts, I also believe that each area needs to be dealt with in the manner that will most greatly benefit them directly. What is best for one area is not necessarily the best for another. One area could directly be affected recreationally while another could be affected more on the farmland/natural resource and habitat end of things. Therefore, it would be my suggestion that each case needs to be dealt with individually in order to directly determine the best results.	All	Both	emc0325GB
189.	Let's not prevent recreation, mining, live stock grazing, oil production, gas recovery, and the massive loss of jobs!	All	Both	emc0035GB
190.	The EIS process should also identify any significant "data gaps" that could, consequently, provide impetus for the initiation of additional field research projects that would address those data needs.	All	Both	emc0041GB
191.	In summary, we need to have as much biological information as possible about the demographics of the various sage grouse populations located in the various parts of their geographic range, and to know how those demographics relateto the kinds of habitat alterations and human impacts that have taken place and that may potentially take place in the future. Until these kinds of data are nailed down accurately, it will be difficult to determine the kinds of things that land managers can do to most effectively promote the welfare of this species. The aim should be to determine what human activities can be modified, managed differently, or curtailed to best promote the long term success of sage grouse, and probably more importantly, to promote the healthy ecology of sagebrush ecosystems, in general, across the West. As you undoubtedly know, whatever we do to improve the conditions for sage grouse, will likely benefit literally dozens, perhaps even hundreds of species that depend on sage-steppe landscapes.	All	Both	emc0041GB
192.	I would not spend a great deal of time considering predator control, urban sprawl, communication towers, invasive plants, oil and gas development, roads, pipe line routes, or livestock grazing in your sage grouse conservation plan. These are mostly distractions. Stay focused on habitat management and don't get sidetracked by various agendas.	All	Both	emc0043GB
193.	As all of us know, the issues associated with greater sage-grouse conservation are complex in their details and expansive in	All	Both	emc0049GB,

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	their impacts. Western states, and stakeholders in those states, have spent many years working to develop and implement workable conservation plans.			emc0019rm
194.	We hope the agencies will provide sufficient time to make sure that hard-won knowledge and progress on the ground can be integrated into the EIS and SEIS processes. Critical to that effort is good information flow. Unfortunately, a good deal of important data was released by BLM well after the comment clock started. On December 27, 2011, the BLM issued two instruction memoranda -- IM No. 2012-043 and IM No. 2012-044 -- addressing land use planning and management for greater sage-grouse. Then, on December 31, 2011, the BLM issued several more greater sage-grouse management documents, including the National Technical Team Report. These BLM documents reference a variety of other documents, data, studies and other materials relating to greater sage-grouse and their habitat	All	Both	emc0049GB, emc0019rm
195.	An even more fundamental issue: greater sage-grouse habitat maps are still being developed by the federal land management and state wildlife agencies. It is hard for stakeholders to provide meaningful input to the regulatory process without that key set of data. Assuming the maps will be forthcoming very soon, we believe a 90-day extension of the public comment period is appropriate to give the public, stakeholders and states sufficient time to digest these documents, maps etc, and formulate meaningful input.	All	Both	emc0049GB, emc0019rm
196.	This issue has very real implications for Roundtable members, many of which are involved in energy and natural resource development activities on the vast swathes of lands in the West	All	Both	emc0049GB, emc0019rm
197.	This e-mail is to let you know of our concern for the Greater Sage Grouse. Even though it is not listed on the endangered species list, it should be and it should be treated as if it was. This is critical and it is the right thing to do. We ask you to follow the best available science OVER COMMODITY DRIVEN INTERESTS	All	Both	emc0081GB
198.	While I understand that you are under great pressure from Western Watershed and other environmental entities, it seems common sense needs to prevail.	All	Both	emc0082GB
199.	PROPOSED CONSERVATION MEASURES ISSUE: The proposed Conservation Measures statement "Priority sage-grouse habitats …areas have been, or will be identified by state fish and wildlife agencies in coordination with respective BLM offices" allows an unprecedented situation of having the State dictate habitat management on federally managed lands. Priority habitat speaks of the land – not the animal. The federal land management agencies are responsible for the habitat-the land, with the state being responsible for the actual animal with the exception of where ESA listed species occurred. This statement, as written, should not be incorporated into the LUPs. It is an assertion of states rights on federal lands. I have been in these "coordination" meetings; which have been nothing more than finger-pointing sessions. Aside from the precedent this sets in writing, there are other concerns. The states ultimately don't have the legal responsibility for the habitat; will incur no cost from having to fund the conservation measures on the land, will incur no cost from the future lawsuits, and are more subject to provincial politics than even the BLM. Under this language the BLM will have little control over priorities, but all of the risk. The LUP should adopt language that says BLM state level biologists, as the habitat managers, will coordinate high priority areas across District and State lines with input from Districts and the States.	All	Both	emc0083GB
200.	ISSUE: The proposed Conservation Measures fail to address the topic of patch size in relation to sage-grouse habitat. Habitat patch size can be critical for the survival of species that are affected by this phenomenon. OHV trails, two-track roads, ROW's and other structures that chop contiguous vegetation types that make up a habitat into small pieces must be	All	Both	emc0083GB

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	evaluated with respect to the minimum size of a habitat needed by sage grouse to complete their life cycle. Page 9, item 3 of the proposed Conservation Measures hints at patch size, but doesn't really discuss the concept. Any amendment to LUP's should discuss this conservation biology topic - either dismiss it as an effect, or discuss it. If effects of patch size aren't known, that should be stated and conservative recommendations made until the science catches up.			
201.	The Land-Use Planning Process Several of the RMPS and LMPs that are subject to the NOI are currently undergoing revision or amendment. EISs are being prepared in connection with those actions to evaluate the potential impacts of alternative resource management prescriptions. The NOI does not clearly state how the Greater sage-grouse EISs will be coordinated with these ongoing land-use planning efforts. It is important that the BLM and FS avoid duplication of efforts, and streamline the overall NEPA process. For example, where EISs have been or are being prepared for a particular land use plan amendment or revision, the Greater sage-grouse EISs should defer to those ongoing efforts and avoid "reinventing the wheel" and duplicating the extensive analyses and public engagement processes that have already been undertaken.	All	Both	emc0084GB, emc0026rm
202.	The NOI acknowledges that any conservation measures will recognize valid existing rights (VER). Properly defining and protecting valid existing rights should be a central component of the BLM and FS's planning efforts.	All	Both	emc0084GB, emc0026rm
203.	The NOI suggests that the BLM and FS are striving for greater national consistency in the types of sage-grouse conservation measures that are implemented on federal lands. While consistent guidelines may provide some value, those guidelines should provide sufficient flexibility to allow for consideration of local conditions during implementation. For example, a one-size-fits-all approach to potential buffer zones would not be appropriate, and local land-use managers must have some flexibility to consider whether such measures are necessary or appropriate during the review of specific projects.	All	Both	emc0084GB, emc0026rm
204.	Issues Associated with BLM's National Sage-Grouse land Use Planning Strategy On 27 December 2011, the BLM issued Instruction Memorandum No. 2012-044, which provides direction to BLM for considering the sage-grouse conservation measures identified in the Sage-grouse National Technical Team's Report on National Greater Sage-Grouse Conservation Measures, dated 21 December 2011 (The Sage-grouse Report). The IM directs that the measures set forth in the Sage-grouse Report be considered, during the land-use planning process. The IM acknowledges that some measures set forth in the Sage-grouse Report may not be consistent with applicable law, and directs the BLM to consider legal restraints. The IM also acknowledges that the measures set forth in the Report may require adjustment to address local conditions. The Sage-grouse Report itself (p. 5) acknowledges that the measures identified therein are not an end point and should be considered as only a starting point to be considered in BLM's land-use planning process. Nevertheless, there are a number of flaws in the measures suggested by the Sage-grouse Report, which BLM should carefully evaluate in developing a balanced and effective approach for conserving sage-grouse habitat. In short, many of the potential measures set forth in the Report do not provide a viable or defensible method for protecting sage-grouse habitat, and would have dramatic adverse consequences on other multiple-use activities on public lands. Overwhelmingly, the conservation measures identified in the Sage-grouse Report focus on limiting or restricting the use of federal public lands. Instead, the BLM's conservation measures should focus on active management of habitats in a manner that will allow for other land uses.	All	Both	emc0084GB, emc0026rm
205.	Given the scale and scope of this undertaking, the scoping comment period is inadequate to fully review and consider the various supporting reports, maps, and documents. Indeed, the detailed habitat maps for Nevada are not yet complete! It is thus appropriate for BLM to provide a 120-day comment period. Please extend the comment period accordingly.	All	Both	emc0084GB, emc0026rm

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206.	The American Wind Energy Association (AWEA) respectfully requests an extension of time to file comments in the proceeding referenced in the subject line of this letter due to the current unavailability of data that is essential to completing our filing and improving the record.	All	Both	emc0086GB, emc0030rm
207.	AWEA therefore requests that the comment deadline for this proceeding be extended for 60 days (until April 7, 2012) or, in the alternative, 14 days from when the necessary data from all of the states is publicly released by BLM. This additional time will allow AWEA, as well as other stakeholders involved in this matter, to submit a more complete filing that will improve the record in this proceeding. Considering the long-term nature of the sage-grouse protection initiative, this extension would not significantly delay this proceeding.	All	Both	emc0086GB, emc0030rm
208.	The February 6, 2012, court order is posted on the Advocates for the West web page, the only place I could easily locate it. In short, the BLM lost. It is worth reading in conjunction with the sage-grouse RMP EIS project because it seems that, at some point, either the RMPs or more detailed activity plans could be subjected to FWS PECE criteria. The reason for sending this is that, even with an adequate regulatory framework, the follow through performance is what really counts. The court order may help provide some insights into how to better accomplish on-the-ground what RMPs on paper are trying to achieve.	All	Both	emc0097GB, emc0038RM
209.	The paragraphs below are taken from a November 15, 2011, Federal Register notice regarding Proposed Information Collection; Policy for Evaluation of Conservation Efforts When Making Listing Decisions (PECE). I have underlined passages that could be interpreted as applying to RMP revisions through the RMP EIS effort. The "other entities" in the first paragraph doesn't seem to exclude federal agencies. Section 4 of the Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.) specifies the process by which we can list species as threatened or endangered. When we consider whether or not to list a species, the ESA requires us to take into account the efforts being made by any State or any political subdivision of a State to protect such species. We also take into account the efforts being made by other entities. States or other entities often formalize conservation efforts in conservation agreements, conservation plans, management plans, or similar documents. The conservation efforts recommended or called for in such documents could prevent some species [[Page 70749]] from becoming so imperiled that they meet the definition of a threatened or endangered species under the ESA. The Policy for Evaluation of Conservation Efforts When Making Listing Decisions (PECE) (68 FR 15100) encourages the development of conservation agreements/plans and provides certainty about the standard that an individual conservation effort must meet for us to consider whether it contributes to forming a basis for making a decision about the listing of a species. PECE applies to ``formalized conservation efforts'' that have not been implemented or have been implemented but have not yet demonstrated if they are effective at the time of a listing decision. Under PECE, formalized conservation efforts are defined as conservation efforts (specific actions, activities, or programs designed to eliminate or reduce threats or otherwise improve the status of a species) identified in a conservation agreement, conservation plan, management plan, or similar document. The development of such agreements/plans is voluntary. There is no requirement that the individual conservation efforts included in such documents be designed to meet the standard in PECE.	All	Both	emc0097GB, emc0038RM
210.	TWS believes the preliminary issues list developed by BLM and FS is incomplete. The list should also incorporate several factors which are relevant to "greater sage-grouse habitat management." Some of the additional factors that The Wildlife Society recommends including are: - Wild horses and burros management - Conifer encroachment and management - Habitat restoration and subsequent long-term monitoring - Water management and West Nile virus abatement - Placement	All	Both	emc0099GB, emc0037RM

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	of fences, cell towers, and other related tall structures - Wildfire management - Prescribed burning - Sagebrush management programs (mechanical and chemical) These major conservation issues and concerns have been synthesized in Studies in Avian Biology, Volume 38 (Knick and Connelly 2011).			
211.	22nd bullet: The Federal Register notice states that "The most current approved BLM and FS corporate spatial data will be supported by current metadata and will be used to ascertain greater sage-grouse habitat extent and quality. Data will be consistent with the principles of the Information Quality Act of 2000." How will data maintained by the state wildlife management agencies be incorporated into this process? In some cases, state wildlife management agencies may have better and/or conflicting data. Much of the knowledge and expertise on greater sagegrouse resides in state agencies and universities, not with the BLM or FS. We recommend that these sources be fully consulted prior completing greater sage-grouse habitat maps.	All	Both	emc0099GB, emc0037RM
212.	23rd bullet: The Federal Register notice states that "State Game and Fish agencies' greater sage-grouse data and expertise will be utilized to the fullest extent practicable in making management determinations on Federal lands." This is an ambiguous statement. Who or what decides what is "practicable"? Presently it does not appear that BLM/FS is using all of the expertise available to it; we encourage the agencies to work more closely with the state agencies.	All	Both	emc0099GB, emc0037RM
213.	The BLM has a 'Multiple-Use Mandate'. Clearly, many of the planning criteria identified could have either positive or negative consequences for sage-grouse populations. The document does not explicitly acknowledge the fact that many of the criteria and the mandates may actually be in conflict with sage-grouse management. A number of resource needs and activities that BLM is responsible for managing under the multiple-use doctrine may not compatible with sage-grouse conservation and thus should not all take place at the same time or within the same locations or landscapes. This should be mentioned; such conflict in management will need to be addressed.	All	Both	emc0099GB, emc0037RM
214.	Management of sage-grouse populations, as indicated in the discussion of the planning criteria, requires intimate knowledge of what is and what is not sage-grouse habitat. Additionally, this resource data must be spatially depicted across the landscape. The Conservation Assessment provides great insights as to what those habitats should look like. However, when we take a given state or a given population, and look at a map, in most cases, we do not have the ability to identify where those resources occur on the landscape. TWS recommends BLM and FS consult with state wildlife management agencies to incorporate state level research mapping efforts such as the remotely-sensed sagebrush mapping effort in Wyoming that has developed the seasonal sage-grouse habitat mapping project.	All	Both	emc0099GB, emc0037RM
215.	The list of plans to be affected: - The Inyo, Klamath, Modoc, and Lassen National Forests should be included as additional California sites. - The Salmon-Challis National Forest should be included as an additional Idaho site. - The Targhee and Caribou National Forests in Idaho have been combined- both Forests have sage-rouse habitat. - The Beaverhead-Deerlodge National Forest should be included as an additional Montana site.	All	Both	emc0099GB, emc0037RM
216.	We recognize that this is a national plan, but to work and truly make a difference for the sage-grouse species and the communities affected, the FS/BLM's Supplemental EIS to Incorporate Greater Sage-Grouse Conservation measures into Land Use Plans and Land Management Plans must be locally adapted and dynamic. The document must foster learning through the most current research and monitoring efforts. As new knowledge becomes available the plans must be flexible enough to incorporate this knowledge into management.	All	Both	emc0099GB, emc0037RM

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217.	Is misplaced blame now an aspect of the scientific method? Recurrently, misplaced blame seems to guide public policy. The progression of sage grouse studies and solutions is troubling because previous central planning suggests the correct actions will not be taken by the bureaucracy. The politically-correct scientists already have destroyed logging in communities across America. Who is next? Can we expect the bureaucracy to protect sage grouse any differently than the spotted owl? With the nation 16 trillion dollars in debt, will their true impact be to eliminate jobs and ruin communities while protecting the bureaucracy? President Eisenhower warned us of the military-industrial complex. Perhaps now we should consider a bureau-scientific complex centralizing science and regulating our rights, opportunities, and liberties.	All	Both	emc0087GB
218.	It is apparent that centralized policy overrides science when considering the analyses and conclusions of the sage grouse studies. Whether by intent or coincidence, for the uninitiated but scientifically and technically accomplished reader, the submitted May 15, 2011 USFWS Species Assessment and Listing Priority Assignment Form (USFWS 2011, subsequently noted as Form) is unclear and poorly presented. The 139-page submittal is without page numbers, table of contents or index. Headings are repetitive except where they simply reference letters of the alphabet with no clear subject. That unprofessional and unclear construct makes referencing, cross-referencing and checking tedious beyond the point of deceptive. Given the scale and import of the matter, this is troubling since the presentation obscures both data and analyses, hindering substantive evaluation of the conclusions and recommendations. As a taxpayer, it is appalling that this low quality apparently is standard and acceptable practice by the bureaucracy.	All	Both	emc0087GB
219.	The NOI states that the BLM and FS will use a collaborative and multi-jurisdictional approach and will coordinate and communicate with state, local, and tribal governments. Involvement of all stakeholders will be critical to the success of the BLM's and FS's efforts; however, the NOI appears to only provide stakeholders the typical NEPA opportunities for public participation (i.e., submitting comments during scoping and on the draft EIS). Whatever the forthcoming decision is, it will likely have significant social and economic repercussions well beyond the BLM and its public land policies. To simply allow for comments may meet the NEPA requirements; however, it provides little opportunity for a collaborative process and is likely to result in more challenges to future agency decisions.	All	Both	emc0090GB
220.	The BLM's national planning strategy (IM WO-2012-044; Attachment 2) identifies several planning level teams that have varying roles, responsibilities, and meeting frequencies. Neither the IM nor the planning strategy identify how the public can participate in these meetings or even how the public will be informed of meeting logistics. Since these groups will evaluate the existing science, provide direction for the NEPA analysis, and develop regulatory mechanisms to include in land-use plans, stakeholders should be allowed to participate through a collaborative process. Idaho Power asks that the BLM and FS implement a process that allows right-of-way (ROW) holders, environmental groups, local sage-grouse working groups, and other stakeholders an opportunity to help develop the plan amendments.	All	Both	emc0090GB
221.	IM WO-2012-044 states that the conservation measures identified by the National Technical Team (NTT) "… must be considered and analyzed as appropriate, through the land use planning process …" One of the sub-objectives identified by the NTT is to manage priority sage-grouse habitats so discrete anthropogenic disturbances cover less the three percent of the total sage-grouse habitat regardless of ownership. As the BLM considers and analyzes alternatives, it should provide the scientific literature that supports the three percent threshold and should consider other, less restrictive thresholds. The BLM may also be unintentionally precluding issuance of ROWs on BLM-managed lands by extending the three percent	All	Both	emc0090GB

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	threshold to all priority habitats, regardless of ownership. If adjacent priority habitat is impacted by a private landowner or others (e.g., development as part of a conditional use permit) then the threshold may be reached for that area. It is also not clear under what regulatory authority the BLM can identify priority and general habitats on lands they do not manage. BLM needs to include an alternative that is only applied to BLM-managed lands.			
222.	CORVA supports the concept of using sound scientific analysis to determine necessary changes to habitat In order to promote the health and well-being of the greater sage-grouse. The proposal as outlined in the NOI, which describes conservation measures specifically designed to improve habitat is admirable, and can be a more effective and less intrusive method to ensure survival of the greater sage-grouse. Furthermore, working in a consistent manner between Forest Service and BLM is a concept we endorse.Small changes now can lead to great results in the future. CORVA objects, however, to any attempts to classify sub-groups of greater sage grouse in order to needlessly apply stricter criteria in regards to conservation measures in some areas rather than others. This tends to be a political manipulation that uses the courts to eliminate usage and access of public lands.	All	Both	emc0095GB
223.	ANG requests that the public scoping period be extended by 60 days for the following reasons. It is our understanding that the EIS process will determine levels of priority sage grouse habitat based upon habitat density maps, lek maps, sagebrush maps, and other maps being prepared by the Nevada Department of Wildlife (NDOW). According to NDOW, these maps are still in progress and unavailable to interested parties until they are complete. The maps available at the public scoping meetings were of a scale that was difficult to identify project-level locations and were stated to be outdated and likely to change significantly in the NDOW product. At the final scoping meeting on January 30th in Reno Nevada, the audience was notified that not all maps are yet up on the BLM website. When maps are not available for the public to identify if they have the potential to be impacted by this EIS, it is difficult to identify if they are a stakeholder and/or determine their level of interest or involvement in the EIS process. Had the maps been available prior to the scoping period, the BLM may have found that more parties were involved in the scoping process. Another justification for extension of the scoping period is the release of the Sage-Grouse National Technical Team conservation measures document (A Report on National Greater Sage- Grouse Conservation Measures, December 21, 2011) (Report) after the initiation of the scoping period. The Federal Register Notice of Intent for this EIS process states that conservation Page 2 of 4 measures will be analyzed in the Programmatic EIS documents for inclusion in the applicable RMPs. Further, the scoping meetings referenced this document as the planning direction of the BLM and thus it is assumed that it is a critical component to review at the scoping stage. In order to make detailed and specific comments per BLM instruction, it is necessary to receive more information regarding the specific project description. The public notices did not contain an adequate project description. Please prepare and make available a detailed project description consistent with other NEPA actions at the same time that an extension to the public scoping period is granted. The description of the proposed action is the first critical component for conducting an analysis consistent with NEPA and its implementing regulations. A flawed or incomplete description of the proposed action can delay the NEPA process. Scoping is a critical component of the NEPA process where the primary issues are identified for inclusion in the Draft EIS analysis. An extension of this process could preserve the entire expedited EIS timeline by making a proper identification of what is to be analyzed in the Draft EIS.	All	Both	emc0103GB
224.	No actions should be more restrictive than that required from a biological assessment and subsequent biological opinion	All	Both	emc0103GB

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	should sage-grouse become listed. For example, withdrawal of mineral activities should not be a default stipulation, or "conservation measure", taken without a full analysis warranting the decision.			
225.	The relevance of data needs to be noted and described. In many cases during the scoping meetings, the BLM maps noted the use of old data. A clear delineation of the usefulness of specific aged data should be established and no decision should be made using data that is outdated or otherwise inadequate.	All	Both	emc0103GB
226.	Any numerical disturbance restriction needs to be backed by peer-reviewed scientific study results. For example, in this case described in Comment #8, how was a limit of disturbance to 2.5% of the habitat area determined as appropriate? In addition, how would "total habitat" be applied, statewide - only within each priority habitat blocks? Alternatives need to be specific to management/habitat areas.	All	Both	emc0103GB
227.	Any numerical disturbance restriction needs to be backed by peer-reviewed scientific study results. For example, in this case described in Comment #8, how was a limit of disturbance to 2.5% of the habitat area determined as appropriate? In addition, how would "total habitat" be applied, statewide - only within each priority habitat blocks? Alternatives need to be specific to management/habitat areas.	All	Both	emc0103GB
228.	NEPA directs the BLM to study, develop, and describe appropriate alternatives to recommend courses of action in any proposal that involves unresolved conflicts concerning alternative uses of available resources (H-1790-1 – National Environmental Policy Act Handbook, Section 6.6.1, p.49). The BLM must analyze a reasonable number of alternatives, including the no action alternative, to cover the full spectrum of alternatives. These EIS documents need to fully analyze the No Action Alternative specific to each RMP (continue existing management policies) which would be assumed to lead to the USFWS listing of the species. The No Action alternative must be analyzed to the same level of detail as other alternatives with a full impact assessment of how the species being listed will compare against other alternatives for each resource analyzed.	All	Both	emc0103GB
229.	Following the development of a clear proposed action, the development of alternatives is the most critical aspect of the EIS process. A full range of alternatives must be developed early in the EIS process with all stakeholders, not just cooperating agencies. The BLM needs to develop a strategy to involve all stakeholders in this process following this initial scoping period to help insure that the EIS deadlines can be met. The BLM Resource Advisory Councils are an example of an existing resource that could be used for this process as they represent the public land users and each member has been appointed by the Secretary of the Interior.	All	Both	emc0103GB
230.	Please include an analysis of the additional resources and staffing BLM field offices will need to implement the various alternatives analyzed in the EIS, and how BLM will ensure existing programs do not suffer. ANG is concerned that BLM staff is being allocated to too many areas, not allowing processing of applications in an efficient and timely manner.	All	Both	emc0103GB
231.	Any alternative that utilizes conservation methodologies, including use restrictions and exclusions, based on a prioritization of habitat should exclude or limit the modification of such designations without further analysis.	All	Both	emc0103GB
232.	Since the EIS will only be addressing Sage Grouse habitat, the BLM needs to cross check that there are no conflicts between proposed conservation measures and other resource management within each district RMP. This needs to be analyzed in the EIS.	All	Both	emc0103GB

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233.	Attempted to fax comments to 775-861-6747, the number on the web site, which is a non working number. called office and they gave 775-861-6602. You need to correct your site, and provide additional time for those that wished to provide comments but couldn't, because of the incorrect information.	All	Both	emc0105GB
234.	Finally our county will aggressively resist any attempt to list sage grouse and expect that conservation measures will be forth coming in order to constructively aide in the management of sage grouse habitat processes.	All	Both	emc0106GB
235.	The NvMA is very concerned that the two BlM Instructional Memoranda released in December 2011 were issued without prior public or NEPA review. These documents will potentially have significant consequences on public lands use and on the mining industry in particular. The land use policy and implementation procedures contained in the Memoranda should have been issued after the NEPA process to include adequate consideration of their impacts, particularly socioeconomics. Furthermore, the actions by the agency were inconsistent with the Regulatory Flexibility Act and bypassed the opportunity for the public to participate in the rulemaking process and to develop balanced and measured land management requirements.	All	Both	emc0310GB
236.	It is unclear of the role of the findings and report of the Sage-Grouse National Technical Team titled, "A Report on National Greater Sage-Grouse Conservation Measures", December 21, 2011 in the NEPA process. The EIS should address the report and detail its role in the development of the BlM's Instructional Memoranda as well as the overall NEPA process and RMP/IRMP modifications for sage grouse. The scientific basis for the report and management policies should be provided and made publicly available including methodologies used and scientific literature considered. Many of the potential conservation measures contained in the report do not provide viable, defensible or even legal means of protecting sage grouse habitat and will have dramatic adverse effects on mUltiple use activities on public lands. The conservation measures must focus on management, which will continue to allow existing land uses along with new uses. Furthermore, the development of the report is inconsistent with the provisions of the Federal AdviSOry Committee Act (FACA) and places into question its role in policy making and this EIS process.	All	Both	emc0310GB
237.	The purpose and need statement of the EIS must specifically incorporate multiple use and sustainable yield principles as mandated by federal law and case law.	All	Both	emc0310GB
238.	The EIS alternatives should not default to overly broad and unnecessary prohibitions on various public land use activities. The EIS should focus on narrowly tailored management strategies that protect multiple use values for all users, with clearly defined goals that are commensurate with the sub-regions habitat and bird population trends.	All	Both	emc0310GB
239.	The EIS alternatives should not default to overly broad and unnecessary prohibitions on various public land use activities. The EIS should focus on narrowly tailored management strategies that protect multiple use values for all users, with clearly defined goals that are commensurate with the sub-regions habitat and bird population trends.	All	Both	emc0310GB
240.	The EIS must address how BLM and the USFS will coordinate with state wildlife agencies to ensure that habitat areas have been appropriately designated during and following the EIS process.	All	Both	emc0310GB
241.	The EIS alternatives must allow project proponents subject to conservation measures to confirm habitat designations based upon site-specific information. Where site-specific data indicates habitat is not present, even if designated on agency maps, adjustments to the RMPs and LRMPs should be allowed without formal land plan amendments.	All	Both	emc0310GB

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242.	The EIS encompasses a number of western states and federal agencies that have taken different approaches to the identification of habitat and its associated mapping. The EIS must address differences in those approaches and outline a process for resolving those differences.	All	Both	emc0310GB
243.	The EIS and all of the alternatives must exclude the use of validity exams within proposed withdrawal areas. This was contemplated in the "Report on National Greater Sage-Grouse Conservation Measures". Such exams are expensive, time consuming and inappropriate for use in this context.	All	Both	emc0310GB
244.	The EIS must address the feasibility of a state or regional habitat mitigation bank. Such a program could provide benefits Of. centralized funding and would reduce the possibility of piecemeal mitigation. Such a program must affordable, accessible and simple to contribute to and identify and perform needed mItIgatIon In cntlcal areas.	All	Both	emc0310GB
245.	Some NvMA members operate farming, ranching and grazing operations in conjunction with mining activities. The EIS must address all of the issues identified in the EIS preliminary issues statement as well as other concerns such as water use and development, wild horses and burros, hunting and how grazing and certain land use activities (including grazing, farming, some disturbances, land reclamation, etc. may help in species protection. The assumption that all grazing, disturbances and man-induced impacts are harmful to habitat and the species is unfounded.	All	Both	emc0310GB
246.	The EIS must define, expand upon and determine the impacts of any actions contained in the BLM document "A Report on National Greater Sage-Grouse Conservation Measures" that are to be included in any alternative as a management measure. This includes, but is not limited to, withdrawals from mineral entry, the "maximum 3% disturbance area, fencing restrictions and setbacks, acquisitions of rights of way, delays in obtaining use permits for projects, dissolution or removal of existing rights of -ways and the removal or burying of existing or proposed pipelines, fences, ditches, utility lines or other infrastructure on public lands.	All	Both	emc0310GB
247.	The EIS and the alternatives should address any and all impacts associated with retroactivity of land use and management requirements that are proposed to be put into place in the RMPs and LMRPs. As an example, the EI5 should address how BLM and the U5F5 plans to honor the valid existing rights companies hold in what is assumed will be designated Priority Habitat Areas.	All	Both	emc0310GB
248.	In the EIS alternatives, no actions must be more restrictive than that required from a biological assessment and subsequent biological opinion. For example, withdrawal of mineral activities should not be a default stipulation, or "conservation measure", or taken without a full analysis warranting the decision.	All	Both	emc0310GB
249.	A matrix should be developed identifying the issues associated with various typical components of e~ch type of proposed action and delineate a full range of alternatives and mitigation measures in different levels of habitat, with a focus on the most significant threats to sage grouse habitat as identified by U5FWS	All	Both	emc0310GB
250.	The EIS must recognize all sage grouse and sage grouse habitat conservation measures currently in practice in the sub-region, and evaluate their effectiveness. This is necessary to insure that any proposed new public land use restrictions are tailored to address issues that have the greatest recognized negative impact to sage grouse habitat, and not unduly focus simply on those public land users most easily regulated	All	Both	emc0310GB
251.	Key to the development of alternatives and mitigation measures is the identification of various types of habitat areas and	All	Both	emc0310GB

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	their condition. It is recognized that there are data gaps in current habitat maps by NDOW and BLM. The EIS should specifically identify where more data needs to be collected			
252.	During the scoping meetings outdated data was, at times, referenced. A clear delineation of the usefulness and applicability of aged data should be established, and no decisions or alternatives should be made using data that is outdated or otherwise inadequate.	All	Both	emc0310GB
253.	Proposed conservation measures need to be detailed enough to analyze the enhancement of habitat quality and quantity. These types of conservation programs can then be developed and analyzed as alternatives.	All	Both	emc0310GB
254.	The EIS must fully analyze the No Action Alternative, which it is assumed, will lead the USFWS to a listing of the species. It is critical the No Action Alternative be fully analyzed, to the same level of detail as other alternatives, with a full impact assessment of how species listing compares against other alternatives including, but not limited to, impacts to land users and the socio-economic concerns. It must be clearly defined in the EIS how the sub-region's current regulatory measures are performing by analyzing public land habitat status as well as sage grouse population statistics/trends.	All	Both	emc0310GB
255.	The EIS must identify and prioritize the threats to the greater sage grouse. The EIS must clarify the magnitude of the impact each threat has on habitat. For example, if wildfires, epidemics and hard rock mining are all threats, what are their relative impacts (Le. fire accounts for 90%, epidemics 8%, etc.) In calculating threat levels relative to each other, each threat can then be managed more efficiently and effectively and resources better allocated in the protection effort. Management of lands for the protection of sage grouse must be proportionately managed according to the level of each threat identified by USFWS in their consideration of listing the species. Accordingly, the Alternatives must evaluate the threat, the management alternatives and the socio-economic and other impacts that are likely to occur.	All	Both	emc0310GB
256.	The EIS will only be addressing sage grouse habitat. How will the BlM and USFS crosscheck to ensure there are no conflicts between proposed conservation measures and other resource management activities within the RMP or IRMP? This must be addressed in the EIS.	All	Both	emc0310GB
257.	The EIS must fully define the term "Essential/Irreplaceable Habitat" for the purposes of the alternatives analysis, as well as clearly quantify both short and long-term goals for this habitat. The goals must be further broken down by public and private land in a cumulative effects analysis, so the public is clear on how the relative burden of public land use restrictions will be applied.	All	Both	emc0310GB
258.	It is inappropriate to make land use decisions that include impacts such as project delays, denials of leases, reductions in grazing levels, permit denials or other actions until RMP and IRMP modifications are analyzed through the NEPA process.	All	Both	emc0310GB
259.	The EIS and alternatives must clarify and justify provisions contained in "A Report on National Greater Sage-Grouse Conservation Measures" regarding the 3% disturbance threshold, regardless of ownership in areas where such thresholds have already been exceeded and further anthropogenic disturbances are to be prohibited. The analysis must include the socioeconomic impacts of such a prohibition	All	Both	emc0310GB
260.	The EIS and alternatives must identify how BLM and the USFS will consistently review and modify RMPs and LRMPs across agency jurisdictional areas (Le. Districts), and apply and implement land use restrictions (if any) within those various areas.	All	Both	emc0310GB
261.	The EIS must fully analyze each individual proposed conservation measure and not consolidate all conservation measures in	All	Both	emc0310GB

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	one alternative. An "all or nothing" alternative is not consistent with the NEPA process, will not serve as a useable or realistic management tool or achieve a balance between socioeconomic and conservation goals and objectives.			
262.	The EIS must fully analyze each individual proposed conservation measure and not consolidate all conservation measures in one alternative. An "all or nothing" alternative is not consistent with the NEPA process, will not serve as a useable or realistic management tool or achieve a balance between socioeconomic and conservation goals and objectives.	All	Both	emc0310GB
263.	Several of the RMPs and LRMPs subject to modification under the subject EIS are undergoing review and modification under other agency NEPA actions. The EIS should clarify how the sage grouse EIS will be coordinated with these ongoing landplaning efforts. It is critical that the agencies ensure a streamlined NEPA process for all actions	All	Both	emc0310GB
264.	Through thoughtful, reasoned and balanced land management actions sage grouse and its habitat can be maintained and improved while at the same time preserving the -multiple use concept, a vibrant economy and enjoyment of public lands by all citizens and visitors.,	All	Both	emc0310GB
265.	I strongly suggest that each management area or county is looked at individually and a plan according to its specific needs not a state wide or nation wide plan which as we know never work, micro management in this case will be the way to go.	All	Both	emc0389GB
266.	We feel it is premature to proceed beyond the public scoping phase of the Land Use Planning (LUP) process before the Preliminary General Habitat (PGH) and Preliminary Priority Habitat (PPH) maps and data have been completed and made available to members of the public. The Breeding Bird Density maps developed by Doherty will not be used in developing the LUPs and are not representative of the information which will be used to formulate a decision. Moving forward with the LUP planning process without supplying maps and data showing the PGH and PPH distribution could result in confusion, inefficiency, inaccuracy, and over-cautiousness in scoping comments from the public. Many stakeholders may be unaware that they are at risk of being affected by the EIS, and may not participate in the public scoping process due to not knowing the land area being considered priority habitat. Please postpone the close of the public scoping period until at least two weeks after the last of the PGH and PPH maps and data have been released. We would want all known and potential impacts, whether energy development, water development, recreation, grazing, or wild horse and burro management, to receive the same level of analysis and to be responsible for the same level of mitigation through this process	All	Both	emc0108GB
267.	Local Working Groups, and State plan At the coping meeting, within the documentation provided, 'Greater Sage Grouse Conservation, January 2012' it indicates that the BLM is implementing this effort by building "…on the steps it and its partners have already taken….." which includes "….local working groups…" have implemented "…by working jointly over the last decade…". No information is provided or available on the BLM Sage Grouse web site detailing these previous strategies and related implications for the Interim MPPs or the LUP strategy. If the process is to build on these efforts, documentation needs to be provided to the affected parties, local communities, permittees, Sage grouse working groups, users groups, and general public. The Idaho Cattlemen in conjunction with the state and local working groups implemented planning and conservation processes. In discussion with BLM representatives, how this previous efforts and information is to be used, has not been specified. [See section on Coordination, FLPMA and ESA below]	All	Both	emc0112GB
268.	Custer County Coordination As a member of the Natural Resource Advisory Committee for the Custer County Commissioners, the BLM as lead agency is required by FLPMA 43 USC 1701 (a)(2) that "the national interest will be best realized if the public lands and their resources are …..coordinated with other federal and state planning efforts." Section	All	Both	emc0112GB

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	1712 c-9, 43 USC refers to the 'coordination status' of a county which is engaging in the land use planning process and requires the secretary of Interior must "coordinate the land use inventory, planning and management activities….with the land use planning and management programs of other federal departments and agencies and ….Local Governments within which the lands are located" This provision gives statutory preference to those counties which are engaging in a LUP process preference over members of the general public, special interest and extremist groups. Section 1712 also provides the Secretary of Interior must "assist in resolving, to the extent practical, inconsistencies between federal and non-federal plans." It further states that the Secretary must "provide for meaningful public involvement of state and local officials…in the development of land use programs, land use regulations, and land use decisions for public lands." In view of the requirement that the Secretary "coordinate" LUP and the requirement that involvement of local government be "meaningful", the Custer County {which has Coordination Status} be involved throughout the planning and management cycle, not just at the end when a draft plan or decision is issued.			
269.	Decisions should not use inflexible standards but should be based on the local sage-grouse working group plan that has been created for the local population of sage-grouse.	All	Both	emc0126GB
270.	Federal agencies shall cooperate with state agencies, local government and those allowed by agency actions to monitor the progress of the Sage-Grouse to remove the species from endangered species listing.	All	Both	emc0126GB
271.	(The EIS and SEIS revisions should clarify that multiple-use management concepts should be used to reduce the risk of catastrophic wildfire. Improve forage. Remove invasive species and provide open space.	All	Both	emc0396GB
272.	Given the success of the local working group model to address other issues. we believe that strategies for protecting the greater sage grouse and its habitat are best designed and implemented in that forum. The local working groups are the ideal vehicle to bring together all interested stakeholders to develop community based solutions in response to unique conditions within the context of the regional effort. Ecosystems occupied by greater sage-grouse populations vary and should be managed not by a one-size-fits-all approach but through an approach that allows land managers and local stake holders to collaborate on practices that benefit individual populations	All	Both	emc0396GB
273.	We also believe that local working groups could provide a forum for the introduction, evaluation and closely controlled monitoring of innovative practices. We contend that the species will be better served through methods designed to reach population targets rather than proscriptive measures which mayor may not achieve the desired results but whose implementation is demanded regardless of its efficacy.	All	Both	emc0396GB
274.	We are encouraged that representatives from the land management agencies have consistently stated that the objective of the current planning efforts are to implement practices that will remove the sage grouse from the candidate species list. We remain concerned that progress toward that objective may not be sufficient to dissuade the United States Fish and Wildlife Service from proceeding with a threatened or endangered listing within the established timeframe. Further, such efforts could also be circumvented through litigation.	All	Both	emc0396GB
275.	Conversely. Each industry or project that improves habitat or increases population should be rewarded with additional opportunities to utilize resources. For example, if a developer plans to construct wind turbine generation which will negatively impact the sage grouse population. those impacts could be offset by the concurrent construction of a bio-fuels generation facility which utilizes sustainable pinyon and juniper harvesting. In contrast, a proposed project should not be	All	Both	emc0396GB

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	permitted to offset its impacts by eliminating another existing use unless the affected user is justly compensated. For instance, mitigation measures for a wind farm should not include relocation of an existing power line unless the wind farm developer absorbs the construction costs of the new line, including permitting and design, and demolition costs of the existing line.			
276.	While the impacts of other users, both positive and negative, are peripheral to our operations, the costs of mitigation measures are of great concern.	All	Both	emc0396GB
277.	The EISs and SEISs should analyze and disclose how greater sage- grouse management will impact all established multiple uses in existing land use plans. Any RMP/LMP amendment to address greater sage-grouse conservation should include tlexibility to allow for alternative actions, the absence of which could actually prevent conservation instead of enhancing the species and habitat.	All	Both	emc0396GB
278.	All decisions should be directly addressed by the lead agency and based on independently critied data	All	Both	emc0396GB
279.	Collaboration with local universities could provide valuable insights into the ramifications of the alternatives under consideration. Alternatives which are the least restrictive to multiple-use activities should be give top priority.	All	Both	emc0396GB
280.	The NOI states, "The RMP and LMP amendments/revisions will recognize valid existing rights." We concur that revisions to RMPs and LMPs must recognize valid existing rights.	All	Both	emc0396GB
281.	Scheduling or restricting the timing of multiple-use activities should be flexible to account for unusual weather conditions or variations in sage grouse occupancy. Adherence to rigid dates or er::.l'l times of day should be tempered by on-the-ground observations and monitoring.	All	Both	emc0396GB
282.	The NO! also states: "The BLM and FS will consider a range of reasonable alternatives. including appropriate management prescriptions that focus on the relative values of resources while contributing to the conservation of the greater sage-grouse and sage-grouse habitat." Alternatives should be developed and adopted according to impacts on other multiple uses. In management decisions, flexibility for case-by-case decisions will allow modifications as needed.	All	Both	emc0396GB
283.	MOnitOring should remain flexible enough to allow local input. Independently verified monitoring data should require changes in multiple-use activities only when prevalent data clearly indicates a causal relationship between the activity and an impact on population.	All	Both	emc0396GB
284.	Instructional Memorandwn 2012-043 designates sage grouse habitat as either Preliminary Priority Habitat or Preliminary General Habitat. We have been unable to find record of the solicitation of public comment into these designations. While we agree that changes in management practices in some areas are more likely to result in significant habitat improvements than others, data from both state and local sources should be incorporated. Criteria for the respective designations should be clearly defined prior to evaluation. Priority mapping and designations should only include areas that are actually used by sage grouse.	All	Both	emc0396GB
285.	We believe that the absence of the required public comment period necessitates suspension of the instructional memorandum pending revision.	All	Both	emc0396GB
286.	Analyses prepared during the NEPA process should not start with the asswnption that a given activity embodied within the multiple-use concept is a threat to sage grouse habitat or conservation. Rather, the starting premise should be that properly	All	Both	emc0396GB

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	managed activities can provide benefits for sage grouse. The analysis should make every effort to incorporate sustainably managed activities into the prctection strategies.			
287.	Disappointed that there was no "formal" presentation or question and answer period.	All	Both	cfc0034GB
288.	Has anyone stopped and asked "what are we doing right" as far as the good #'s of birds on local ranches where there have been leks for many years that flourish? Everything is focused on don't, don't , don't! Stop and listen and learn the local knowlegde.	All	Both	cfc0034GB
289.	Greater sage-grouse exist within a complex sagebrush-dominated landscape, the ecology of which varies from place to place as well as over time at a given location. When faced with managing complex problems, it is important to realize that sage-grouse populations respond to variation in the ecosystems within which they exist and that the future integrity of sage-grouse (and other sagebrush obligate wildlife species) is inexorably tied to the health of the ecosystem itself. This concept is critical to effective management of sage-grouse habitat resources. However, under the influence of political, judicial and societal pressures, the concept of managing complex ecosystems can be supplanted with rigid regulatory structure.	All	Both	emc0192GB
290.	When dealing with simple problems a rigid structure can be effective; for example determining the threshold of oil well densities below which sage-grouse population performance will improve or be satisfactory. Conversely, when faced with management within a complex ecosystem, we cannot effectively regulate improved sage-grouse performance with speciescentric regulatory measures, particularly when we lack fundamental solutions to the ecosystem-based problems driving reduced sage-grouse abundance to begin with (e.g., as is the case with management of invasive annual grasses). Nor can we use regulation to curtail formative ecological processes (e.g., fire in mountain big sagebrush communities) associated with ecosystem function and simultaneously expect improved sage-grouse habitat and population performance over time. By the same token, we should not forgo management actions needed to promote long-term ecosystem integrity for the sake of short-term benefit to sage-grouse or any other species. To do so would be to hold the ecosystem as subservient to the habitat requirements of a single species.	All	Both	emc0192GB
291.	On December 27, 2012, an Instruction Memorandum (No. 2012-044) was issued by the Bureau of Land Management's Washington D.C. office. The Instruction Memorandum provides direction to the Bureau of Land Management (BLM) for considering Greater Sage-Grouse conservation measures identified in the Sage-Grouse-National Technical Team's (NTT) - A Report on National Greater Sage Grouse Conservation Measures. As a result of the NIT report, the BLM through the instruction memorandum has adopted several interim protective measures for Preliminary Priority and Preliminary General Sage Grouse habitat. In some cases, these measures have the potential to have significant impacts to multiple uses on public lands and other natural resources. These potential impacts should be analyzed under NEP A before implementation. NY Energy recommends that current protective measures identified in the current Land Use Plans be utilized until this analysis is completed.	All	Both	emc0198GB
292.	strongly oppose components of the 2010 Conservation Measures that lack the flexibility to adapt to local management issues. The plan amendments should avoid inflexible management standards. Rather than impose a inflexible, broad-brush management prescription for the Grouse, I suggest the BLM adopts a "landscape specific" approach to minimize the impacts	All	Both	emc0199GB

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	on both the Grouse and the recreating public. For example, I oppose the provision mandating that any "anthropogenic disturbances" cover less than 3% of the total sage grouse habitat. Without any flexibility, theimplementation of this standard on the ground will be extremely difficult. Indeed, the agencies may be forced to restrict activities that have been found to have little to no impact on the grouse.			
293.	I am asking that you will please consider all input and valid science as well as unintended consequenses when making your decisions on this very important decision !	All	Both	emc0311GB
294.	While the CCSM Project is located entirely outside Sage-Grouse Core Area, the project is in an area containing suitable greater sage-grouse habitat with a year round population of greater sagegrouse. As a consequence, in 2009 PCW began a study of wind energy impacts on greater sagegrouse. The PCW study is also evaluating the efficacy of various treatments and conservation measures on greater sage-grouse populations by maintaining GPS tags on over 50 female greater sage-grouse and monitoring their daily movements, habitat uses, and demographic patterns throughout the seasons. In 2010, the study was expanded to include research examining greater sage-grouse seasonal habitat selection and a research team composed of PCW, SWCA Environmental Consultants, the University of Missouri (Dr. Joshua Millspaugh), the U.S. Forest Service Rocky Mountain Research Station, and the Wyoming Game and Fish Department was formed. In 2011, the research project was expanded further with funding from the Sage-Grouse Research Collaborative (SRC) formed under the auspices of the National Wind Coordinating Collaborative (NWCC). The SRC grant initiated research on the ecology of male greater sagegrouse in relation to wind energy development in Wyoming. For 2012, the PCW research team is monitoring 90 greater sage-grouse with GPS tags and 100 juvenile and adult male greater sage-grouse with VHF tags at the CCSM Project site. Through its research and studies, PCW has expertise in greater sage-grouse biology and sagebrush management and has a vital interest in greater sage-grouse and public lands management.	All	Both	emc0399GB
295.	PCW and its affiliates support a coordinated effort by BLM and the USFS to avoid potential listing of the greater sage-grouse under the Endangered Species Act (ESA). Establishing consistent objectives and measures for the conservation of greater sage-grouse and its habitat is a reasonable and prudent approach. The widespread distribution of greater sage-grouse habitat throughout the West and the large number of agencies and jurisdictions involved necessitates consistency in management actions. Any action taken by the agencies to develop management and conservation standards for greater sage-grouse will have far reaching consequences to existing and future operations on public lands and National Forest System lands. The development of such standards must be approached cautiously and responsibly.	All	Both	emc0399GB
296.	Due to the significant consequences of greater sage-grouse management decisions, the designation of habitat and development of conservation standards must be carefully evaluated by the BLM and the USFS with significant input from the public. PCW recognizes that BLM and the USFS are tasked with managing a wide variety of natural resources for the benefit of the public. Resource Management Plans (RMP) and Land and Resource Management Plans (LMP) are intended to create a balanced approach to the management of these resources in accordance with the intent of Congress and to meet the mission and goals outlined in the DOI Strategic Plan.	All	Both	emc0399GB
297.	In the interest of implementing RMPs and LMPs compatible with agency goals and mandates, BLM and USFS must consider that both agencies have a multiple use mandate that creates an obligation for each agency to manage lands for multiple uses for the benefit of the public. For the BLM, the Federal Land Policy and Management Act (FLPMA) provides that "goals and	All	Both	emc0399GB

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	objectives be established by law as guidelines for public land use planning, and that management be on the basis of multiple use and sustained yield unless otherwise specified by law." 10 For the USFS, the National Forest Management Act (NFMA) establishes a multiple-use and sustained yield policy with respect to the management of national forests." Specifically, NFMA calls for the coordination of the multiple diverse uses of National Forest System (NFS) lands.			
298.	Ultimately the multiple use mandates of both agencies must be taken into consideration when amending RMPs and LMPs with a focus on single species conservation. While the goal of the amendment process discussed in the NOI is the conservation of greater sage-grouse to prevent ESA listing, greater sage-grouse conservation is not the primary goal of either agency or their respective management plans. The RMP and LMP exist to implement a resource management strategy in accordance with the intent of Congress and to meet the agency mission and goals. '2 Environmental protection and resource utilization are not mutually exclusive and it is not appropriate for BLM and USFS to make overarching management decisions based upon single resource management, much less single species management. The effect of such decisions on other resources and competing public interests must be considered.	All	Both	emc0399GB
299.	In addition to considering all public land resources and interests, any management or conservation strategy adopted by the BLM or USFS should encourage cooperation among project proponents, responsible agencies, and those with existing rights and operations. Conservation success is dependent upon the coordination of all land uses to conserve and enhance habitat. It is important to recognize that there may be multiple entities operating simultaneously on public lands, each with a separate responsibility and operation. Any strategy should encourage coordination among these land users, e.g. ranchers, agricultural producers, oil and gas producers, transmission and wind developers, and insure that the burden of conservation does not fall to any single user, but is instead a cooperative and successful effort.	All	Both	emc0399GB
300.	Given the widespread effects of greater sage-grouse management decisions in the West, the alternatives developedfor the proposed EISs and SEISs should carefully consider a wide range of conservation and mitigation measures	All	Both	emc0399GB
301.	PCW supports an adaptive approach to conservation and management as proposed by BLM and USFS in the NO!. An adaptive framework allows agencies to utilize the most current literature and research to make informed decisions. Any management framework developed should also allow agencies the necessary latitude to consider site-specific conditions and project specific information. In many cases, project proponents have made significant efforts to research and evaluate local conditions and to develop effective conservation strategies on a project specific basis. Pew and its affiliates strive to develop projects in an environmentally responsible manner. As discussed above, pew has gone to great lengths to study greater sage-grouse and their habitat. Any framework proposed should allow for consideration of the information and expertise developed by project proponents such as pew.	All	Both	emc0399GB
302.	PCW and its affiliate TransWest currently have projects undergoing NEPA analysis, as discussed above, with one draft EIS issued and another planned for this summer. Pew and TransWest have made significant investments in the projects, including environmental studies in support of the NEPA process, over a number of years. Flexibility should be maintained in BLM's and the USFS's management framework to allow for consideration of projects currently undergoing NEPA analysis; particularly when proponents, such as pew and TransWest have made significant efforts to promote conservation and to develop projects in an environmentally responsible manner	All	Both	emc0399GB

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303.	Recognition should be given to the investments made by project applicants to date when creating a new management framework and procedures for review and approval of implementation actions in the LUP process.	All	Both	emc0399GB
304.	The NOI cites inadequate regulatory mechanisms to conserver greater sage-grouse as one of the listing factors considered by the FWS in its "Warranted by Precluded" decision. To address this, the BLM and USFS propose to incorporate consistent objectives and conservation measures for the protection of greater sage-grouse and its habitat into relevant RMPs and LMPs, respectively, by September 2014 in order to avoid a potential listing under the ESA.	All	Both	emc0399GB
305.	The Interim Management IM provides that if a proposed ROW would likely have more than minor adverse effects, then BLM is to follow a multi-step process to review the application. For pending applications, such as the TWE Project application, BLM is to assess the impact of the proposed ROW on greater sage-grouse and its habitat, and implement the following: 1. Ensure that reasonable alternatives for siting the ROW outside of the PPH or within a BLM designated utility corridor are considered and analyzed in the NEPA document. 2. Identify technically feasible best management practices, conditions, etc. (e.g., siting, burying power lines) that may be implemented in order to eliminate or minimize impacts. To the extent that the first point merely restates the NEPA requirement that agencies must consider a range of reasonable alternatives, pew has no objections and supports BLM's management direction.	All	Both	emc0399GB
306.	In developing reasonable alternatives for the EISs and SEISs, the alternatives must be practical or feasible from the technical and economic standpoint and using common sense.	All	Both	emc0399GB
307.	The IM fails to describe circumstances or provide objective standards for when it may be appropriate for a Field Office to reject or deny a ROW application, which may lead to a Field Office Manager acting arbitrarily and capriciously in rejecting or denying an application.	All	Both	emc0399GB
308.	In addition, this stipUlation fails to consider that BLM Field Offices have the ability through BLM's planning regulations as well as BLM's planning handbook to consider and authorize a plan amendment in connection with a proposed action, should one be necessary to address greater sage-grouse concerns in relation to an implementation action	All	Both	emc0399GB
309.	Finally, this stipulation fails to consider the significant investment in time and money an applicant may have expended to prepare and file a ROW application prior to the effective date of the Interim Management IM.,	All	Both	emc0399GB
310.	BLM should not defer decision making on ROW applications pending completion of the LUP process. The BLM should establish standards through thefederal rule making process for when it may be appropriate for a Field Office to reject or deny a ROW application.	All	Both	emc0399GB
311.	3% Disturbance Cap. There is no support provided for the 3% disturbance cap value that is referenced throughout the NTT Report. A citation for this disturbance level needs to be provided. In the Wyoming Core Area Strategy (Wyoming Executive Order 2011-5) 5% is identified as the maximum acceptable disturbance level. The U.S. Fish and Wildlife Service has indicated that the Core Area Strategy, and by implication the 5% disturbance level, is an acceptable regulatory mechanism to protect greater sage-grouse. If the 3% disturbance level cannot be supported by literature, 5% seems to be a more reasonable disturbance level given that it has already been supported by the U.S. Fish and Wildlife Service. If the 3% disturbance level remains, a range of disturbance values should be analyzed.	All	Both	emc0399GB
312.	BLM's planning process should identify the processes that would be followed for exceptions to the 3% disturbance threshold.	All	Both	emc0399GB

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	Wyoming's Core Area Strategy has only been implemented for one year and several exceptions have already been made to the 5% disturbance threshold. These exceptions have been based on scientific evidence of actual impacts to greater sage-grouse habitat and sound siting decisions made on the part of the project applicant. BLM's process should anticipate that exceptions will be required as part of its management activities and should plan such that these exceptions can be made in a clear and consistent manner.			
313.	The Preliminary Priority Habitat maps encompass very large areas that contain high quality habitat but also likely contain large areas of low-quality or no-quality habitats. It is unclear whether the 3% threshold applies strictly to all areas within the boundaries ofthe Preliminary Priority polygons or only those portions of the Priority Habitat areas that provide habitat for greater sage-grouse.	All	Both	emc0399GB
314.	Priority greater sage-grouse habitat is identified as areas that have the highest conservation value to maintaining or increasing greater sage-grouse populations and include breeding, late broodrearing,winter concentration areas, and where known, migration or connectivity corridors. The BLM needs to identify Preliminary Priority Habitat that currently have greater than 3% disturbance and explain why these areas are being evaluated as priority greater sage-grouse habitat. It is contradictory that areas that are currently disturbed above the 3% threshold are identified as Preliminary Priority Habitat and providing the "highest conservation value" when BLM's planning process is evaluating options to limit development after new disturbance raises total disturbance above the 3% threshold.	All	BLM	emc0399GB
315.	It appears that the intent of the 3% disturbance threshold is to allow for up to 3% disturbance of BLM lands. It is very likely that a land-rush effect will occur on public lands until the 3% threshold is met at which time new disturbance will be moved to adjacent private or state lands where BLM has no jurisdiction. This will result in a disturbance threshold greater than 3% on the landscape and the unintended consequence of increasing disturbance in greater sage-grouse habitat. In areas with high levels of private lands, such as the checkerboard lands, BLM should evaluate whether Priority Habitat should be designated, and if it is, whether different conservation approaches that do not include disturbance thresholds should be implemented.	All	BLM	emc0399GB
316.	70% Land Cover. The second sub-objective in the bulleted list at the bottom of page 7 of the NTT Report indicates that BLM's goal is to manage or restore priority areas such that 70% of the land cover provides adequate sagebrush habitat. The scientific basis ofthe 70% threshold needs to be provided. In some areas and some seasons, greater sage-grouse utilize landscapes that contain far less than 70% sagebrush. PCW's greater sage-grouse study has demonstrated that during brood-rearing periods, female greater sage-grouse and their broods select areas in and adjacent to agricultural fields and wet meadows where the sagebrush cover is less than 70% of the landscape. Additionally, what constitutes adequate sagebrush cover should be defined, either later in the document or a referenced footnote to scientific literatures.	All	BLM	emc0399GB
317.	In preparing its EISs and SEISs, the BLM should check its sources and confirm that the studies actually support BLM's conclusions and analysis.	All	Both	emc0399GB
318.	Definition of Terms. BLM should be careful to define all terms and concepts in its EISs and SEISs. For instance, the NTT Report discusses large-scale disturbances, migratory and nonmigratory populations, and secondary roads without providing definitions or discussion of what BLM considers, for example, a large-scale disturbance to entail. A definition of Ecological Site Description was omitted from the NTT Report glossary.	All	Both	emc0399GB

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319.	As Courts have reversedfederal agency decisions based upon the agency'sfailure to consider best available science or to disclose relevant shortcomings in EIS data or models, the BLM and the USFS in their LUP processes should insure that they use best available science for analysis in the EISs and SEISs, and that management decisions and land use planning are based upon sound science, supported by peer-reviewed scientific literature.	All	Both	emc0399GB
320.	In summary, pew supports BLM's and the USFS's objectives of greater sage-grouse conservation to prevent listing of the species under the ESA. pew also supports BLM's and the USFS's multiple use mandates. The BLM and USFS must strike a careful balance between species management and public lands and NFS land development so as to ensure America has the resources it needs to meet its economic, national policy and national security goals.	All	Both	emc0399GB
321.	Local Governments should be given a "government to government" status when BLM or Forest Service land use plans are amended or prepared. Counties should be offered cooperating agency status, and be consulted at the same level as other federal agencies or tribes.	All	Both	emc0386GB
322.	I strongly support the 2010 Conservation Measures.	All	Both	emc0184GB, emc0079RM
323.	I strongly oppose the scope of the 2010 Conservation Measures that are clearly aimed at keeping the American public from being able to enjoy and recreate on Federal Public lands. Every year, it is more evident with Conservation projects prepared by the Forest Service and BLM are abusing their power by using loopholes like the Endangered Speices Act to push tax paying Americans off of Federal lands.	All	Both	emc0185GB
324.	The Conservancy is very supportive of the overall goals of ELM and USFS to comprehensively and consistently address conservation of the Greater Sage-Grouse in all applicable Resource Management Plans (RMP) and Land Management Plans (LMP) and commends ELM for proactively collaborating with USFS in developing conservation measures. This approach is essential in ensuring the long term viability of this iconic species. The contributions of BLM and USFS will be critical to efforts to preclude the species' listing under the Endangered Species Act, through ensuring adequate regulatory mechanisms are in place for affected federal lands, per the March 23, 2010 listing decision of "warranted but precluded" by the US Fish & Wildlife Service (USFWS). We believe this effort provides a unique opportunity for ELM to proactively address impacts to critical sage/shrub steppe habitats, a chance to ensure that impacts from a wide variety of land uses are avoided, minimized, and offset to the greatest extent possible.	All	Both	emc0407GB
325.	The Conservancy recommends BLM and the USFS incorporate the following in developing the conservation measures and regulatory mechanisms for Greater Sage-Grouse, applied across each of the two planning regions, within sub-regions, and in all RMPs/LMPs affected by this effort: A mitigation framework for Greater Sage-Grouse conservation' I that fully embraces the mitigation hierarchy: avoid, minimize and offset;	All	Both	emc0407GB
326.	Use of best-available science on the population status, threats and impacts to Greater Sage-Grouse and their habitats. It is not clear from the various materials made available by ELM, e.g. Priority Habitat maps, that they accurately or adequately reflect the current state of knowledge of Greater Sage-Grouse;	All	Both	emc0407GB
327.	A scientifically-based and rigorous monitoring program to determine the success or failure of conservation efforts, coupled to an adaptive management framework, as is recommended in the National Technical Team (NTT) report; such a program	All	Both	emc0407GB

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	must be implemented as soon as possible in the plan revision process in collaboration with all appropriate stakeholders			
328.	Greater Sage-Grouse conservation guidelines (established via this effort or by Instructional Memorandum No. 2012- 043 or subsequent revisions) that are flexible enough so that local guidelines developed by other stakeholders (e.g., state wildlife agencies) may apply if they are deemed acceptable by USFWS and ELM as helping to meet the criteria to prevent sage-grouse listing;	All	Both	emc0407GB
329.	Ensure the conservation measures outlined in "A Report on Natlonal Greater Sage-Grouse Conservation Measures" produced In December, 2011, by the NTT be used for all resource programs. These measures are, as the report itself suggests, the "starting point to be used in the BLM's planning processes" and we strongly recommend that strict, quantitative guidelines that are supported by the best available science be incorporated wherever possible in the process. This should include development of Best Management Practices (BMPs) that provide meaningful, actionable safeguards to minimize impacts to Greater SageGrouse and their habitats from allowed land uses, activities or programs	All	Both	emc0407GB
330.	We strongly urge the adoption of a robust compensatory mitigation program for unavoidable impacts. The program should consider both on-site and off-site mitigation for activities that may harm sage-grouse well in advance of permitting or upon initiation of a permitting process; adequately assesses direct and indirect impacts to sage grouse (mitigation requirements); focuses mitigation efforts towards those areas that demonstrate the best opportunity to ensure viability of species and habitats over time; creates a mitigation framework that ensures the best mitigation sites, actions and mechanisms allow for the highest and best mitigation to be achieved; and ensures enduring mitigation that equals the extent and duration of the ecological impacts, over and above existing conservation management mandates.	All	Both	emc0407GB
331.	Via development of the EIS's for conservation of Greater SageGrouse, BLM has the opportunity to create an effective mitigation framework with measures that deliver lasting, tangible results. At a minimum, the Conservancy recommends that notwithstanding other NEPA requirements, BLM explicitly integrate the Council of Environmental Quality (CEQ) January 14, 2011 guidance titled "Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated Findings of No Significant Impact" into the draft EIS's.	All	Both	emc0407GB
332.	Additionally, with regard to monitoring, e.g. assessing the actual (as distinct from projected or predicted) impacts of various land uses, projects and activities and the success or failure of measures designed to avoid, minimize or offset impacts, we recommend BLM incorporate robust measures for both monitoring and adaptive management. As stated in BLM's guidance on preparing NEPA analyses: "In a record of decision (ROD), a monitoring and enforcement program shall be adopted and summarized where applicable for any mitigation (40 CFR IS0S.2(c)). The ROD must identify the monitoring and enforcement programs that have been selected and plainly indicate that they were adopted as part of the agency's decision (see Question 34c, CEQ, Forty Most Asked Questions Concerning CEQ's NEPA Regulations, March 23, 1981). The ROD must delineate the monitoring measures in sufficient detail to constitute an enforceable commitment, or incorporate by reference the portions of the EIS that do so (see Question 34c, CEQ, Forty Most Asked Questions Concerning CEQ's NEPA Regulations, March 23, 1981). "	All	Both	emc0407GB
333.	Landscape-scale ecological assessments are the backbone of a mitigation framework, they are platform upon which all land decisions rest. We cannot over-emphasize the importance of landscape-scale ecological assessments in land-use planning and	All	Both	emc0407GB

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	decision-making. The information provided by such assessments provldes the basis of a mitigation framework by which land managers can ensure the best land management decisions can be forwarded, decisions that can ensure the least conflict with important ecological resources, while maintaining these resources for future generations - while allowing human needs to be met.			
334.	The value of an ecoregional assessment is its ability to determine areas inportant for species and habitat conservation targets and goals across large areas, areas that may be most appropriate for targeting mitigation investments, and areas that contain relatively less conservation value and may be most appropriate for a variety of land disturbance activities, from an ecological perspective. The value of this approach is that it is consistently applied across jurisdictions, uses the best available science and other information, and sets ambitious, long-range conservation priorities.	All	Both	emc0407GB
335.	We recommend that the goal of the landscape-scale assessment should be to contribute to the persistence, distribution and diversity of the ecoregional biota and all its natural components and processes today and in the future, while accommodating other land uses, activities or projects and importantly, adapting to climate change.	All	Both	emc0407GB
336.	An appropriate landscape-scale ecological assessment would contain an evall'ation of both public and private lands in a geographic area that makes sense from a biological perspective; would define objectives that guide selection of conservation targets, structure of impact analyses, and the targets and measures selected for monitoring; would evaluate the impact of various planning scenarios on the biodiversity and ecosystem function goals, the fragmentation of intact habitats, as well as on the target species; would implement and improve upon existing conservation and recovery plans; would include an adaptive management framework; and would result in a conservation reserve design that best satisfies this suite of biological goals while also meeting other land use needs	All	Both	emc0407GB
337.	We note and enthusiastically support BLM's current efforts conducting Rapid Ecological Assessments (REA) for all western ecoregions which contain lands they administer (including lands not under their management authority), with the goal of informing appropriate management responses to energy development and climate change, for use in amending or revising resource management plans (RMPs) and in other planning processes.	All	Both	emc0407GB
338.	We recommend BLM use REAs (if completed) as it considers conservation measures to protect Greater Sage-Grouse	All	Both	emc0407GB
339.	Creating a Mitigation Framework: The Mitigation Hierarchy The Nature Conservancy believes that BLM can devise and implement mitigation protocols that benefit people and nature. We have learned in our experience as land managers that conservation and human uses can co-exist when human uses, such as energy development, observe a common sense and practicable mitigation hierarchy based on avoidance, minimization, and mitigation (offset) of harm.	All	Both	emc0407GB
340.	The Mitlgation Hierarchy; Avoidance In the first step, avoidance, the mitigation hierarchy calls for avoidance of the most ecologically important and/or sensitive habitats entirely. A robust, landscape-scale ecological assessment should be used to identify and avoid areas and associated species and habitats that are ecologically core, sensitive and/or intact. We believe avoidance of most (if not all) land disturbance activities in high quality core sage grouse habitats will be critical to avoid listing under the Endangered Species Act, and we strongly recommend BLM adopt this approach as it designs conservation measures to protect Greater Sage-Grouse.	All	Both	emc0407GB
341.	The Mitigation Hierarchy: minimization IIn the second step of the mitigation hierarchy, minimization, all activities, land uses	All	Both	emc0407GB

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	or programs should be designed and managed in a manner that avoids or minimizes harm to habitats and species. This means identifying, developing, and employing BMPs that have been determined to be applicable to a given activity or land use and that actually limit harm to habitats and species. BLM should provide concrete guidance in the EIS's on how specific impacts can or will be minimized and which specific BMPs will be applied in the context of a given application, coupled with monitoring and enforcement mechanisms for ensuring that BMPs determined to be applicable will in fact be adopted and used. These BMPs would also specify which monitoring and enforcement mechanisms are applicable and should be adopted. Adaptive management should also be included in the BMPs (including funding responsibilities) to allow activities or land uses to be modified based on the results of monitoring the actual, as distinct from projected, ecological impacts of the land use, or activity, taking into account variances over time from the ecological conditions that may have been initially presumed to be stable over the projected duration of the acth ·ity.			
342.	The Conservancy commends the BLM for the thorough discussions of all the various resource programs contained in 1M 2012-043 and the NTT document and in encouraging staff to analyze potential impacts of these programs on sage-grouse during the Plan revision process. However, we suggest that additional standardization is needed to ensure consistency across Resource Areas in addressing these many programs; this could be best accomplished by developing a set of BMPs for each resource program as it relates to conservation of the Greater Sage-Grouse and its habitat. We note that the NTT report, Appendices D, E, and F, do contain a set of BMPs for some resource programs. However, these need to be strengthened by the addition of quantitative metrics whenever possible and additional BMPs are needed for other resource programs. without such an application of consistent BMPs across RMPs and LMPs, it is difficult for the Conservancy to see how the concerns raised about inadequacy of regulatory practices could be remedied.	All	Both	emc0407GB
343.	The Mitigation Hierarchy: Offset of Unavoidable Impacts In the third step of the mitigation hierarchy, offset of unavoidable impacts, effective measures must be taken in the face of unavoidable negative impacts to affected habitats and species. A successful mitigation framework established in the EIS's must have an offset program that is adaptable to dlfferences In land uses, actlvitles or programs ·It must reflect varying avallabilitles of private lands. It must account for the full cumulative impact of land disturbance actlvitles across a landscape, and be at a sufficient scale to ensure ecologlcal vlability. It must be as enduring and longlasting as the impacts, i.e. in perpetuity	All	Both	emc0407GB
344.	To ensure unavoidable impacts are fully offset, the Conservancy recommends that BLM establish an off-site compensatory mitigation program within the mitigation framework that, in addition to acquisition of private lands, allows mitigation on BLM and USFS-administered lands where impacts cannot be addressed through acquisition and long-term management of private lands; allows mitigation on BLM and USFS-administered lands where conservation designation and management can achieve mitigation needs/outcomes relative to specific impacts to habitats and associated species; ensures adequate funding over time to achieve mitigation outcomes; and creates third partymanaged endowments of mitigation funds to manage mitigation areas, and other mitigation activities. T	All	Both	emc0407GB
345.	However, adequate mitigation is unlikely to be achieved by attempting to treat each activity or project, and the required offsets of that activity or project, separately. This "one off" approach historically has resulted in a patchwork of small "mitigation offset" sites that are of insufficient scale and connectivity to be ecologically viable. We recommend BLM explicitly address the need to "bundle" mitigation offsets for impacts in a region together (e.g.in a mitigation fund) to increase the	All	Both	emc0407GB

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	likelihood of actually achieving an effective and enduring offset of ecological impacts			
346.	a robust compensatory mitigation program could contribute significantly toward the conservation of sage-grouse and, if implemented correctly, allow the BLM to meet both its sage-grouse and resource use goals.	All	Both	emc0407GB
347.	Such a program should consist of the following six elements: 1. A landscape assessment or ecological baseline upon which unavoidable impacts are assessed. a. This should use existing, best available science as its basis, specifically the work done within the Rapid Ecological Assessments, other ELM processes, and State Wildlife Action Plans. B.)Develop a process to incorporate new landscape scale (and finer scale where appropriate) ecological data as it becomes available to ensure the ecological baseline reflects the best available science and changing conditions of the landscape(s)	All	Both	emc0407GB
348.	A mechanism to assess and quantify unavoidable impacts over the life of the impacts. a. Seek to use an existing, transparent, and consistent methodology for assessing impacts from all resource projects that affect sage-grouse or their habitat. b. Commit to a science-based, stakeholder-driven process to identify, modify, and get buy-in on a specific methodology.	All	Both	emc0407GB
349.	3.) A structure or other mechanism to hold and apply mitigation investments. A. At a minimum, structures should be regional-, state-, or landscape-based to ensure mitigation investments are responding to impacts on the specific landscape being impacted. B. The structure should include, at a minimum, representation by ELM, State wildlife agencies, USFWS, and a third-party independent organization to manage and distribute mitigation funds (e.g., NFWF). Include guidance and oversight by stakeholders in the success of the mitigation, such as counties, the conservation community, tribes, industry, sportsmen, etc.	All	Both	emc0407GB
350.	4.) A prioritization plan as to where and how mitigation investments should be made based on the landscape assessment/ecological baseline. This plan should prioritize actions to implement conservation measures to achieve the best conservation return on the mitigation investment. Consider a stakeholder process to ensure adequacy and buyin of plans and priority actions.	All	Both	emc0407GB
351.	Include a monitoring program to ensure mitigation results are • I adequate relative to impacts over the life of the impacts, with a feedback loop to ensure that mitigation investments adequately reflect sufficient mitigation. This is not to seek additional mitigation from the developer for a specific project once mitigation has been established. This is solely to ensure that the mechanisms are adequate for mitigation of future projects.	All	Both	emc0407GB
352.	In order to ensure the effectiveness of mitigation investment on BLM and USFS-adrninistered lands, The Nature Conservancy believes it is necessary to change the designation of lands identified to meet off-site mitigation needs, from multiple-use to stronger categories of protection and management, via amendments or revisions to the relevant RMP, LMP or other land-use plan. Additionally, it is especially important that compensatory mitigation dollars directed towards BLM or USFS-administered lands be spent on actions that provide clear and additive benefits rather than backfill existing agency activities and resources.	All	Both	emc0407GB
353.	In addition to our recommendation that BLM use the EIS as an opportunity to incorporate a mitigation framework as a basis for making land use decisions, we offer the following specific minimum recommendations relating to Greater Sage-Grouse conservation that we feel must be reflected in the RMP/LMP revision process. We base these recommendations on the recently released Greater Sage-Grouse Interim Management Policies and Procedures (1M 2012-043), BLM National Greater	All	BLM	emc0407GB

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	Sage-Grouse Land Use Planning Strategy (IM 2012-044), and the NTT's December, 2011, report.			
354.	We support the concept of identifying and mapping the Priority and General Habitat classes for sage-grouse and feel this is entirely consistent with sage-grouse conservation strategies outlined in documents such as the WAFWA Greater SageGrouse Comprehensive Conservation Strategy (Stiver et al. 2006) and the Wyoming Governor's Executive Order 2011-S	All	Both	emc0407GB
355.	However, due to the key role that these maps and habitat designations will play going forward, it is critical that the following points be considered in preparing and maintaining these maps: Priority habitat in particular must be defined accurately and precisely based on the best currently available science and data from throughout the sage-grouse's range. We strongly recommend that the mapped priority habitat include, as a starting point or minimum, the 75% core areas as defined in Doherty et al. (2011) with a buffer of at least 8.5 km there are likely to be instances Where the priority habitat should be greater than the Doherty et al. (2011) findings.	All	Both	emc0407GB
356.	It is imperative that Priority and General Habitat maps incorporate wintering range brood-rearing habitat and migration corridors where they do not overlap with breeding habitat.	All	Both	emc0407GB
357.	While we are supportive of BLM's commitment to develop the Priority and General Habitat maps collaboratively with state wildlife agencies and to store them at the National Operations Center (as discussed in IM 2012-043), we urge that the map development process be standardized across states, opened up to the full array of stakeholders with an interest in sage-grouse habitat delineation, including nongovernmental organizations, and that the maps and underlying data be made readily and easily available to the general public and other agencies outside of BLM and state wildlife agencies via a web site or similar outlet (e.g., SAGEMAP) .	All	Both	emc0407GB
358.	We urge that the mapping process to delineate Priority and General Habitat maps include a component by which the landscape context in which these habitats is also designated; we reconunend following the "core area" identification process used in many states. A strict delineation of Habitats on only BLM lands (e.g., the preliminary habitat map released for Nevada on March 9, 2012) leads in many parts of the range to fragmented blocks of habitat defined purely by ownership. We cannot expect to manage viable populations of sage-grouse on sectionsized areas; these units must be managed collectively within the wider landscape context and with the cooperation of adjacent federal, state, or private landowners.	All	Both	emc0407GB
359.	twe recommend that BLM and USFS include a systematic method of determining a proposed project affected area that is uniform across all RMPs/LMPs. The Wyoming Governor's Executive Order 2011-5 contains one such method in its Density/Disturbance Calculation Tool. The buffer distance used should be based on the best available current science (e.g., Holloran et al. 2010) and should be a minimum of 8.5 km from the boundary of the project footprint. This definition is important as it will influence the calculation of the disturbance cap (see below)	All	Both	emc0407GB
360.	The Conservancy strongly recommends the implementation of a fixed, quantitative disturbance cap within all RMPs/LMPs when analyzing potential projects that may affect Greater Sage-Grouse habitat. This concept is explicitly mentioned in the NTT report (pages 7 and 8) and is incorporated into the Wyoming Governor's Executive Order 2011-5.	All	Both	emc0407GB
361.	In order to make this cap effective in the context of BLM and USFS plan revisions, the following considerations need to be incorporated: 1. The cap should be a maximum of 3% of the proposed project affected area as specified in the NTT report	All	Both	emc0407GB

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	and should not be exceeded, except where superseded by pre-existing agreements.			
362.	2. This cap should be a fixed amount across the entire proposed project affected area and should not be an average amount of disturbance across smaller portions of the affected area (e.g., sections)	All	Both	emc0407GB
363.	3. Disturbance should be defined precisely, but broadly, as mentioned in the NTT report and should be calculated as the cumulative quantity of disturbance in the proposed project area over time, including historic (non-recovered), current, and proposed future disturbance. It should also take into account indirect impacts associated with the disturbance.	All	Both	emc0407GB
364.	4. We recommend that successful restoration (following the recommendations given in the NTT report) and/or off-site compensatory mitigation efforts be considered and allowed as steps toward reducing the overall amount of disturbance counted in a proposed project affected area when calculating disturbance caps. Offsite mitigation is also appropriate to offset the disturbance that is allowed within the 3% percent cap.	All	Both	emc0407GB
365.	5. The disturbance cap should be developed in a manner that does not steer development to pristine or undeveloped areas.	All	Both	emc0407GB
366.	The Conservancy strongly recommends that the BLM and USFS pU 5'(;r- deveiop specific, quantitative no surface occupancy guidelines and general stipulations for Priority and General Habitat for all activities that are known or may affect Greater Sage-Grouse. We specifically recommend that BLM and USFS follow the Wyoming governor's Executive Order 2011-5 in this regard. These guidelines and stipulations would be in addition to any disturbance cap and should consist of both distance guidelines and appropriate seasonal restrictions. Note that the latter will depend on whether the habitat in question is breeding, brood-rearing, wintering, or migration habitat. Specific activities to be covered by these guidelines and stipulations should include, but are not restricted to, the following: 15 • Location of roads • Location and form of power lines • Fence construction, including location, type, use of raptor-proof poles, and need for flagging • Sagebrush and other vegetation removal • Infrastructure maintenance activities • Noise	All	Both	emc0407GB
367.	The Conservancy strongly urges that the BLM and USFS cooperate with the Natural Resources Conservation Service's Sage Grouse Initiative (SGI), in areas where either SGI knowledge or resources can support better conservation on BLM/USFS lands or areas where BLM or USFS can support the better management of habitat on adjacent private lands.	All	Both	emc0407GB
368.	Through a close integration of BLM and USE'S activities with those of the SGI, it is highly likely that the prescriptive measures discussed in the U.S. Fish and Wildlife Service's 2010 Conference Report on the SGI will be successful in achieving sage-grouse conservation on both private and federal lands.	All	Both	emc0407GB
369.	Through a close integration of BLM and USE'S activities with those of the SGI, it is highly likely that the prescriptive measures discussed in the U.S. Fish and Wildlife Service's 2010 Conference Report on the SGI will be successful in achieving sage-grouse conservation on both private and federal lands.	All	Both	emc0407GB
370.	To avoid listing BLM needs to evaluate regulatory mechanisms that inform management of those uses that potentially broadly affect core sage grouse habitats, including grazing, transportation, and recreation	All	Both	emc0407GB
371.	The Conservancy recommends that the guidelines contained in the NTT report for these uses be followed, with contingencies and appropriate measures taken to minimize any impacts to sage-grouse from infrastructure, changes in climatic conditions, or other unforeseen events ..	All	Both	emc0407GB

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372.	If we are to be serl0US about recovery of th~ge grouse we need to consider a lot more than habitat no matter if it is politically or socially popular. Our habitat is in very good.	All	Both	emc0377GB
373.	IWe would like to see the PGH and PPH maps but have not been able to locate them to date on the state or BLM websites.	All	Both	emc0173GB
374.	The following is a direct quote from the BLM published online. "Restoration Priority Areas - areas that have the potential to have good sage-grouse habitat, but have existing diturbances (energy development, fire, etc.). The emphasis within these areas will be to restore the habitat or reduce existing disturbances." Potential means possible not actual sage-grouse habitat. I do believe this kind of statement, idea, whatever you want to call it, is why the San Joaquin Valley is no longer productive.	All	Both	cfc0003RM
375.	We would hope that all decisions be based on proven scientific data. In the past, we have seen that decisions are based on a few publications without exploring all the resources. Often data is found that contradicts the data that is being used and should have bearing on the decisions being made. We also believe that mapping will be essential to this project. Not all public lands are sage grouse habitable, therefore not all lands should be viewed the same when considering sage grouse issues.	All	Both	cfc0004RM
376.	The plan should have an exception clause and a waiver clause after each condition as the UNRBNM plan has. The exception clause reads that "an exception to this condition may be granted by the authorizing officer if the operator submits a plan which demonstrates that impacts from the proposed action are acceptable or can be adequately mitigated." One example of the waiver clause reads: this condition may be waived if the authorized officer determines that the affected area no longer contains (examples, winter nesting) habitat for sage grouse.	All	Both	cfc0004RM
377.	We feel that areas will be site specitic and that each tield office should be making their assessments and determination based on their area. We also feel that we should follow the current plans we have in place as close as practicable when dealing with sage grouse issues.	All	Both	cfc0004RM
378.	We are in full agreement that we need to act to prevent the sage grouse from becoming fully listed under the Endangered Species Act, and the consequences that would have on our economy and our constituents. We request that when going through the process of developing a plan for the greater sage grouse that you seriously consider what impacts your decisions will have on Fergus County and all of Montana.	All	Both	cfc0004RM
379.	I would ask that virtually all activity be allowed on public lands, with little regard for Sage Grouse! Already, they have had an extreme effect on the state and national economies!	All	Both	emc0005RM
380.	Finally, allow your biologists more flexibility in handling "multiple uses". If the effects of any use is causing wide-spread, detrimental effects to the biology of a particular species, than perhaps that activity should be vastly decreased. Allow your biologists to do what they went to school for instead of being bogged down with red tape and regulation.	All	Both	emc0010RM
381.	As you are aware, just about every research project done by the agencies, the universities, and private researchers site the reasons for Sage-Grouse decline. The only factor stalling this, and most other projects related to wildlife needs, is the political implications.	All	Both	emc0012RM
382.	Clait Braun's research over more than 30 years, as well as other agency and scientific findings, show a need for grouse protection to "save this icon of the American West" which depends on sagebrush throughout all their life processes. Oil and gas development, cheatgrass, pinyon-juniper encroachment, West Nile virus, grazing, all contribute to the grouse's decline.	All	Both	emc0012RM
383.	Habitat fragmentation needs to stop.	All	Both	emc0012RM

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384.	Power poles which serve as perches for raptors, roads, dust, weeds, noise, etc. are detrimental.	All	Both	emc0012RM
385.	The science is being ignored. To improve conditions this must change. The lands which once held 1.1 million Sage-grouse now holds fewer than 500,000.	All	Both	emc0012RM
386.	Thank you for the opportunity to provide scoping comments as the BLM prepares to conduct an Environmental Impact Statement (EIS) to evaluate alternatives for management of Greater Sage-Grouse ("the bird") and its habitat. We look forward to our role as a Cooperating Agency during the project.	All	Both	emc0053RM
387.	We understand the need to create and implement plans to prevent listing the bird as an endangered species. However, we support an approach where each state develops and implements its own conservation program tailored to meet unique needs, circumstances, and resources. Accordingly, we support the sage-grouse task force cochaired by Governor John Hickenlooper formed last December to examine ways states can provide management tools and habitat protections for the bird. Colorado's Gunnison Sage-Grouse Conservation Plan's policies, processes and protocols should serve as an excellent model for this effort.	All	Both	emc0053RM
388.	Thank you again for the opportunity to provide comments. Please let us know when the Cooperating Agency meetings will be scheduled for this project.	All	Both	emc0053RM
389.	Also, the County applauds the BLMs successful working relationship with the US Fish and Wildlife Service, US Department of AgricultureNRCS, US Forest Service and Nevada Department of Wildlife (NDOW) in this effort. Those relationships should be maintained and strengthened moving forward. However, conservation efforts and policies must also include ample local involvement and incorporation of existing and on-going conservation plans and activities. The County believes these efforts need to be made in balance with existing valid multiples uses and in a manner that provides for the long-term economic stability of rural Counties, such as ours, whose well being is highly reliant on public land management.	All	Both	emc0130GB
390.	We further encourage the use of existing locally developed resources and knowledge to complete this project.	All	Both	emc0130GB
391.	I would like to make one clarification to comment #3 (highlighted below). Oregon Department of Fish and Wildlife's Greater Sage-Grouse Conservation Assessment and Strategy for Oregon ("Plan" updated and adopted April 2011) is intended to inform decision-makers regarding biological consequences of various actions on sage-grouse but does not dictate land management decisions. This Plan provides biological recommendations for long-term conservation of sagegrouse in Oregon based on the best available science. However, ODFW recognizes that county planning commission/courts and other state agencies may need to consider these recommendations within the context of socialeconomic issues and decisions that are the responsibility of the respective governmental bodies. In short the Plan has no regulatory authority and is purely a voluntary guidance document. The BLM/USFS are reminded that Oregon Department of Fish & Wildlife (ODFW) completed and adopted in 2011 a 5 year sage-grouse management plan update for habitat areas within the State of Oregon and that the conversation and regulatory measures identified within that recently issued plan should largely suffice the guidance needs of Oregon BLM/USFS without the need of imposition of further practices or regulatory measures.	All	Both	emc0132GB
392.	A single Land Use Plan that covers six states of varied soil types, climate and altitude to us is a precursor to failure. With more local involvement in the planning process the better chance of success in the intended goal of stabilizing sage grouse numbers.	All	Both	emc0133GB

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393.	The hand out I received at the open house titled "Purpose and Need" states "These Land Use Plans (LUP's) provide land management direction for the BLM and Forest Service Districts within the affected states." The decline in sage grouse populations are NOT only a land management issue. The "Endangered Species Act" has contributed to the decline in sage grouse numbers. Currently birds of prey (See Spotted Owl) are protected by the ESA and prey on other birds including sage grouse. Ravens, crows, and magpies raid nests for eggs. Without this taken into account the plan will be based on incomplete data. Paragraph two states that the purpose of the LUP amendments is to address the management, restoration, and conservation of greater sage grouse habitats to support sage grouse population management objectives for the affected states". The inability of the Federal Government to try new range management strategies and to adopt plans that have been developed by the private sector is systematic of the defects in range management developed by government.	All	Both	emc0133GB
394.	The last paragraph of this page states the "need to establish "regulatory mechanisms" to respond to the recent "warranted, but precluded" ESA listing petition decision from the US Fish and Wildlife Service. Inadequacy of regulatory mechanisms was identified as a major threat in the FWS finding on the petition". A policy of inclusion, on an equal footing by all stake holders, to develop a restoration plan is preferable to overreaching regulation by the government. As noted above there are private land owners that have adopted new management plans which have 3 restored their grazing lands without reducing feed quality or animal units the land will support. It would be refreshing to see the BLM and Forest Service try to work with users to try something other than "stop grazing and make more wilderness" so prevalent in most management plans of the Forest Service and to a lesser degree the BLM.	All	Both	emc0133GB
395.	The BOA would hope the "Planning Process", second handout, development of the new Resource Management Plans (RMP's) will truly listen to all stake holders and not try to ram the one size fits all typical government plan down the throats of the people. The RMP's must develop management plans that include the needs of all wildlife as well as grazing lease holders. A plan focused on only one species will be detrimental to other species already sharing the same landscape.	All	Both	emc0133GB
396.	The "Preliminary Planning Issues" hand out opening paragraph hopefully will be followed to adapt each plan to the local conditions. The current management strategies of the Forest Service need to be totally repealed and a return to the principles of the "Organic Administration Act" of 1897, the "Sustained Yield Forest Management Act" of 1944 and the "Multiple-Use Sustained-Yield Act of 1960" put in place.	All	Both	emc0133GB
397.	In conclusion the BOA recommends that any plan brought forth from this process should be for the betterment of all grazing units and all wildlife. Working with stake holders instead of installing onerous regulation on public land users will improve the land and reduce cost of operation. There are multiple land management policies in place in the private sector. Try one or more instead of demanding the government plan is the only way.	All	Both	emc0133GB
398.	We encourage the adoption of the Oregon Sage Grouse Conservation Plan guidance and mission statement: • The Plan is notintended 10 exclude any users or activities or infringe on legally defined privite properly rights: bill serves to provide solutions to problem and issues that affecl sage-grouse and the funclionality of sagebrush communities	All	Both	emc0136GB
399.	So first, I urge you to resist their tactics. Their main goal is to stop development and, as a result, increase donations and funding to their groups. It is not to protect the sage grouse or the environment. Their views are anti-science and anti-development.	All	Both	emc0054RM

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400.	Second, I urge you to truly consider the impacts of proposed regulations, protections and mitigations related to sage grouse (and other issues). Where sage grouse habitat and resource development coincide, you first need to figure out how the two can coexist. Withdrawals or timing restrictions should be a final option and only used in the most serious of situations.	All	Both	emc0054RM
401.	Too often, regulators seem to be afraid of lawsuits and environmental groups. These groups cannot win at the ballot box, so they try to force their agendas on the rest of us through the courts. You need to understand that, no matter what you decide, you WILL get sued. With that in mind, let science and facts guide your decision in finding the appropriate balance.	All	Both	emc0054RM
402.	I believe any man-made disturbances to the historical landscape should be included within the 3% calculation. This would include ground that was put into production (hay fields, etc.), and habitat that was inundated with water following the building of dams, included to the list provided within the NTT document.	All	Both	emc0064RM
403.	I hope that through this planning process you will work with ranchers instead of against tehm, and figure out a solution that will benefit everyone.	All	Both	cfc0069GB
404.	Continue livestock grazing and oil and gas production.	All	Both	emc0137GB
405.	The bottom line is this: The areas of concern cannot be managed under "pre-settlement" strategies. That thought process is unworkable. All the agencies involved have to realize that aggressive predator control and hands on projects must be used.	All	Both	emc0139GB
406.	Passive management strategies such as road closures and the elimination of current or future land uses (grazing, energy development, etc.) are no longer a viable option. The idea that sage grouse can be saved by desk jockeys and court orders is only a dream. The real world demands more.	All	Both	emc0139GB
407.	Fragmentation. Iron County recognizes the consequences that fragmentation of sagebrush communities can have on sage grouse. We also recognize there needs to be proper and consistent guidelines to BLM field offices and Forest Service ranger districts that will minimize the impacts of fragmentation. However, Iron County feels that this is not a one-size-fits-all issue and there should be sufficient flexibility built into the strategy to deal with local issues.	All	Both	emc0142GB
408.	Communication. Without proper communication, each management agency maintains a separate database concerning vegetation treatments, sage grouse population counts, and critical habitat locations. Thus, implementation of strategies would possibly be repetitive and an inefficient use of available funds. Much damage due to the threats of development, recreational uses, and vegetation treatments may be avoided or diminished with the guidance of a working group involving representatives from the entire community.	All	Both	emc0142GB
409.	In addition to the failure of the National Technical Team to propose flexible and proactive solutions to the effects of mineral development on sage grouse habitat, the report raises questions on how adequately these have been quantified, even given the problems noted above in comparing oil and gas development to minerals.	All	Both	emc0168GB
410.	The report mentions 2 to 10 year lags between the onset of development in the study areas and negative trends in sage grouse populations. The occurrence of such a long time lag begs the question of whether the reported declines in sage grouse populations in the areas studied are due wholly or in part to regional trends such as weather, disease, etc	All	Both	emc0168GB
411.	We encourage you to go out and look around. Visit the land before you lease it out. Manage the land for the generations to come.	All	Both	emc0152GB
412.	These impacts should be considered along with wind turbines and other energy development, domestic grazing levels and	All	Both	emc0163GB

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	off-road vehicle use. Thank you for your consideration.			
413.	As you are well aware, BLM lands make up the bulk of Sage Grouse habitat in the US therefore you have the most sway in recovering Sage Grouse populations and avoiding the listing of these birds on the ESA listing. It concerns me deeply that an agency to which I have worked for, worked with, which I still feel its responsibility to land management is gravely important to maintaining quality of life for those who live in the west and the US, is in effect, allowing the wide spread destruction of habitat for these birds by oil and gas mining regulations and implementation of its own grazing policy. I am one of many who feel that the policies and plan implementation by the BLM consistently ignores the their own and the abundant external science and continually caves to the wishes of industry and the cattle and dairy interests when in fact those interests are detrimental to the sage grouse survival	All	Both	emc0164GB
414.	Grouse extinction rest in your hands and if the you don't act and just keep things as status quo as you have for the last 50 years, not only will sage grouse be extinct but the American public will make your job extinct as well. BLM can be better stewards of the land. We the american people, and sage grouse certainly deserve better policy and action by the Dept of Interior and the BLM to preserve what remaining resources of wildlife and habitat we have left	All	Both	emc0164GB
415.	Officials of the BLM and Fish and Wildlife have made known their resistance to listing the bird because of the extra problems it would present for permitting mines and other projects. The mines are owned by foreign entities with offices in the U.S. Why do foreign corporations have the power to destroy large areas of U.S. habitat and the environment and leave us with the clean-up and transgenerational medical costs? Why does corporate law over-rule constitutional law?	All	Both	emc170GB
416.	The bird is viewed as just a stumbling block to progress. BLM and Fish and Wildlife are not using science, they are using political motivations to keep the declining bird off the endangered list	All	Both	emc0170GB
417.	We are submitting these comments for consideration during the scoping process for the Western Region Sage Grouse EIS. Economics, Livestock Grazing, Vegetation management, land resource inventory development, sage grouse depredation, and population census are issues that need to be assessed in the EIS and all topics need to be considered within the context of public lands and BLM should refrain from speculating about private land uses.	All	Both	emc0179GB
418.	Oregon Department of Fish and Wildlife (ODFW) recognizes that land use planners and managers may need to consider recommendations for sage grouse management within the context of social- -economic issues of the respective governmental bodies. The intent of the Oregon Sage Grouse Conservation plan (ODFW) is to inform decision---makers regarding the biological consequences of various actions on sage---grouse, but not to dictate land management decision. Also, added as guidance the Oregon Plan is not intended to exclude any users or activities or infringe on legally defined private property rights; but serves to provide solutions to problems and issues that affect sage---grouse and the functionality of sagebrush communities. With the development of the ODFW plan it seems redundant for the BLM to write another plan. We would like the EIS to address the adequacy of that plan to serve as a valid reference for the Western Region EIS.	All	BLM	emc0179GB
419.	The economic and social values of the Western Region ranching community are important considerations that must be studied and taken into account for the sage grouse EIS. Habitat protection areas for this species of bird should be carefully studied to retain compatibility with the private landowner's business activities to avoid future conflicts. Livestock and agriculture production are primary economic concerns in Oregon and land management opportunities on federal and state	All	Both	emc0179GB

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	lands must remain flexible to meet the needs of the community as well as the animal species that require special conditions.			
420.	Agriculture producers have participated in numerous federal and state plans and it is inconceivable that the varied plans and assessments for protection of fish, plants, and animals are not sufficient for sage grouse protection. Currently there are Resource Management Plans and grazing allotment plans that set goals and objectives to address environmental impacts of activities with specific management objectives intended to improve the landscapes. The current strategies should be given priority over developing new standards for the sage grouse EIS.	All	Both	emc0179GB
421.	The basic principles of doing science require a good study design, rigorous data collection, and analysis. The BLM needs to address the lack of data analysis within the agency's database. In Oregon the inventories contained in the records at BLM offices are decades old and do not reflect the current issues and newer methods used to make vegetation assessments. Invasive plant management is not conducted in way that contributes to upward trends on the landscapes. The Standards of Rangeland Health are not conducive to assessments that can be analyzed with assurances calculated through statistical analysis. The EIS will remain vulnerable to protests if some level of confidence is not associated with the databases at the BLM Districts. Current databases should be thoroughly analyzed and monitoring programs should be developed or modified with the help of statisticians.	All	BLM	emc0179GB
422.	A major concern is the possible BLM reliance on professional judgment to determine if short--- and long---term habitat and land resource objectives are being achieved or can be achieved. We urge use of rigorous studies for objective decision---making. Alternatives must be written based on knowledge and research in order to provide a level of confidence in the EIS. Professional judgment should not be a surrogate for missing field---work or inventories and the EIS should reflect this important point.	All	BLM	emc0179GB
423.	I have tried to find hard scientific data on the population numbers for sage-grouse and come up empty handed. Your posters focused on habitat but did not show actual population numbers. Could you please provide this information and reference it. If we are making decisions based on decreased population, we need hard data on the population	All	Both	emc0174GB
424.	Those of us working on the land already make numerous and expensive adjustments to help preserve wildlife. We stay out of areas with leks during the breading season and pay a heavy cost because of it. We reclaim, re-contour and seed disturbed ground, etc. We also have the unrecognized effect of decreasing the number of wildfires. I know lots of people that have called in wildfires or put them out themselves after seeing a lightning strike. Equipment operators often cut fire lines, etc., and it benefits fire management to have them out there. Please recognize the good we do out there.	All	Both	emc0174GB
425.	Both oil and gas and mining could be dealt a regulative death blow over sage-grouse. This needs to be openly discussed and considered as part of the evaluation. It is an issue of national importance. What do we want to do to our natural resource industries? They will be effected.	All	Both	emc0174GB
426.	We are submitting these comments for consideration during the scoping process for the Western Region Sage Grouse EIS. Economics, Livestock Grazing, Vegetation management, land resource inventory development, sage grouse depredation, and population census are issues that need to be assessed in the EIS and all topics need to be considered within the context of public lands and BLM should refrain from speculating about private land uses.	All	Both	emc0179GB
427.	Oregon Department of Fish and Wildlife (ODFW) recognizes that land use planners and managers may need to consider	All	Both	emc0179GB

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	recommendations for sage grouse management within the context of social---economic issues of the respective governmental bodies. The intent of the Oregon Sage Grouse Conservation plan (ODFW) is to inform decision---makers regarding the biological consequences of various actions on sage---grouse, but not to dictate land management decision. Also, added as guidance the Oregon Plan is not intended to exclude any users or activities or infringe on legally defined private property rights; but serves to provide solutions to problems and issues that affect sage---grouse and the functionality of sagebrush communities. With the development of the ODFW plan it seems redundant for the BLM to write another plan. We would like the EIS to address the adequacy of that plan to serve as a valid reference for the Western Region EIS.			
428.	The economic and social values of the Western Region ranching community are important considerations that must be studied and taken into account for the sage grouse EIS. Habitat protection areas for this species of bird should be carefully studied to retain compatibility with the private landowner's business activities to avoid future conflicts. Livestock and agriculture production are primary economic concerns in Oregon and land management opportunities on federal and state lands must remain flexible to meet the needs of the community as well as the animal species that require special conditions.	All	Both	emc0179GB
429.	Agriculture producers have participated in numerous federal and state plans and it is inconceivable that the varied plans and assessments for protection of fish, plants, and animals are not sufficient for sage grouse protection. Currently there are Resource Management Plans and grazing allotment plans that set goals and objectives to address environmental impacts of activities with specific management objectives intended to improve the landscapes. The current strategies should be given priority over developing new standards for the sage grouse EIS.	All	Both	emc0179GB
430.	Reliable population estimates are needed for managers to make appropriate decisions and understand the effects of actions on a particular site. In many areas, these data are lacking for specific local populations. In addition, scientific and professional literature pertaining to sage---grouse contains some scientific uncertainties (Connelly et al. 2000c, Schroeder et al.1999). There is a lack of understanding of how sage---grouse use some important components of their habitats at the landscape level (Wambolt et al. 2002; PACWPL Policy Paper SG-02-02).	All	Both	emc0179GB
431.	The basic principles of doing science require a good study design, rigorous data collection, and analysis. The BLM needs to address the lack of data analysis within the agency's database. In Oregon the inventories contained in the records at BLM offices are decades old and do not reflect the current issues and newer methods used to make vegetation assessments. Invasive plant management is not conducted in way that contributes to upward trends on the landscapes. The Standards of Rangeland Health are not conducive to assessments that can be analyzed with assurances calculated through statistical analysis. The EIS will remain vulnerable to protests if some level of confidence is not associated with the databases at the BLM Districts. Current databases should be thoroughly analyzed and monitoring programs should be developed or modified with the help of statisticians.	All	Both	emc0179GB
432.	A major concern is the possible BLM reliance on professional judgment to determine if short--- and long---term habitat and land resource objectives are being achieved or can be achieved. We urge use of rigorous studies for objective decision---making. Alternatives must be written based on knowledge and research in order to provide a level of confidence in the EIS. Professional judgment should not be a surrogate for missing field---work or inventories and the EIS should reflect this important point.	All	BLM	emc0179GB

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433.	In closing, when you are making your decision on which issues should be addressed in the Environmental Impact Statements and the Supplemental Environmental Impact Statements I ask that you keep these key points in mind. 1) Historically when livestock grazing numbers were high sage grouse were abundant. 2) When predators gain protection, prey species decline. 3) Human development does not have nearly the negative impact on sage grouse populations as radical environmentalists would have you believe and development has even had a positive effect. 4) Livestock grazing is crucial for maintaining rangeland health and fire control.	All	Both	emc0208GB
434.	There is nothing that the people have done that has affected the sage grouse populations, so for the government to blame the people for a problem that does not exist is childish and wrong. Prior to strong government regulations on grazing and predator control the birds population were so high at times they actually carried diseases that killed them off.	All	Both	emc0210GB
435.	All that will become of this is thousands of people out of jobs, businesses out of business and another American heritage gone forever. The biggest and most important part of this is since the bird exceeds the population by a long shot the government is trying to change the ruling on the endangered species act to meet the criteria to list a species so they can get the sage grouse listed which is unconstitutional and morally wrong. The information needed to defeat this proposal has been provided to our local governments and BLM agencies to stop it in its tracks, all we need is them to support us. They two will be negatively impacted by this decision.	All	Both	emc0210GB
436.	Another thing that has to happen is to make sure there are no permanent structures or major disturbances that are in what is left of there habitat. But you can put a lot of things in place to help but as long as the states still shoot them it would be like one step forward two step backwards.	All	Both	emc0211GB
437.	While the subdivisions may be helpful to the planning process, one strategy for each sub-region cannot be effective. Within any sub-region there are highly variable climatic conditions, habitat types, threat factors, opportunity to address specific issues and different ongoing local efforts to conserve sage grouse. Each BLM land use planning unit should have its own site specific management guidance. Imposing broad scale guidance always results in the application of inappropriate guidance in some areas and perhaps inadequate guidance in other areas.	All	BLM	emc0212GB
438.	B. The information indicates that BLM will "coordinate with other federal, state, and local government agencies in preparing the EISs." However, BLM goes on to identify the specific agencies they intend to "partner" with in this effort. Nowhere does BLM identify local Sage-Grouse working groups nor does BLM propose to involve these groups other than through the general public process. These local SageGrouse work groups possess the greatest knowledge oflocal conditions, opportunities and provide the most effective connection between land ownerships. The necessary level of trust and cooperation among land ownerships is best achieved through local efforts.	All	Both	emc0212GB
439.	While BLM reports that they manage as much as 47 million acres of the of the remaining sagebrush habitat in the US. However, it is also true that private landowners, states and other federal agencies manage nearly the same amount. Clearly, there must be ongoing cooperation and coordination of management and conservation practice guidance	All	BLM	emc0212GB
440.	E. The maps identifying priority habitat presumably delineate the on-ground application of conservation practice guidance identified in the EISs. However, the lines on these maps are not definable (surveyed) to a degree that actual on ground actions can be determined to be within or outside of actual PH. This effort must provide greater certainty as to where conservation practice guidance can be applied.	All	Both	emc0212GB

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441.	F. The BLM information proposes to pursue this effort primarily through their e-planning electronic planning system. While this approach may be convenient for BLM it is not so for many landowners. BLM must make a much greater effort to obtain input and secure meaningful review oftheir planning effort. The intent to rely on e-planning will not improve transparency but will make it more difficult. Most of the affected public does not have time to check the website daily to see if new information is available. Any and all time sensitive material must be made available via hard copy.	All	BLM	emc0212GB
442.	G. The BLM is unclear on their habitat maps on when they are identitying a grassland, sage brush steppe and semi desert areas. On reviewing the maps, there are known areas that are large grasslands that are being identified as a sage brush steppe or a semi desert. BLM needs to identity the criteria they are using when they make the break between grassland and a sage brush steppe in their mapping units.	All	Both	emc0212GB
443.	H. The maps that show the priority habitat, appears to have incorporated private lands that are adjacent to BLM lands that have sage grouse habitat. Many of the private lands are agricultural lands that are not and will not be sage brush! sage grouse habitat. Is the BLM going to re-fine their habitat boundaries and remove the private lands that are within the priority habitat boundaries?	All	BLM	emc0212GB
444.	It is noted in the Preliminary Planning Criteria handout that Sage-Grouse habitat conservation measures will follow the Sage-Grouse Nationals Technical Team's "A Report on National Greater SageGrouse Conservation Measures (BLM 2011). It appears this was largely an internal document with some state fish and game staff as members in the development of the document. This document should be reviewed for the science that is being referenced and recommended by the land grant universities in the states that have sage-grouse populations and habitat.	All	Both	emc0212GB
445.	Having reviewed the Planning strategy document on the website and the "Instruction Memorandum" No. 2012-043, it is more than a little clear that the "top down" directives from the national level to the loeal level is the "bass-ackward" way to accomplish meaningful improvements to sage-grouse habitat and sage grouse populations.	All	Both	emc0213GB
446.	At Fish Springs Ranch our experience has been a good one of cooperation with our BlM District Office and the range cons that have been assigned to our area and we believe that the results from that experience are such that they can be duplicated elsewhere provided that the solution is based in facts derived from the specific areas in question with management solutions that are site-speCific.	All	Both	emc0213GB
447.	There seems to be little, if any, precedence for such a local, specific area solution based effort ever blooming in the thorny gardens of Washington, it must come from this state and our local District Offices of BlM. Every ranch, every allotment, every county every watershed is different unto itself and in the instance of public lands and multiple use of those lands one size does not frt all.	All	Both	emc0213GB
448.	During the january 19, 2012 Sage Grouse scoping meeting held at the Lassen County Fair Grounds in Susanvill e, Califo rnia, we were concerned by the following: • Lack of documentation of why there is a decline of the Sage Grouse • The scale of the maps making it difficult to determine what areas coaJd be impacted • Why five-mile radius circles were used showing impact areas • No recording of comments from the public	All	Both	emc0214GB
449.	Additionally, the Lassen MC would like to see the environmental document address how mitigation measures would impact the existing local community and recreation uses such as: • How proposed mitigation measures would impact existing State	All	Both	emc0214GB

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	and Federal land use plans? • The socio-economic impacts on existing local and regional uses caused by proposed mitigation measures? • If there are significant impacts on Sage Grouse because of motorized recreation? • How buffer zones are effective at each mitigation site and the impacts of buffer zones on existing uses?			
450.	Management of habitat for the greater sage-grouse occurs on a complex sagebrush dominated landscape with tremendous variability locally and range wide. It is ecologically impossible to regulate for improved sage-grouse performance with species specific regulatory measures	All	Both	emc0215GB
451.	Local citizens working together to resolve local and site specific issues offers the best chance for success. Much work has already been accomplished at the local level in planning for vegetative enhancements. Agencies have failed to implement these planning efforts to date. Agencies should prioritize and implement these measures before increasing regulatory control that often paralyzes needed action.	All	Both	emc0215GB
452.	Closing off land for a bird and not allowing any other discussions, especially at the local level is wrong at all levels.	All	Both	emc0224GB
453.	THEIR IS NO NEED TO INCORPORATE SAGE GROUSE CONSERVATION INTO LAND USE MANAGEMENT PLANS [76FR 77008-77011	All	Both	emc0225GB
454.	Fidelity has invested significant resources in sage-brush habitat research and enhancement. Below is a link to the Cooperative Sage-brush Initiative's progress report titled: "Market Based Approach for Restoring Rangelands and Critical Wildlife Habitat in the Sagebrush Biome:" http://sandcounty.neVuploads/Progress%20report%20Feb%202011.pdf.This project is on Fidelity's Seven Brothers East Ranch property located within the Buffalo BLM Field Office boundary; therefore, this project should be considered in BLM's analysis of science based conservation measures.	All	Both	emc0228GB, emc0093rm
455.	The EISs should focus on habitat only and the public should be apprised that until a final listing decision is made, sage-grouse belong to the people of the state where the species resides; thus BLM can only control the habitat on BLM administered lands. Fidelity respectfully reminds BLM that their analysis should include BLM's multiple-use mandate and that any long term access stipulations should be based on peer-reviewed scientific data. In this regard, the scientific data needs to be transparent, and research conclusions need to be reproducible and comply with the Data Quality Act.	All	Both	emc0228GB, emc0093rm
456.	BLM should also clarify that the EISs are evaluating conservation of sage-grouse habitat. The focus of the Planning EISs is only on management of the sage grouse habitat, not sage brush habitat, which should be made clear in order for affected parties to correctly interpret the affects ofthis policy.	All	BLM	emc0228GB, emc0093rm
457.	The data and sources that led to the development of the measures should be fully transparent.	All	Both	emc0228GB, emc0093rm
458.	In IM 2012-044 BLM refers to Preliminary Priority Habitat (PPH) and Preliminary General Habitat (PGH). The respective data can be accessed only on a BLM intra net site. The data and maps depicting PPH and PGH should be readily available and members of the public who have limited or no access to the internet should be able to easily access this information.	All	Both	emc0228GB, emc0093rm
459.	We are submitting these comments for consideration during the scoping process for the Western Region Sage Grouse EIS. Economics, Livestock Grazing, Vegetation management, land resource inventory development, sage grouse depredation, and population census are issues that need to be assessed in the EIS and all topics need to be considered within the context of public lands and BLM should refrain from speculating about private land uses.	All	Both	emc0159GB

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460.	Oregon Department of Fish and Wildlife (ODFW) recognizes that land use planners and managers may need to consider recommendations for sage grouse management within the context of social- -economic issues of the respective governmental bodies. The intent of the Oregon Sage Grouse Conservation plan (ODFW) is to inform decision---makers regarding the biological consequences of various actions on sage---grouse, but not to dictate land management decision. Also, added as guidance the Oregon Plan is not intended to exclude any users or activities or infringe on legally defined private property rights; but serves to provide solutions to problems and issues that affect sage---grouse and the functionality of sagebrush communities. With the development of the ODFW plan it seems redundant for the BLM to write another plan. We would like the EIS to address the adequacy of that plan to serve as a valid reference for the Western Region EIS.	All	BLM	emc0159GB
461.	The economic and social values of the Western Region ranching community are important considerations that must be studied and taken into account for the sage grouse EIS. Habitat protection areas for this species of bird should be carefully studied to retain compatibility with the private landowner's business activities to avoid future conflicts. Livestock and agriculture production are primary economic concerns in Oregon and land management opportunities on federal and state lands must remain flexible to meet the needs of the community as well as the animal species that require special conditions.	All	Both	emc0159GB
462.	Agriculture producers have participated in numerous federal and state plans and it is inconceivable that the varied plans and assessments for protection of fish, plants, and animals are not sufficient for sage grouse protection. Currently there are Resource Management Plans and grazing allotment plans that set goals and objectives to address environmental impacts of activities with specific management objectives intended to improve the landscapes. The current strategies should be given priority over developing new standards for the sage grouse EIS.	All	Both	emc0159GB
463.	The basic principles of doing science require a good study design, rigorous data collection, and analysis. The BLM needs to address the lack of data analysis within the agency's database. In Oregon the inventories contained in the records at BLM offices are decades old and do not reflect the current issues and newer methods used to make vegetation assessments. Invasive plant management is not conducted in way that contributes to upward trends on the landscapes. The Standards of Rangeland Health are not conducive to assessments that can be analyzed with assurances calculated through statistical analysis. The EIS will remain vulnerable to protests if some level of confidence is not associated with the databases at the BLM Districts. Current databases should be thoroughly analyzed and monitoring programs should be developed or modified with the help of statisticians.	All	BLM	emc0159GB
464.	A major concern is the possible BLM reliance on professional judgment to determine if short--- and long---term habitat and land resource objectives are being achieved or can be achieved. We urge use of rigorous studies for objective decision---making. Alternatives must be written based on knowledge and research in order to provide a level of confidence in the EIS. Professional judgment should not be a surrogate for missing field---work or inventories and the EIS should reflect this important point.	All	BLM	emc0159GB
465.	We are submitting these comments for consideration during the scoping process for the Western Region Sage Grouse EIS. Economics, Livestock Grazing, Vegetation management, land resource inventory development, sage grouse depredation, and population census are issues that need to be assessed in the EIS and all topics need to be considered within the context of public lands and BLM should refrain from speculating about private land uses.	All	Both	emc0222GB

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466.	Oregon Department of Fish and Wildlife (ODFW) recognizes that land use planners and managers may need to consider recommendations for sage grouse management within the context of social- -economic issues of the respective governmental bodies. The intent of the Oregon Sage Grouse Conservation plan (ODFW) is to inform decision---makers regarding the biological consequences of various actions on sage---grouse, but not to dictate land management decision. Also, added as guidance the Oregon Plan is not intended to exclude any users or activities or infringe on legally defined private property rights; but serves to provide solutions to problems and issues that affect sage---grouse and the functionality of sagebrush communities. With the development of the ODFW plan it seems redundant for the BLM to write another plan. We would like the EIS to address the adequacy of that plan to serve as a valid reference for the Western Region EIS.	All	BLM	emc0222GB
467.	The economic and social values of the Western Region ranching community are important considerations that must be studied and taken into account for the sage grouse EIS. Habitat protection areas for this species of bird should be carefully studied to retain compatibility with the private landowner's business activities to avoid future conflicts. Livestock and agriculture production are primary economic concerns in Oregon and land management opportunities on federal and state lands must remain flexible to meet the needs of the community as well as the animal species that require special conditions.	All	Both	emc0222GB
468.	Agriculture producers have participated in numerous federal and state plans and it is inconceivable that the varied plans and assessments for protection of fish, plants, and animals are not sufficient for sage grouse protection. Currently there are Resource Management Plans and grazing allotment plans that set goals and objectives to address environmental impacts of activities with specific management objectives intended to improve the landscapes. The current strategies should be given priority over developing new standards for the sage grouse EIS.	All	Both	emc0222GB
469.	The basic principles of doing science require a good study design, rigorous data collection, and analysis. The BLM needs to address the lack of data analysis within the agency's database. In Oregon the inventories contained in the records at BLM offices are decades old and do not reflect the current issues and newer methods used to make vegetation assessments. Invasive plant management is not conducted in way that contributes to upward trends on the landscapes. The Standards of Rangeland Health are not conducive to assessments that can be analyzed with assurances calculated through statistical analysis. The EIS will remain vulnerable to protests if some level of confidence is not associated with the databases at the BLM Districts. Current databases should be thoroughly analyzed and monitoring programs should be developed or modified with the help of statisticians.	All	BLM	emc0222GB
470.	A major concern is the possible BLM reliance on professional judgment to determine if short--- and long---term habitat and land resource objectives are being achieved or can be achieved. We urge use of rigorous studies for objective decision---making. Alternatives must be written based on knowledge and research in order to provide a level of confidence in the EIS. Professional judgment should not be a surrogate for missing field---work or inventories and the EIS should reflect this important point.	All	BLM	emc0222GB
471.	We are submitting these comments for consideration during the scoping process for the Western Region Sage Grouse EIS. Economics, Livestock Grazing, Vegetation management, land resource inventory development, sage grouse depredation, and population census are issues that need to be assessed in the EIS and all topics need to be considered within the context of public lands and BLM should refrain from speculating about private land uses.	All	Both	emc0209GB

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472.	Oregon Department of Fish and Wildlife (ODFW) recognizes that land use planners and managers may need to consider recommendations for sage grouse management within the context of social- -economic issues of the respective governmental bodies. The intent of the Oregon Sage Grouse Conservation plan (ODFW) is to inform decision---makers regarding the biological consequences of various actions on sage---grouse, but not to dictate land management decision. Also, added as guidance the Oregon Plan is not intended to exclude any users or activities or infringe on legally defined private property rights; but serves to provide solutions to problems and issues that affect sage---grouse and the functionality of sagebrush communities. With the development of the ODFW plan it seems redundant for the BLM to write another plan. We would like the EIS to address the adequacy of that plan to serve as a valid reference for the Western Region EIS.	All	BLM	emc0209GB
473.	The economic and social values of the Western Region ranching community are important considerations that must be studied and taken into account for the sage grouse EIS. Habitat protection areas for this species of bird should be carefully studied to retain compatibility with the private landowner's business activities to avoid future conflicts. Livestock and agriculture production are primary economic concerns in Oregon and land management opportunities on federal and state lands must remain flexible to meet the needs of the community as well as the animal species that require special conditions.	All	Both	emc0209GB
474.	Agriculture producers have participated in numerous federal and state plans and it is inconceivable that the varied plans and assessments for protection of fish, plants, and animals are not sufficient for sage grouse protection. Currently there are Resource Management Plans and grazing allotment plans that set goals and objectives to address environmental impacts of activities with specific management objectives intended to improve the landscapes. The current strategies should be given priority over developing new standards for the sage grouse EIS.	All	Both	emc0209GB
475.	The basic principles of doing science require a good study design, rigorous data collection, and analysis. The BLM needs to address the lack of data analysis within the agency's database. In Oregon the inventories contained in the records at BLM offices are decades old and do not reflect the current issues and newer methods used to make vegetation assessments. Invasive plant management is not conducted in way that contributes to upward trends on the landscapes. The Standards of Rangeland Health are not conducive to assessments that can be analyzed with assurances calculated through statistical analysis. The EIS will remain vulnerable to protests if some level of confidence is not associated with the databases at the BLM Districts. Current databases should be thoroughly analyzed and monitoring programs should be developed or modified with the help of statisticians.	All	BLM	emc0209GB
476.	A major concern is the possible BLM reliance on professional judgment to determine if short--- and long---term habitat and land resource objectives are being achieved or can be achieved. We urge use of rigorous studies for objective decision---making. Alternatives must be written based on knowledge and research in order to provide a level of confidence in the EIS. Professional judgment should not be a surrogate for missing field---work or inventories and the EIS should reflect this important point.	All	Both	emc0209GB
477.	Please make sure the current information is correct, accurate and up to date before making uniformed decisions. Listing the sage grouse on the endangered species list will greatly affect and impact numerous industries and badly needed jobs, which in turn will probably adversely affect the sage grouse issue and problem in which we are trying to fix.	All	Both	emc0229GB
478.	The IM Memo repeatedly points out the "State Wildlife Agency" as the important agency to talk to and get approval form for	All	Both	emc0233GB

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	habitat projects. State Departments of Agriculture and the Sage Grouse working groups which should include local government have the tools to improve management on the ground which state wildlife agencies are already part of.			
479.	Federal agencies shall cooperate with state agencies, local governments and those allowed by agency actions to monitor the progress of sage grouse to remove the species from the endangered species listing.	All	Both	emc0233GB
480.	The current scope of "Preliminary Issues" is incomplete. It should be expanded to include control of feral (aka "wild") horses and birds of prey. Both feral horses and birds of prey are protected under legislation from 1971 and 1972 respectively. These two laws favor particular species or group of species without regard to the impact of the protected species on other native species such as the sage grouse.	All	Both	emc0216GB
481.	I oppose BLM's intent to prepare an EIS to incorporate Greater Sage Grouse conservation measures into federal land use plans. I base this mainly on the basis that the Greater Sage Grouse is not legally qualified, or even close to being legally qualified to be listed as endangered. Using USF&WS findings that 5,000 birds is the minimum effective population determined to keep the bird from extinction. The USF&WS estimates there are 535,000 birds region wide, by their own admission they are difficult to count and there may be substantially more birds.	All	Both	emc0249GB
482.	We would appreciate being part of any stakeholder or Sage Grouse conservation project team if possible so we can express our interests in the planning of any projects that will affect Outback's operations.	All	Both	emc0235GB
483.	It is clear that both the BLM and the USFS are committed to consulting with State, local and tribal governments prior to implementing any changes to land management plans. We hope the same courtesy will be extended to other stakeholders as well.	All	Both	emc0324GB
484.	We sincerely hope the agencies will explore seasonal closures for defined, specific areas before resorting to widespread closures affecting thousands and perhaps millions of acres of land for extended periods of time. Many times, less is better if done in a targeted way.	All	Both	emc0324GB
485.	We appreciate the massive task before the agencies as they evaluate numerous land management plans in areas covering ten western states. We trust this effort will be done in a deliberate fashion with ample dialog with all those interested and potentially affected by the decisions which will come as a result of this process	All	Both	emc0324GB
486.	To rush the process to meet an arbitrary deadline will only lead to errors of judgment and failure to adequately engage with all interested stakeholders will only lead to distrust of those responsible for the stewardship of our federal lands.	All	Both	emc0324GB
487.	In fact, the state strongly asserts that a decision to list sage-grouse range-wide, but especially in Utah, would be a major setback to current conservation management activities.	All	Both	emc0337GB
488.	However, the state would respectfully suggest that the BLM Resource Management Plan process is cumbersome to initiate, unwieldy to operate, and ultimately unable to respond to the needs of any species in an efficient manner.	All	Both	emc0337GB
489.	In the interim, BLM has ignored all the work done in Utah in favor of interim management directives which stand the idea of cooperation on its head. Further, the BLM intends to propose making these coercive restrictions permanent as one of the alternatives in the ErS. In addition, the BLM and Forest Service are already hard at work proposing mechanisms to assure that protections for sage grouse are identical range-wide, which eftort may conflict directly with the efforts of the state, BLM, Forest Service and others to promote locally based solutions in a cooperative manner	All	Both	emc0337GB

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490.	The BLM must not fall into the false planning trap of assuming that the best thing for sage-grouse, or any other species, is to place the lands off -limits to any or all activities.	All	BLM	emc0337GB
491.	Only those stipulations and conditions created as part of a joint effort among all parties to satisfy the needs of the sage grouse on a statewide basis should be considered, and considered as common to all the alternatives in the EIS analysis	All	Both	emc0337GB
492.	Finally, in addition to these economic calculations, the state requests that the BLM detennine and consider the opinions of those who work the land, or otherwise derive their living from the lands and resources in rural Utah. Many of them are involved in the protection of the sage grouse, because they care, and BLM's decisions must not interfere with their ability to do so. Many rural Utah residents work in the energy and recreational industries, and their opinionshould be part ofthe EIS process, as much or more so than consideration of the opinion of the FWS.	All	Both	emc0337GB
493.	Since the sage-grouse listing petitions were filed in 2004, countless measures have been employed by the energy industry, private landowners and federal and state management agencies to develop scientific data monitoring, collection and analysis tools for the purpose of ensuring the survival of the sage-grouse. As such, numerous conservation programs have been in place for several years, many in which the BLM has been and continues to be involved. These have resulted in an unprecedented comprehensive effort to avoid the pitfalls of listing the sage-grouse under the Endangered Species Act. BLM should recognize and build on these programs.	All	BLM	emc0166GB, emc0031RM
494.	EOG urges the BLM to consider the development of a wide ranging conservation strategy for sage-grouse and sage-grouse habitat that has already been undertaken by western states through the Western Association ofFish and Wildlife Agencies ("WAFWA"), in which the U.S. Fish and Wildlife Service ("FWS"), BLM and Forest Service are cooperating agencies. As a result of these efforts, to date nine states have finalized conservation plans and local working groups are being established to carry out these plans and to monitor their effectiveness. The remaining states are also working toward formulating and finalizing their conservation plans.	All	BLM	emc0166GB, emc0031RM
495.	Finally, the BLM should use this opportunity to address the concerns expressed by Judge D. Lynn Winmill of the United States District Court for the District of Idaho in the case entitled Western Watershed Project v. Ken Salazar, Case No. 08-CV-516-DLW, Memorandum Decision and Order (D. Id. Sept. 28, 2011). In the referenced case, the court determined that the BLM had not adequately analyzed potential impacts to sage-grouse population from both livestock grazingand oil and gas development on public lands. As a result of this decision, with which EOG disagrees and has intervened in a lawsuit in order to protect its rights, the BLM's RMPs across much of the western United States risk additional challenge from plaintiff organizations such as the Western Watershed Project. Indeed, the Western Watershed Project has already indicated its intent to file litigation against the BLM challenging other resource management plans such as with the recently released Draft Resource Management Plan for the Lander Resource Area in Wyoming. BLM should take the opportunity to correct any alleged deficiencies perceived by a court in Idaho to ensure that future litigation is less likely to succeed.	All	BLM	emc0166GB, emc0031RM
496.	To the extent possible, the BLM should utilize the data collected by the Wyoming State Office for the proposed, but now apparently abandoned, Wyoming specific amendment to the RMPs within the State of Wyoming. This process was initiated in May of 2010 and was, reportedly, nearing completion prior to the announcement of the national sage-grouse RMP amendments. See Notice of Intent, 75 Fed. Reg. 30054 (May 28, 2010). The BLM in Wyoming had already prepared an Analysis of the Management Situation and other important data that can be utilized as part of this larger effort. See Summary	All	BLM	emc0166GB, emc0031RM

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	of Scoping Comments (Jan. 19, 2011); Analysis ofthe Management Situation (August 2011).			
497.	The BLM must specifically incorporate and adopt to the maximum extent possible the sage-grouse conservation measures currently in place and utilized in Wyoming. The Wyoming sage-grouse Implementation Team and the Governor of Wyoming carefully developed the Core Area policy for sage-grouse based on the best scientific information available and in cooperation with operators and the Wyoming Game and Fish Department ("WGFD"). It is inappropriate toincrease these restrictions in the BLM Land Use Plan. EOG encourages the BLM to modify the sage-grouse stipulations such that they are consistent with Wyoming Executive Order 2011-5. This will ensure consistent management of sage-grouse and habitat throughout Wyoming and illustrate the State of Wyoming and the BLM are dedicated to protecting and preserving sagegrouse to prevent listing under the Endangered Species Act.	All	Both	emc0166GB, emc0031RM
498.	History has shown that the previous practices of closing tracts of land to all use to preserve a species has ended drastically for all involved, especially the species	All	Both	emc0241GB
499.	A broad spectrum solution will not solve this problem so it should be tailored to fit each allotment and each population of sage grouse	All	Both	emc0241GB
500.	I am not certain why the sage grouse have decreased in numbers but some factors should be considered: more predators, disease, housing development, and a decrease in cattle and sheep numbers.	All	Both	emc0252GB
501.	It would be my thought that studies should be made of existing thriving sage grouse populations along with studies of past history. These studies should be made by unbiased persons if any such people can be found.	All	Both	emc0252GB
502.	Cliff Gardner of Ruby Valley, NV has collected a lot of data on sage grouse history. His findings should be given careful consideration	All	Both	emc0252GB
503.	If these nationally designated areas contain 5,000 or more sage-grouse and the populations have been maintained or increased over time, then the greater sage-grouse does not legally qualify for listing under the ESA based upon its existence and trend in these nationally designated areas alone, and there is no need to implement additional conservation measures anywhere else in the bird's occupied range. In contrast, if greater sage-grouse populations have declined in these nationally designated areas, like they have elsewhere in their currently occupied range, then the entire line of reasoning regarding the factors responsible for their decline must be reevaluated. If sage-grouse populations have declined in these nationally designated areas despite the regulatory mechanisms that constrain their use, all recommendations to implement similar regulatory restrictions across vast additional portions of the species range need to be rejected entirely. Instead, management practices that were in place when greater sagegrouse populations dramatically increased from the mid 1800s to early 1900s need to be identified and implemented again, including increased livestock grazing to reduce wildfire fuel loads, and concerted predator control.	All	Both	emc0256GB
504.	6) Protecting the Sage Grouse habitat is placing protection of the entirety of flora and fauna that naturally inhabit the terrain. Man is an inclusion in the circle of life of these high deserts. Road density must stay as it is to facilitate management be it weed pulling parties, fire suppression, hunters, gatherers or river goers. Single specie's habitat protection exclusive to its surroundings is not management. Agencies and citizens must address the vast specie realm. Not taking into consideration all species including man's historical comings and goings; omitting one species or another will not represent the full cycle of life	All	Both	emc0257GB emc0104rm

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	and this earth's environment as even man's footprints represent life in the high desert.			
505.	We support BLM's commitment to ensure that all data used in this process complies with the principles of the Information Quality Act of 2000.	All	BLM	emc0242GB, emc0097RM
506.	Data from state wildlife management agencies, state departments of agriculture, university extension services and local sage grouse working groups should be used to the greatest extent possible in this effort.	All	Both	emc0242GB
507.	Significant sage grouse habitat overlaps with BLM special designations. The plan amendment process must include a No-Action alternative, which recognizes the fact that federal land use plans contain existing direct and indirect protections of sage-grouse habitat (including wilderness areas, national parks and monuments, wilderness study areas, areas of critical environmental concern, special recreation management areas, roadless areas, wild and scenic rivers, NSO areas and others). The EIS must examine the extent to which such existing protections, or modification of such protections, can accomplish the purpose and need for the plan amendments.	All	Both	emc0242GB
508.	We request that the land use plan amendments be single-purpose; limited solely to those associated with sage grouse habitat conservation.	All	Both	emc0242GB
509.	The BLM has a multiple use mandate under FLPMA. The existing RMPs were developed after many years of analysis and public input, resulting in land use plans that struck an acceptable balance between multiple uses. This latest effort has the potential to shift that balance in a manner that is detrimental to energy development, grazing, fuel and vegetation management) mineral development and recreation. Any selected alternative must minimize the restrictions placed on these legitimate and important land uses. We encourage the BLM to follow through on its commitment to protect valid, existing rights; such as grazing and energy leases and RS 2477 access rights.	All	Both	emc0242GB
510.	We encourage the BLM to look not only at habitat availability) but also habitat suitability given the energy and mineral potential and other multiple use potential of preliminary priority sage grouse habitat areas. Mineral Potential and Reasonably Foreseeable Development studies should be used to make those habitat mapping determinations.	All	Both	emc0242GB
511.	The State of Utah is in the process of completing its sage grouse plan and will be establishing standards that make more sense for Utah.	All	Both	emc0242GB
512.	The criterion to ensure compliance with air quality laws and to include consideration of climate change seems to be beyond the scope of the sage grouse plan amendments.	All	Both	emc0242GB
513.	The criteria to utilize state game and fish agency date and expertise should be expanded to state that the RMP amendments will recognize the State's responsibility and authority to manage wildlife and consider adoption of the state sage grouse plan for use on BLM and Forest lands as an alternative.	All	Both	emc0242GB
514.	An additional planning criterion should be added that requires the RMP amendments to incorporate management decisions brought forward from existing planning documents whenever possible.	All	Both	emc0242GB
515.	Air Quality and Climate Change should not be a planning issue during this process. The RMP amendments should focus only on the analysis of sage grouse habitat protection and refrain from revising other elements of existing RMPs.	All	Both	emc0242GB
516.	The BLM should follow through on its commitment to base the land use plan amendments on the principles of adaptive management and establish a framework for ensuring that this occurs.	All	Both	emc0242GB

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517.	The BLM should consider the efforts of local sage grouse working groups and site specific research in making plans for specific areas.	All	Both	emc0242GB
518.	The BLM should provide for management flexibility in order to reduce the need to prepare additional land use plan amendments in the future and allow for land managers to use common sense given site specific conditions. RMP amendments must not become so prescriptive that incorporation of new science and data into management of sagebrush habitats would be restricted absent new planning efforts.	All	Both	emc0242GB
519.	The plan amendments should contain clear definitions oftenns and an explanation of how preliminary priority habitat and preliminary general habitat locations were determined.	All	Both	emc0242GB
520.	The RMP amendments should include flexibility or exemptions for emergency circumstances.	All	Both	emc0242GB
521.	Inflexible standards should be avoided. Standards should be based on the recommendations of the local sage grouse working groups.	All	Both	emc0242GB
522.	Mitigation measures employed by the BLM and land users in the past to protect sage grouse should be discussed in the RMP amendments. Future acceptable mitigation measures and the long term responsibility for monitoring must be identified. The funding of sage grouse research should be considered an acceptable means of mitigation. So should the restoration of degraded habitat. The BLM should consider the establishment of a mitigation program that project proponents may voluntarily use to facilitate the allocation and management of mitigation dollars to fund sage grouse habitat improvement projects.	All	Both	emc0242GB
523.	The BLM should consider methods of incentivizing development outside of priority habitat areas.	All	Both	emc0242GB
524.	The plan amendments will need to specify which use or user will have priority to create new disturbances within habitat areas. The first-come, first-served approach may not be in the long-term public interest.	All	Both	emc0242GB
525.	The plan amendments will need to specify whether surface disturbance limitations will include the existing disturbance or just new disturbance after the effective date of the amendments.	All	Both	emc0242GB
526.	The plan amendment process must recognize that it is not always practical to consolidate or group anthropogenic features on a landscape due to geologic, topographic and other conditions.	All	Both	emc0242GB
527.	Time of day and seasonal restrictions should be based on local conditions as analyzed by local sage grouse working groups, agriculture officials and wildlife agencies.	All	Both	emc0242GB
528.	Land uses that do not conflict with sage grouse management should not be unnecessarily restricted. One example is underground mining of oil shale or other natural resources.	All	Both	emc0242GB
529.	The BLM must ensure that state fish and game agency management goals for sage grouse do not become the sole driver for resource use allocations.	All	Both	emc0242GB
530.	The BLM should provide a mechanism for reporting to the public on field office projects benefitting sage grouse and sagebrush habitat.	All	Both	emc0242GB
531.	The BLM should provide a mechanism and criteria for exceptions, waivers and modifications to the conservation measures when circumstances warrant.	All	Both	emc0242GB

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532.	I am glad BLM is getting serious about protecting sage grouse but the report by the sage grouse national technical team should be a living document that can be amended as new science facts are brought forward.	All	Both	cfc0006RM
533.	But I also state that as the above points refer to priority habitat (pages 7 and 8). There are loopholes even in the "priority" objectives that can weaken priority conditions and the loopholes seem to feed additional loopholed generalities in the sub-objectives (pages 9 & 10) to general sage-grouse habitat. For example, "regardless of ownership" can present conflict with "(subject to valid existing rights)" (page 8) and "large-scale disturbances will not be permitted within priority areas" (page 8) loses its uniqueness against the first 2 lines of page 9. As well, the likelihood of finding "suitable" (priority quality?) substitute buffers has no guarantee.	All	Both	cfc0007RM
534.	Of concern also is the checkerboard tendency to allow greater than 3% surface acreage disturbance in several one-mile sections within a priority area and quickly loosing track of disturbance realities, to the sage-grouse, overtrusting that the total acres of disturbance to an entire priority habitat area stays at under 3%.	All	Both	cfc0007RM
535.	Given so many concerns and notice of ineffective public lands management practices plus incessant pressures and preferences promised to O/G businesses or demanded by them, and given the incessant BLM budget deficiencies that weaken first and most persistently, the regulation and monitoring central to the report's New Paradigm and given the sage-grouse's perticular survival reliance on priority sagebrush habitat and the long recovery time of damaged or over weed sagebrush habitat (a time of too many grouse life cycles for population survival), and given that in the Northwest Colorado district sage grouse EIS area, the two largest of 7 priority sagebrush habitats of the Little Snake Resource Acea (see LSRA 2011 ROD, maps 2, 4 and 5) between Maybell and Craig N and S of US 40 and in intense coal extraction area 5 of US 40 and W of Hamilton lie in the Little Snake's heaviest public/private land status mixes the success of the New Paradigm in Northwest Colorado is unlikely, very unlikely.	All	Both	cfc0007RM
536.	Thus, one recommendation I make strongly is that every conceivable loophole in pages 6-16 of the Team's Report be individually pulled from text and addressed in writing and quantifiable resopnse. The Team's work has much imporved on more general management species plans, but I submit that the Team, not just people like me knows it does not improve enough, and that the grouse's survival will always be weakened by endless old and new compromises.	All	Both	cfc0007RM
537.	The Nevada Wilderness Project asks that the agencies provide an opportunity for organizations like ours to work as partners in the identification and establishment of the administratively protected areas.	All	Both	emc0243GB
538.	and that these areas, when designated, provide clear and specific management requirements that will adequately manage, reduce or eliminate development and landuse activities that threaten the persistence of sage-grouse on the landscape.	All	Both	emc0243GB
539.	The this reason Monsanto has a particular vested interest in this issue and believes that the BLM through appropriate land management can insure that populations of greater sage grouse can be maintained or increased while providing for other essential multiple use development activities	All	Both	emc0400GB
540.	The common goal of these efforts has been to avoid a formal listing of the bird under the Endangered Species Act (ESA). This goal is certainly worthwhile since the act of listing is nearly always accompanied by difficult and onerous restrictions that often restrict or seriously impede many important legal and worthwhile activities. I support and encourage BLM's efforts to develop plans and actions that can help avoid a listing	All	Both	emc0400GB

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541.	However as the BLM proceeds with efforts to prepare an EIS to incorporate conservations measures into RMP's and LMP's, it should exercise caution to make sure that the measures taken do not provide an antidote that is more lethal than the listing poison it is intended to preclude.	All	Both	emc0400GB
542.	While the IM indicates that these designations have been identified in conjunction with state wildlife agencies, the process has had very limited public input and therefore is missing a very important component.	All	Both	emc0400GB
543.	It is important that maps have been field verified and are not solely the product of an office exercise, having been produced from large scale aerial photos or maps	All	Both	emc0400GB
544.	The maps I have reviewed are of relatively low resolution scale making specific detail on the ground difficult to access.	All	Both	emc0440GB
545.	The BLM should insure that conservation measures developed based on these areas, provide a field verification step. Any and all future project or activity proponents should be provided a mechanism allowing them to retain professional experts to perform approved field reviews of these designated areas. If C[) these reviews indicate that the previously determined habitat designations are flawed, 13L f-\.- then this finding should be fairly and adequately considered when evaluating the ~}J proposed projects by adjusting or amending those habitat designations. BLM needs to provide mechanisms that will allow these adjustments without the need for a formal amendment to the respective LMP or RMP. This is a vital aspect in the process to insure that lands essential for sage grouse success are adequately protected while those truly "not" essential can be made available for other important multiple use activities	All	BLM	emc0400GB
546.	As stated I support BLM's effort to implement measures that will assist in maintaining and increasing Sage Grouse populations and thus avoid listing under the ESA	All	BLM	emc0400GB
547.	We fimlly believe the continued preservation of Sage Grouse to be of prime importance to prevent its listing under the Endangered Species Act (ESA) but believe that this can be accomplished successfully without undue burdens that could inhibit the ability of recreation. grazing and industry to continue to operate on federal lands and to extract and or use our natural resources to the benefit of the American people and the continued economic viability of our citizens and local businesses.~	All	Both	emc0410GB
548.	We acknowledge that the Sage Grouse Management Plan calls for the creation of a programmatic EIS (PEIS) to analyze broad alternative strategies to protect greater sage-grouse habitat. West-wide. Ho\.vever we would urge BLM and the FS to reject a strategy which mandates implementation of a single broad National Policy to be followed on a local basis. We believe the more effective course would be to use the PEIS as a guideline to conduct local analyses. This approach can consider and apply management techniques for unique habitat conditions and management considerations for each local area, in lieu of a "one-size-fits-all" analysis. Such a "one-sizc-fits-all" analysis. Which purports to be adequate for the entire greater sage-grouse population. Is in fact an ineffective way and possibly a destructive way to analyze alternatives for habitat and population enhancement. This type of analysis only belabors the process and hinders present and future on-the-ground conservation efforts to protect greater sage-grouse habitat.	All	Both	emc0410GB
549.	Research conducted in the Great Basin has indicated that the greater sage-grouse should be managed according to the needs of individual populations and that range-wide measures are not appropriate (Launchbaugh. et al. 2007). According to Stiver et al. (2006), "strategies for addressing potential etTcds of grazing on greater sage-grouse must be devcloped at the regio!1;ll.	All	Both	emc0410GB

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	and perhaps more effectively, local levels (and coordinated regionally)." It would thus be impractical. inetTective. and detrimental to the greater sage-grouse for the agencies to ignore variations between individual populations by conducting a NEPA analysis beyond its cumulatin: impact zone.			
550.	BLM IM 2012-043 delineates greater sage-grouse areas as Preliminary Priority Habitat (PPH) areas and Preliminary General Habitat areas. And provides different management criteria for each. There appears to have been no public input into these designations.	All	Both	emc0410GB
551.	We submit that the AdmlnIstrallve Procedures Act (APA) reqUires that publlc notice and opportumty tor publlc comment should be provided before special protection areas can be designated on federal lands. We further submit that the designation process would greatly benefit from public input. PPH. As designated by BLM, should be provided to the public for comment as part of this NOI.	All	Both	emc0410GB
552.	We also recommend that equal consideration be given to the comments and recommendation of the American Farm Bureau. The Public Lands Council, National Cattlemen's Beef Association and other agricultural organizations whose members we consider as subject matter experts in the land they steward. They have a high level of working knowledge of these lands in their areas and a first-hand knowledge of its history. We believe this data will be priceless to the lead agency in this endeavor	All	Both	emc0410GB
553.	Prairie Hills Audubon Society is a chapter of the National Audubon Society located in western SD. We support explicit goals/objectives, and strict standards or rules in your Resource Management Plans, so as to insure recovery of the greater sage grouse.	All	Both	emc0375GB
554.	We also want sufficient monitoring.	All	Both	emc0375GB
555.	In the case of Sage Grouse, and considering that it was the Department of Interiors policy regarding the poisoning of Mormon Crickets that probably caused the largest die off of Sage Grouse, that a program be developed to raise Sage Grouse in pens and release them to the wild	All	Both	emc0245GB, emc0099RM
556.	Through enhanced weed control, predator control, and improved fire management (fuels reduction, green striping, rapid and aggressive responses to new starts) our rangelands will begin to heal and provide the necessary habitat for the sage-grouse population to grow.	All	Both	emc0247GB
557.	Conservation programs that have been implemented such as the Sage-Grouse Initiative through NRCS should be given a chance to build the partnerships that will create bridges between private and public rangelands and their proper management. Imposing additional regulatory burdens on livestock grazers and the BLM field people who are already drowning in paperwork would be detrimental.	All	Both	emc0247GB
558.	Given the success of the local working group model to address other issues. we believe that strategies for protecting the greater sage grouse and its habitat are best designed and implemented in that farum. The local working groupe are the ideal vehicle to hring together all interested stakeholders to develop community based solutions in response to unique conditiorts within the context of the regional ef-fort. Ecosystems occupied by greater sage-grouse poputations vary and should bc managed not by a one-size-fits-all approach but through an approach that allows land managers and local stake holders to collaborate on practices that benefit individual popul ations	All	Both	fxc0006GB

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559.	We also believe that local working group$ could provide a forum for the introduction, evaluation and closely controlled rnonitoring of innovative practices. We contend that the species will be befter served through methods designed to teach population targets rflther than pro"rcriptive measures which may or may not achieve the desired results but whose implementation is demanded regardless of its efficacy	All	Both	fxc0006GB
560.	Furlher, we believe that each industry, indeed each project. should bear the cost of the mitigation it requires. Conversely, each inclustry or project that improves habitat or increases pcpulation should be rewarded with additional opportunities to utilize resources. For example, if a developer plans to coflstruct wind rurbine generation which will negatively impact the sage grouse population, those impacts could be offset by the concurrent construction of a bio-fuels generation facility which utilizes sustainable pinyon andjuniper harvesting. In contrast, a proposed project should not be permitted to offset its impacts by eliminatirrg another existing use unlesr the affected user is justly compensated. For instance. mitigation rneasures for a wind farm should nst include relocatiorr of an existing power line unless the wind farm developet absorbs the constructiort costs of the new line. including permitting arrd design, and demolition cost$ of the existing line.	All	Both	fxc0006GB
561.	The EISs and SHISs should analyze and disclose howgreater Eage-grouse manageffent will impact all estahlished multipl.e uses in existirtg land use plarrs. Any RMP/LMP amendment to address greater sage-grou$e corrservalion should include flexibility to allow for altemative actiorts. the absence of which could actually prevent conservation instead of enhancing the species and habitat.	All	Both	fxc0006GB
562.	All decisions should be directly addresned by the lead agerrcy and based on independently verified data	All	Both	fxc0006GB
563.	Alternatives which are the least restrictive to multiple-use adtiviti€s should be given top priority.	All	Both	fxc0006GB
564.	Scheduling or restricting the timing of multiple-use activities should be flexible to account for unusual weather corrditions or variatiorrs in sage groufi€ occupancy. Adherence to rigid dates or times of day should hc tcmpered by on-the-gror.rnd observatiorrs and monitoriTlg.	All	Both	fxc0006GB
565.	The NOI also states: "The BLM and FS wilt con-qider a rilnge of reasonable alternatives. Irrcluding appropriate management prcscriptiorrs that focus on the relativc values of resources while contributing to the conservation of the greatef Sage-grouse and sage-groune habitat." Altematives should he developed and adopted according to irnpacts on other multiple uses. Irt marrageffient decisions, flexibility for ease-hy-case decisions will allow modifications a$ needed.	All	Both	fxc0006GB
566.	Instructional Mcmorandum 2012-043 designates sage grouse habitat as either Preliminary Priority Habitat or Preliminary General Habitat. We have been unable to firtd record of the solicitatiorr of public comment into these designations. White we agree that changes irr mafiagement practices in some arefls are more likely to result in sigriificant habitat improvementr than others, data from both state and Jocal sources should be irrcorporated. Criteria for therespective designations should he clearly defined prior to evaluation. Priority rnapping artd designations should only include areal that are actually used by sage grouse.	All	Both	fxc0006GB
567.	We support [he contention af the Elko County Commissioil that the absence of the required public comment period necessitate$ suspension of the irrstructional memorandum pending revision.	All	Both	fxc0006GB
568.	Arralyses prepared during the NEPA pfoce,cs should flot start with the assumption that a given activity embodied within the multiple*use concept is a threat to sage grouse habitat or corrservation- Rather, thc startirrg premise should be that	All	Both	fxc0006GB

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	properly managed activities can provide berrefits for sage grouse. The analysis should make every effort to incorpor:ate sustairrably managed activities irrto the protection strategies. The members of Nevada Rural Electric Association believe that we have been, and continue to be. responsible stewards of the resources in the a.reas we serve. Further, we believe that healthy industries that rely on multiple-use land management are critical and beneficial to greater sage- Erause conservation. Preserving access to lands, both public and private, for those users without unnece*csary restrictions due to the potential listing of a species with such a large habitat fosters this stewardship			
569.	Many strategies have been identified and implemented in Nevada and other western states in the last few years to Improve sage grouse habitat. Perhaps it would be worthwhile to monitor the success (or failure) of the recently-implemented changes rather than develop reactionary strategies that ultimately may not even be needed. Plant communities respond slowly to chang@. Mapping or habitat Inventory projects to determine the actual condition of sagebrush habitat across the west seems to be the most logical place to start, otherwise recommendations are being developed blindly.	All	Both	fxc0010GB
570.	Request extension of comment period until approximately May 2012.	All	Both	cfc0009RM
571.	Lifetime ag experiences have given the opportunity to observe sage grouse year around and the habitat loss claim is extremely bad misinformation. The birds have been in decline since the 1970's in this area and G&F failed to listen to citizen concerns.	All	Both	cfc0011RM
572.	I would like to know where the science-based research is regarding the statement "sage grouse have declined in number over the last 100 years because of the loss, degradation and fragmentation of sagebrush habitat essential for their survival." I do not believe this statement can be substantiated by research.	All	Both	cfc0012RM
573.	I question whether the effort required to implement the proposed amendment would yield commensurate results in the form of new information or applied conservation.	All	Both	cfc0015RM
574.	Like others at the meeting held in Saratoga on February 13, I am in favor of better predator control. If an exemption were granted, ravens would be the best candidates for thoroughgoing control in a large area of sage grouse habitat- chiefly BLM and private- over a number of years. But special attention to a few small National Forest parcels would not be useful. I believe the USFS should concentrate its available resources on the Thunder Basin National Grasslands. However, if the amendment is adopted the Forest Service should select just one parcel for related activities.	All	Both	cfc0015RM
575.	Forest Service has used NGO's to trap and translocate prairy dogs. Can these or other NGO's be used to facilitate needs for improvements to accommodate sage grouse habitat?	All	Both	cfc0016RM
576.	More work needs done on captive breeding programs, & private enterprise should be allowed participation. While this could eventually result in someone making a profit (antathema to many displaced communist do-gooders) the result could be greater numbers of grouse- the real bottom line!!	All	Both	cfc0018RM
577.	When Sage Grouse and prarie dog plan are in conflict ie (translocations) for some buffer zones (surface disturbances) does Guidelines equally to Fed agencies.	All	Both	cfc0020RM
578.	Lack of mineral develop will cause direct invasive loss to my operation.	All	Both	cfc0020RM
579.	Scoping is an extremely important part of the NEPA Process: today 9 Feb 2012 is the first opportunity for the public to participate. I want to remind the Federal Agencies involved in this planning document that NEPA LAW is your guideline and	All	Both	cfc0021RM

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	shall be followed. The Council on Environmental Quality has issued CFR 1500 thru 1588. These rules are concise in your obligations and are to be followed.			
580.	Are there any programs that we can get in on our private land to help with the grouse, this may help with the Forest Service lease if we get our private land in a management program.	All	USFS	cfc0023RM
581.	The mandate of multiple use on these public lands needs to be maintained for the good of the public. The lands should not be managed soley for the use of one species.	All	Both	cfc0024RM
582.	Flexibility needs to be maintained so local management decisions can be made that balance all needs for all different ecosystems.	All	Both	cfc0024RM
583.	Prefer the no action plan.	All	Both	cfc0024RM
584.	3% disturbance is a lot, especially considering the past 14 years. 10% would be more realistic. No more than 1 disturbance per section is not realistic either due to changing landscapes. There should be mitigation allowances made. Erusting used roads and large/medium reservoirs should not be counted.	All	Both	cfc0025RM
585.	We hope you will consider the different habits of sage grouse- and likely other species- in different parts and different geographic locations of the west and not make a "one plan suits all" set of rules.	All	Both	cfc0025RM
586.	First and foremost it is imperative that all applicable laws must be considered when proposing Sage Grouse management measures. Social and economic impacts must be considered and given priority to changes made strictly for grouse.	All	Both	cfc0032RM, rmc0025RM
587.	People assume that only natural features can be habitat and artificial features cannot, but nature does not recognize the distinction between "natural" and "artificial". Wildlife will drink from and live in a watering hole, regardless of whether it was put there by geology or by the BLM. Birds will perch in a high place, regardless of whether it is a dead tree that grew there or a dead tree that a rancher pounded into the ground to make a fence. Swallows will nest on cliffs or under the eaves of houses and outbuildings. Ungulates use roads for travel, especially in winter. The bird species that congregate on roads include horned larks, lark buntings, spotted owls, McCown's longspur, lark sparrows, and sage grouse.	All	Both	emc0013RM
588.	When a "green" NGO acquires a ranch, their first act is often to remove all this habitat. They may congratulate themselves, but nature does not thank them. Artificial structures, in moderation, increase habitat diversity and thus create niches for more species on the range, which increases biodiversity and ecological health.	All	Both	emc0013RM
589.	Government agencies prefer to make procedural objectives. These objectives are easy to meet: simply perform the procedure. But procedural objectives do not always lead to the intended goal. For example, it would be easy to accomplish the objective of "remove 5 miles of fencing". The amount removed is measurable. When the total is removed, the goal is accomplished. But there is no guarantee that accomplishing the objective has benefitted sage grouse. 2.1.2 Results-Focused Objectives By contrast, the objective "maintain the 10-year average sage grouse population count" is difficult to measure. It is not clear how it can be accomplished. But if it is accomplished, the sage grouse have benefitted.	All	Both	emc0013RM
590.	The sage grouse doesn't care if the BLM meets the objectives of the RMP. The sage grouse knows that northeast Montana is a good place to live. The sage grouse has been living here, with cattle, for a century. The RMP should begin with the assumption that current management practices have been good for the sage grouse, because that is what the sage grouse tells us by being here. Of course, the RMP needs to find ways to expand sage grouse into places where they are not	All	Both	emc0013RM

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	plentiful, but this should be done by making those places more like the places sage grouse currently want to be. And the only criterion for success should be whether or not the sage grouse move in. In places where the sage grouse has survived, land management should not be changed. The results show that current practices are good for grouse.			
591.	The key to conserving a species is keeping its environment stable. If change is unavoidable, a good conservation plan attempts to moderate and slow the rate of change so that the population has a chance to adapt. Too often, conservation plans instead advocate radical change. A major change in resource extraction, livestock grazing, road use, or fire suppression policy would lead to a major change in the ecosystem that could harm thriving populations of sage grouse. The RMP should identify external factors that could lead to increase or decrease of resource extraction, livestock grazing, road use, or fire frequency and find ways to counteract the threat of change. In particular, the RMP should commit the BLM to doing its part to keep local ranches healthy and economically viable.	All	Both	emc0013RM
592.	The impacts of a proposed change should be tested before it is implemented over a wide region. The best way to test the impacts is to compare a few changed management units with a control group of unchanged units. 3.1.1 Baseline Begin with monitoring to establish that the units to be changed are, in fact, similar to the control group. Measure not only factors believed to be relevant to sage grouse but also actual sage grouse numbers during mating season, nesting season, late summer, and winter. To ensure a good baseline and to control for weather fluctuations, the baseline study should cover at least 5 years, although 10 would be better. 3.1.2 Apply and Monitor the Treatment Once the baseline study has established that every management unit in the study has a orresponding control unit, apply the proposed change in management to the selected units. Monitor the results for at least 10 years (although 20 would be better), paying special attention to actual sage grouse numbers. 3.1.3 Adaptive Management Pay attention to how the proposed change impacts the study sites. If it harms sage grouse over a 3-year period, then abort the study. If it has no impact over a 5-year period, then abort the study and return to the old management unless the new management has benefits that enhance the partnership between ranches and the BLM. If it has important benefits to sage grouse over a 10-year period, then expand the area of new management, taking care to continue monitoring every year in case the negative impacts are longer-term.	All	Both	emc0013RM
593.	Each proposed conservation measure in the EIS should be analyzed in terms of how much it costs and how much the grouse population will benefit. The following conservations measures should be included in this analysis: - Various methods of coyote control. - Various methods of raptor control. - Various methods to reduce danger from fences. - Various methods to reduce danger from vehicle traffic. - Various methods to protect grouse from disease. - Various methods to limit exposure to pesticides. Each method should be rated according to two measures: 1. Number of grouse saved per dollar spent on materials and labor. 2. Number of grouse saved per laborer-hour of time spent. When considering these measures, the EIS should analyze costs from three different viewpoints: 1. When the BLM employs the person doing the labor; 2. When the BLM contracts with a third party to do the labor; 3. When the BLM encourages ranchers or other partners to perform the labor. Ranchers' time and BLM funds are limited. The RMP should focus on conservation measures that provide the highest return for the time and money invested.	All	Both	emc0013RM
594.	If the RMP proposes changes in land management, certain areas of good sage grouse production should be set aside as preserved from management changes. Otherwise, unforeseen consequences of the change could eliminate all sage grouse habitat in the region.	All	Both	emc0013RM

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595.	The BLM should explore ways to encourage ranchers to stay on their land and not sell out to energy development. This must include ways to assure ranchers that their grazing allotments can be passed on to future generations.	All	BLM	emc0013RM
596.	In areas where sage grouse currently thrive, the RMP should make no changes to current grazing, road use, and fire-suppression practices.	All	Both	emc0013RM
597.	The numerous plans and corresponding acreage that will be affected by the decisions in this EIS process will transform the landscape; it is critical that the agencies make the most of this opportunity and set out a management approach with long-term and large-scale vision. The BLM has both substantial authority and the obligation to protect sage-grouse habitat using its many existing tools, as well as to protect the many other resources on the public lands. The BLM should use the significant opportunities presented by the lands and uses at issue in this EIS process to protect greater sage-grouse habitat, improve the greater sagebrush ecosystem, and strengthen the health of the entire National System of Public Lands.	All	BLM	emc0234GB, emc0094RM
598.	BLM must also evaluate the impacts of grazing and associated infrastructure, water developments, special recreation permits and recreation management of other resource programs in determining appropriate management of ACECs designated to protect and enhance sage-grouse habitat.	All	BLM	emc0234GB, emc0094RM
599.	There is uncertainty regarding which management actions will yield the greatest reductions in risk. Thus, a portfolio of approaches must be undertaken within a framework of experimentation to facilitate rapid learning. BLM's Conservation Lands provide scientific laboratories and ecosystems as controls which are managed under differing degrees of protection and uses. For example, whereas wilderness areas may provide the most restrictive management for maintaining naturalness, national conservation areas, although still having conservation as a priority, may allow for a broader range of management options for adaptation than wilderness areas, and national monuments may be somewhere in between depending on the proclamation or legislation. The range of available management options is more diverse for BLM lands than for any other management agency.	All	Both	emc0234GB, emc0094RM
600.	BLM is currently preparing master leasing plans (MLPs) pursuant to IM 2010-117 to "strategically plan" for leasing and development in areas with important resource values, such as critical wildlife habitat, in order to resolve potential resource conflicts and environmental impacts. There are three primary steps that BLM must complete as part of preparing MLPs: • First, the BLM must fully identify the "important national and local resource/sl" located in MLP areas. IM 2010-117 at II.A; • Second, the BLM must identify and evaluate "potential conflicts" between oil and gas activity and the protection of those resources. IM 2010- 1 17 at II.A; and • Third, the BLM must identify and evaluate "planning decisions" to address resource conflicts. IM 2010-117 at II.B. By taking these steps, BLM can create MLPs that address both protection of sage-grouse habitat from oil and gas development (including closures to leasing and releasing, and stringent protections from drilling where appropriate) and conducting responsible oil and gas development in a manner that will not adversely affect sage-grouse habitat. In fact, there is sage-grouse habitat in many of the MLPs already under consideration or proposed (such as those being evaluated in the Lander (WY), Rock Springs (WY), White River (CO), and Kremmling (CO) RMPs).	All	BLM	emc0234GB, emc0094RM
601.	Recommendation: BLM should take the opportunity to evaluate MLPs in EISs and endorse this approach, including MLPs already proposed and/or under consideration.	All	BLM	emc0234GB, emc0094RM
602.	I am a rancher in north cental Mt. We live on the milk river and run cattle on red rock creek, as well as Lodge creek, and up by the Canadian border. Working together with the State, BLM, and our local conservation district we currently have the	All	Both	emc0014RM

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	healthiest, most diverse grassland ecosystem in the world. Our sage grouse numbers are very plentiful. We are currently in a position where we are able to through the Montana Department of Fish, Wildlife & Parks translocate some of our birds to Canada. As a fourth generation rancher on the same homestead, we are facing many hardships keeping the ranching industry up and running. I encourage you to look into what has worked well for so many years and maybe model other areas after us. Please do not upset the apple cart by trying to change our way of operation that has and is working so well.			
603.	It is my opinion that there will have to be a fundamental shift in your attitudes about wildlife management if Sage-Grouse are to be saved.	All	Both	emc0021RM
604.	The only place Sage-Grouse can be saved is on public lands both of your agencies control. Private lands in CRP are a temporary solution and can be returned to agriculture with the next Federal Farm Bill. State lands are managed for maximum profit.	All	Both	emc0021RM
605.	In a recent book edited by S. T. Knick and J. W Conmelly on Sage-Grouse research it was stated that most attempts to restore sagebrush habitats have been unsuccessful. In fact a noted grouse expert, Dr. Clait E. Braun, stated, "I know of no areas where Sage-Grouse have re-established their distribution over significant areas of former habitat," (The Wilson Journal of Ornithology, Vol. 123, p 655). What this effort will require will be for you to put Sage-Grouse management above all other uses on public lands. This means that grazing of livestock and fences should be eliminated in core Sage-Grouse areas. All types of land fragmentation, such as roads, power lines, wind farms, oil and gas drilling, etc. will have to be secondary to the management of Sage-Grouse. I do not have much faith that your agencies will be capable of such a drastic turn-around. In fact, BLM planned to study ecological trends in much of the 260 million acre of the West's grazing allotments, but told the scientists not to consider livestock grazing, due to "anxiety from stakeholders." Such attitudes will absolutely have to change if there is any hope to save Sage-Grouse and their habitat. The only real solution that I see is buying out willing ranchers who graze in core Sage-Grouse areas. As said, both your agencies will have to put the grouse first.	All	Both	emc0021RM
606.	The sage-grouse has not been identified as an endangered species and the strategies of the management plan should not mirror the more stringent re-introduction tactics of endangered species.	All	Both	emc0024RM
607.	The Multiple Use Sustained Act Yield Act requires BLM to manage its lands for "multiple uses," including livestock grazing and oil/gas exploration and recovery. Resource Management Plans (RMP) should recognize that sage grouse management can be compatible with livestock grazing and oil development. Furthermore, normal activities of multiple uses should be allowed to continue until the plan revisions have been made. No activities, such as livestock grazing, should be stopped in the interim. Any change in use should follow existing legal procedures for changing such use.	All	BLM	emc0024RM
608.	The sage-grouse population covers a wide distribution area in several states. Too often the government establishes policies aimed at the one-size-fits-all approach. We contend this is the wrong methodology. The sage-grouse population, habitat and the environmental impact varies between locations. We encourage you to implement programs that consider the variations and refrain from using the one-size-fits all approach.	All	Both	emc0024RM
609.	Finally, for the sake of transparency, any determinations of "Preliminary Priority Habitat," or any other directions or classifications required by this plan, should be subject to public notice and comment.	All	Both	emc0024RM
610.	Furthermore there are already range-wide efforts currently underway by many state and local organizations which are	All	Both	emc0032RM

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	focusing on specific, localized concerns. Localized efforts have already been demonstrated to improve habitat quality and quantity for Sage Grouse. These localized efforts represent the best chance of increasing the population and health the Sage Grouse. These efforts demonstrate great initiative and should be allowed a chance to work. All of these actions are happening under the existing regulatory framework, and can continue without the listing of the Sage Grouse as an Endangered Species.			
611.	Furthermore there are already range-wide efforts currently underway by many state and local organizations which are focusing on specific, localized concerns. Localized efforts have already been demonstrated to improve habitat quality and quantity for Sage Grouse. These localized efforts represent the best chance of increasing the population and health the Sage Grouse. These efforts demonstrate great initiative and should be allowed a chance to work. All of these actions are happening under the existing regulatory framework, and can continue without the listing of the Sage Grouse as an Endangered Species.	All	Both	emc0032RM
612.	The petition for listing the Greater Sage Grouse as an endangered species specifically targets two important western industries in particular. The energy industry, and the agricultural industry. Both of these industries are vitally important to the economy of our western states and vitally important to our small local economies as well. This fact cannot be emphasized enough. While both of these industries bear responsibility to manage their operations to provide for conservation of natural resources, we maintain that these industries have demonstrated that they are doing so. The regulatory environment in which these industries exist must retain flexibility in order for these industries to survive. The regulatory environment must also allow industry leaders and federal agencies the flexibility to develop adaptive management strategies to achieve the appropriate balance between the increasing demand for resources and conservation objectives.	All	Both	emc0032RM
613.	We are greatly concerned that conservation and environmental groups have hijacked and abused the Endangered Species Act as way to stymie all "human" development and roll the western landscape back to a pre-European condition. The extent of this strategy is evident by the consideration given to "potential" habitat. While we support collaborative partnership efforts being made to preserve current and proven historic Sage Grouse habitat on a voluntary basis, in effort to conserve the species and avoid a listing, we object to the very concept of "potential" habitat. Potential habitat is just a tool used by those opposed to multiple-uses to lock up public and private lands in areas that may have never supported any populations of Sage Grouse, and for many reasons may not support any Sage Grouse now.	All	Both	emc0032RM
614.	We object to this listing because this interpretation will clearly be liberally applied, under pressure from environmental and conservation organizations, to all lands that can conceivably be included as "potential" habitat. Therefore on of our main concerns is accurate mapping by the BLM/ Forest Service. Accurate mapping must include adequate coordination with local governments and serious consideration given to their input.	All	Both	emc0032RM
615.	We encourage the use of knowledge and science in adaptively managing landscape activities but a sensible balance which includes multiple-uses needs to be maintained.	All	Both	emc0032RM
616.	We assert that the ability to manage for the needs of the Sage Grouse can be better met through scientifically based initiatives and measures collaboratively formulated by federal and private land managers. We believe strongly in local solutions being applied to local problems rather than through ESA regulation. Therefore we support region-specific partnerships between federal land management agencies, private industry, and private landowners to identify and implement	All	Both	emc0032RM

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	conservation measures that will avoid the listing of the Sage Grouse altogether.			
617.	An impacted party affected by a restricting SG protective rule should have the option to conduct its activities on BLM/USFS lands under ESA mitigation rules rather than any of the newly proposed rules. I am very fearful that new regulations will be too nebulous and generally unworkable, at least if an impacted party could elect to opt-into ESA mitigation rules, the rules would at least be transparent.	All	Both	emc0260GB, emc0105RM
618.	None of the newly proposed rules should be anywhere near more onerous or restrictive, or even close to as onerous than what would be required if SG were ESA protected. That is the stated purpose of this proposal- to keep from imposing more restrictive ESA rules- KEEP THIS IN MIND WHEN MAKING NEW RULES	All	Both	emc0260GB, emc0105RM
619.	If mitigation is required for conducting activities on BLM/USFS lands, the mitigation measures should be fair. In other words, if 20 acres of SG habitat is impacted, in kind replacement should be all that is necessary for mitigation. In some district BLM/USFS districts, there have been arbitrary, capricious and extremely onerous mitigation imposed upon parties. The EIS should specifically limit imposed mitigation by the individual districts	All	Both	emc0260GB, emc0105RM
620.	Activities that are temporary in nature, logging, recreation or mining should not be significantly restricted as such activities may only result in a temporary impact on SG habitat. Is there any data that supports that a mining or logging activity that last for 10 to 20 years and may temporarily impinge of SG habitat, will result in long term habitat loss. I have not seen this in BLM data and it needs to be addressed before restrictive rules are emplaced. I have observed SG in many old mining districts, consequently, such an impact, even if it lasts 10-20 years does not permanently impact SG habitat. This should be taken into account and discussed in the EIS.	All	Both	emc0260GB, emc0105RM
621.	1) Clarification of terminology. ! The terminology used in referring to sage-grouse habitat is at times unclear across documents, and it may be appropriate to present a range-wide glossary that is complete and explicit in definitions and their applications. For example, the IM-2012-043 Definitions (attachment 1) contains only one habitat-related definition, Occupied Habitat, and it is referenced in the IM only once. It's definition of Occupied Habitat is: ! "The area currently used by Greater Sage-Grouse during any point in its life history. This use may be for a short amount of time (i.e., migration) or used throughout the year. In addition, this includes areas used inconsistently and/or seasonally." Although Attachment 1 qualifies the definitions ("The following terms are associated with this Instruction Memorandum (IM). The Bureau of Land Management (BLM) offices may use other definitions specific to their office or geographic area, so long as the definitions are consistent with the intent of this IM."), it appears substantially different than the definition in the National Technical Team (NTT) Report, which is verbatim from the Habitat Assessment Framework (HAF): ! "Occupied Habitat (sage-grouse): All sagebrush and associated plant communities known to be used by sage-grouse within the last 10 years. Sagebrush areas contiguous with areas of known use, which do not have effective barriers to sage-grouse movement from known use areas, are considered occupied unless specific information exists that documents the lack of sage-grouse use." Further, the NTT Report regularly addresses suitable, unsuitable and non-suitable habitats, but there is no definition for any of these, per se, in the NTT Report glossary, nor does the Report cite the Habitat Assessment Framework (Volume II, page II-49) as the definition source, which it seems to be. On page 29, the NTT Report notes: ! "In August 2010, the Sage-Grouse Habitat Assessment Framework: Multi-scale Habitat Assessment Tool was completed (Stiver et al. 2010). The assessment	All	BLM	emc0113GB, emc0036RM

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	framework provides policy makers, resource managers, and natural resource specialists a comprehensive framework for landscape conservation in sagebrush ecosystems with an emphasis on sagegrouse (sic). Implementation policy directing consistent use of the assessment still needs to be completed by BLM in addition to other guidance identified in the strategy." The BLM National Sage-Grouse Habitat Conservation Strategy (November 2004) included a Strategy (1.3.2) to "Develop standard terminology for sage-grouse habitats (e.g., stronghold areas, breeding, etc.) for consistent future use." That action was deferred to individual BLM states who, working with their respective state wildlife agency, adopted their terms and definitions. Many of those, but not all, are commonly used range-wide, as noted in the NTT Report (page 34); "Each State may have a slightly different definition of lek, active lek, inactive lek, occupied, and unoccupied leks. Regional planning will use the appropriate definition provided by the State of interest." Note that the NTT Report reference is specific to leks, and does not address other habitat elements. Although some BLM states have adopted standard terminology for use in planning documents in cooperation with their respective state wildlife agency (e.g., Montana), an EIS that incorporates two or more states may need to reconcile terminology issues. Further, consistent terminology across EISs would be a service to individuals who may plan to comment on two or more of the EISs in that they wouldn't be confronted with similar sounding terms whose definitions may differ. Given the range-wide scope of application for the HAF and its specificity to habitat, any issues about the need to clarify terminology should be resolved early in the EIS process. Prior to issuing the still-needed policy and guidance for the HAF, the BLM should work with all appropriate principals to formalize not only the adoption of the HAF, but also, to the degree possible, explicit habitat and other terminology to be used in all planning and decision documents.			
622.	Clarification of sage-grouse habitats to be addressed in the EISs. ! Page 6 of the NTT Report states that "Until such time as more specific conservation objectives relative to sage-grouse distribution or abundance by sage-grouse management zone, state, or population are developed, BLM will strive to maintain or increase current distribution and abundance of sage-grouse on BLM administered lands in support of the range-wide goals." Presumably, the stated intent to "increase current distribution" means that all suitable and potentially suitable habitat classified through the HAF will be addressed in the EIS and decision process. If so, that should be explicitly stated so there is no ambiguity. In addressing this issue several years ago, there was substantial discussion as to the degree of rigor warranted in managing potentially suitable habitat. Related to terminology, there is no distinction between occupied and unoccupied habitat when discussing priority and general sage-grouse habitats. How is suitable but presently unoccupied habitat to be treated? This should be consistent across the BLM. Since the IM states "The goal of the Strategy and this IM is to review existing regulatory mechanisms and to implement new or revised regulatory mechanisms through the land use planning process to conserve and restore the Greater Sage-Grouse and their habitat," presumably that means that both suitable-but-unoccupied and potentiallysuitable habitats must be actively considered in the development of LUP/EIS alternatives. Is that an accurate interpretation?	All	BLM	emc0113GB, emc0036RM
623.	3) Clarification of the scope of the "New Paradigm" ! Page 7 of the NTT Report states: ! ! "Through the establishment of the National Sage-grouse Planning Strategy, the Bureau of Land Management has committed to a new paradigm in managing the sagebrush landscape. That new paradigm will require collaborative conservation efforts among private, state, tribal, and other federal partners to conserve sagegrouse (sic). Land uses, habitat treatments, and anthropogenic disturbances will need to be managed below thresholds necessary to conserve not only local sage-grouse populations, but sagebrush communities	All	BLM	emc0113GB, emc0036RM

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	and landscapes as well," As presented, vis-a-vis the sequencing of the second and third sentences, this paradigm appears to commit, in addition to BLM, "private, state, tribal, and other federal partners" to managing their lands "below thresholds necessary to conserve not only local sage-grouse populations, but sagebrush communities and landscapes as well." Is that intended? If so, is there specific written agreement articulating such commitment on non-BLM lands? If so, it would be helpful to include that information in the EISs. It would also be helpful to discuss local working group sage-grouse conservation plans in the context of the new paradigm. Although managing "Land uses, habitat treatments, and anthropogenic disturbances" "below thresholds necessary to conserve not only local sage-grouse populations, but sagebrush communities and landscapes as well" is being presented as a "new paradigm," paradigm paralysis, characterized as the inability or refusal to see beyond the current way of thinking, can be one of the greatest barriers to a paradigm shift. That seems to translate to a concurrent need for some degree of agency culture change, typically a long, slow and uncertain process. Will that also be analyzed or discussed in the EISs? In the FLPMA, Section 103(c), the definition of "multiple use" is, in fact, supportive of the described new paradigm. For far too long, political and agency cultural biases have promoted or accommodated commodity production at the expense of fish and wildlife resources, frequently because regulations supporting commodity production take precedence over fish and wildlife conservation measures. See the discussion under 13a), below. That disparity needs to be addressed in the EISs because it will continue to be a factor in land management decisions.			
624.	4) Clarification ! Page 7 of the NTT Report states "Priority habitat designations must reflect the vision, goals and objectives of this overall plan if the conservation measures are to be effective." (emphasis added) In reviewing both IM 2012-043 and IM 2012-044 and their respective attachments, I could find no vision statement, per se, in the new planning strategy. The only time a word search of any of these documents yielded the actual word "vision" was in one of the citations in the NTT Report (Naugle, D.E. and B.L. Walker. 2007. A collaborative vision for integrated monitoring of greater sage-grouse populations) (emphasis added). Is there a vision statement for "this overall plan"? If so, in what document(s) is it presented?	All	BLM	emc0113GB, emc0036RM
625.	Clarification/comment ! Page 7 of the NTT Report states "Manage priority sage-grouse habitats so that discrete anthropogenic disturbances cover less than 3% of the total sage-grouse habitat regardless of ownership. Anthropogenic features include but are not limited to paved highways, graded gravel roads, transmission lines, substations, wind turbines, oil and gas wells, geothermal wells and associated facilities, pipelines, landfills, homes, and mines." It appears that the 3% "discrete anthropogenic disturbances" reference means actual physical surface disturbance and does not encompass attendant larger footprints associated with those disturbances (acoustic, visual, over-the-horizon). If that is true, it would be helpful to make that distinction, and also that the phrase "total sage-grouse habitat" is similarly constrained to meaning only the vegetated landscape. However, the NTT Report also specifies that "Disturbance can be described within categories as discrete (having a distinct measureable (sic) impact in space and time)....", which does not seem to necessarily preclude potential consideration of larger footprint impacts. Even though a physically disturbed area may constitute "just" 3% of a given physical habitat delineation, the footprint of such disturbance can substantially exceed 3% since the more inclusive concept of habitat encompasses not only the physical surface of the land, but also acoustic (noise), viewshed (tall structure) components that may have direct influences on sage-grouse (behavior, predation), and over-the-horizon influences, such as structures that may support avian predators. In addressing impacts associated with minerals development, pages 19-21 of the NTT Report provide a good discussion of such impacts. In order to have fuller understanding as to the actual impacts of	All	BLM	emc0113GB, emc0036RM

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	anthropogenic disturbances, it seems reasonable to graphically depict acoustic, viewshed, and over-thehorizon profiles. As an example of the scope of impact, note on page 13 of the NTT Report the reference to 39% of habitat being influenced by predators on power lines. That's part of the total anthropogenic footprint affecting grouse and that sort of impact should somehow be addressed in conjunction with the 3% physical disturbance. And if 3% is the goal for the specified priority sage-grouse habitats, which represent the best of what remains, what are the parameters for habitats that are not presently classified as priority habitats, and how is that likely to affect accomplishing BLM's stated intent to "maintain or increase current distribution and abundance of sage-grouse on BLM administered lands in support of the range-wide goals"? For purposes of the EIS analyses, maximum allowable disturbance parameters should also be expressed for sage-grouse habitats that are not classified as "priority." In the Final Report of the Greater Sage-grouse Range-wide Issues Forum, the goals and objectives developed by Forum members for three Habitat Conservation and Land Use sub-issues (Energy Corridors, Roads and Railroads, and Tall Structures) identify acoustic (noise disturbance) and tall structure concerns. Also, several places in the NTT Report directly or indirectly address noise-related issues.			
626.	Page 9 of the NTT Report states: "(2) Proposed anthropogenic surface disturbances within an individual priority area will be encouraged to occur in areas of existing development, or areas of non-suitable habitats. Suitable buffers, depending on the occurrence of adjacent seasonal habitats and local information (e.g. migratory vs. non-migratory populations; [Connelly et al. 2000]) may be applied in siting a proposed anthropogenic surface disturbance to protect surrounding suitable, undisturbed habitats." How are the terms suitable and unsuitable being used with respect to terminology in the HAF? Also, does the reference to "suitable, undisturbed habitats" mean unoccupied habitats, as well as occupied habitats?	All	BLM	emc0113GB, emc0036RM
627.	Page 9 of the NTT Report states: "Assess general sage-grouse habitats to determine potential to replace lost priority habitat caused by perturbations and/or disturbances and provide connectivity (Knick and Hanser 2011) between priority areas. These habitats should be given some priority over other general sagegrouse habitats that provide marginal or substandard sage-grouse habitat." How does the terminology "marginal or substandard" used in this instance compare with that in the HAF? In the HAF, the term Marginal is a defined classification term of Habitat Suitability, but the term substandard does not exist in the HAF, nor is it defined in the NTT Report. The use of terminology should be consistent.	All	BLM	emc0113GB, emc0036RM
628.	Page 10 of the NTT Report states: ! "Restore historical habitat functionality to support sage-grouse populations guided by objectives to maintain or enhance connectivity. Total area and locations will be determined at the Land Use Plan level. ! Enhance general sage-grouse habitat such that population declines in one area are replaced elsewhere within the habitat." Regarding the first sub-objective above for general habitat, "guided by objectives," at what scale? The NTT Report does not specify whether the objectives are at the LUP scale, or a substantially larger scale that may also encompass one or more other LUP areas and/or non-BLM lands. None of the narrative within this Goal and Objectives section of the Report, up to this point, makes a specific link to any administrative unit, such as LUP boundaries. If this is to be a step-down process from larger scale objectives to individual LUP areas, it would seem that coordination of same across LUP boundaries would take place during the EIS process. Is that the case? Regarding the second sub-objective: Since the second sentence of the first sub-objective is specific to the LUP (and it is not an objective, per se), does the order in which the two points are presented necessarily mean that the second sub-objective is also constrained to habitats within the LUP boundaries, or does it mean, for example, that population declines in one LUP area are replaced elsewhere within a larger defined habitat that may span	All	BLM	emc0113GB, emc0036RM

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	two or more LUP areas? It is not really clear.			
629.	At the bottom of Page 13 in the NTT Report, the word "preservation" is used for the first time in the document, yet it is not defined in the glossary, and there is no context provided to differentiate it from conservation. The second time it is used is on page 29, referring to "preservation of key seasonal habitat components." How is preservation different from the "conserve" definition provided in the glossary? Although the word "conservation" is not specifically defined in the glossary, is it presumed to be an extension of the definition for "conserve"?	All	BLM	emc0113GB, emc0036RM
630.	Comment: BLM Objectives ! The BLM's stated objective for the Planning Strategy is RMP-centric. In addition to addressing habitat management issues in the RMPs, there should be a related public process component wherein higher-level Regulatory Framework issues can be surfaced and addressed. Examples of such issues include: ! - The lack of BLM regulations for "fish and wildlife development and utilization," which is one of the six "principal or major uses" of the public lands specified in Section 103(l) of the Federal Land and Policy Management Act. Management of the other five designated uses in FLPMA Section 103(l) are guided by use-specific regulations (domestic livestock grazing, mineral exploration and production, rights-of-way, outdoor recreation, and timber production). I have previously addressed this issue in letters to the BLM and FWS, and those comments still apply. Essentially, it boils down to the fact that without meaningful regulations for the management of fish and wildlife resources on BLM administered lands, decisions regarding the other five designated uses always take precedence over fish and wildlife considerations (unless other federal laws and regulations are invoked, such as ESA) because decisions are required to be made "consistent with applicable laws and regulations." Note in the body of IM 2012-044 the language "When considering the conservation measures in Attachment 1 through the land use planning process, BLM offices should ensure that implementation of any of the measures is consistent with applicable statute and regulation. Where inconsistencies arise, BLM offices should consider the conservation measure(s) to the fullest extent consistent with such statute and regulation." The second sentence clearly infers that conservation measures are subordinate. In my opinion, an overarching regulatory framework that subordinates fish and wildlife resource management considerations to the other five designated principal or major uses of the public lands also needs to be evaluated with respect to the inadequacy of the regulatory framework. The ready ability and willingness of different administrations to quickly alter policies and program emphases through budget and other means underscores the need to also address the inadequacy of the regulatory framework for fish and wildlife resources on BLM public lands above the RMP level and, as appropriate, develop reasonable and prudent regulations for their management. The case can also be made that programs for which regulations exist are subject to more scrutiny than those without regulations, if for no other reason than that the primary control for those programs are the regulations on the books. A related observation is that, with no BLM fish and wildlife related regulations against which to judge BLM performance in meeting its FLPMA obligations, primary recourses for the public to get BLM's serious attention are increasingly either the filing of ESA petitions, such as those for greater sagegrouse, and/or challenging BLM decisions in federal court.	All	BLM	emc0113GB, emc0036RM
631.	Also in IM 2012-44, the BLM’s stated "objective is to conserve sage-grouse and its habitat and potentially avoid an ESA listing." Although the Introduction to the Planning Strategy Charter reinforces a crisis-avoidance perception, the stated objective following the Introduction is what really should, with minor syntax modification, form the foundation for not only,	All	BLM	emc0113GB, emc0036RM

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	in this case, greater sage-grouse, but for all fish and wildlife resources under BLM jurisdiction: ! "The BLM's objective for chartering this planning strategy effort is to develop new or revised regulatory mechanisms, through RMPs, to conserve and restore the greater sage-grouse and its habitat on BLM-administered lands on a range-wide basis over the long-term." With respect to focused management intended to attempt to preclude ESA listings, it is instructive to review the January 1994 Memorandum of Understanding among the U. S. Forest Service, U.S. Fish and Wildlife Service, BLM, National Park Service, and National Marine Fisheries Service (94-SMU-058). The stated purpose of the MOU is "... to establish a general framework for cooperation and participation among the cooperators in the conservation of species that are tending toward federal listing as threatened or endangered under the Endangered Species Act (ESA), 16 U.S.C." With respect to BLM, MOU 94-SMU-058 states " The BLM also has a national policy (BLM Manual 6840) and strategic plans for implementing BLM's Fish and Wildlife 2000, an initiative to manage habitats for plant and animal species to prevent the need for their federal listing under the Endangered Species Act." What's relative to the currently stated objective in the Charter is that in 1994 the BLM had much of the necessary information "to conserve and restore the greater sage-grouse and its habitat on BLM-administered lands on a range-wide basis over the long-term." Responsibilities specified under the MOU include: ! "III. COOPERATORS SHALL: ... ! ! 3. Use appropriate procedures to ensure adherence to all legal requirements in analyzing changes and establishing new management direction for habitat conservation. When appropriate, this will include amendment or revision of land and resource management plans or changes to the cooperators directive systems. These amendments and/or changes, in addition to a signed conservation agreement, will provide a basis for and commitment to the new direction." (emphasis added) The point of this discussion is that the BLM had sufficient information in 1994 to begin taking positive actions, including specifically identified key habitats for greater sagegrouse. And yet, by and large, follow-through was sorely lacking until the present listing crisis arose. It wasn't until 2003 that the BLM began to develop the 2004 National Sagegrouse Habitat Conservation Strategy. One species for which we did move forward under the MOU was for Canada lynx, although that, too, was crisis-response. From an overarching programmatic standpoint, what is (are) the BLM objective(s) with respect to other special status species outside of greater sage-grouse range? What is the long-term BLM strategy for managing fish and wildlife resources under its jurisdiction, irrespective of status? Does the BLM still recognize and endorse MOU 94-SMU-058, or has it been supplanted?			
632.	13b) Clarification: BLM Special Status Species Management Policy (Manual 6840) and RMP preparation ! Which version of Manual 6840 will be used in revising the RMPs, 2001 or 2008? In a September 28, 2011, U. S. District Court decision, Western Watersheds' motion for partial summary judgment challenging 16 RMPs in six western states was granted on two test cases (Case 4:08-cv-00516-BLW). Among the omissions the Court determined in BLM's NEPA documentation and analyses for the Craters of the Moon (Idaho) and Pinedale (Wyoming) RMPs was that BLM failed to address its Special Status Species policy (6840) and its 2004 National Sage-grouse Habitat Conservation Strategy. At the time those RMPs were prepared, the 2001 version of Manual 6840 was in effect, a fact addressed in the amended complaint (paragraph 97): ! "The 2001 version of the Special Status Species Policy was in effect during the consideration and adoption of all the challenged RMPs at issue here, and thus governs the Court's judicial review despite Defendants' effort to weaken that policy as the Bush Administration is leaving office." In revising the challenged RMPs, the 2001 version of Manual 6840 will apparently prevail. On December 12, 2008, a revised Manual 6840 was issued under the signature of then Director James Caswell, even	All	BLM	emc0113GB, emc0036RM

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	though the 2001 release was the most recent, in some cases by decades, of the Fish, Wildlife and Special Status Species manuals. The reason given at the time for the revision was that the 2001 version was "too constraining" in its protection provisions for sensitive species. Several questions arise, including which version of the 6840 will be used in revising the RMPs, given that it appears the 2001 version will take precedence for the challenged RMPs? Is there a need for consistency within and across EIS areas such that the 2001 version would be appropriate as the over-arching Special Status Species Management policy document? And, as a policy level document in the regulatory framework, the 2001 version is arguably a stronger regulatory framework element than the 2008 version. Does that need to be reconciled? The BLM may wish to consider vacating the 2008 version in deference to the 2001 version until such time as the BLM completes an open, inclusive NEPA process to identify and resolve perceived issues with the 2001 version.			
633.	14) Clarification: How many land use planning units contain greater sage-grouse habitat? The body of IM 2012-044 states "The BLM has 68 land use planning units which contain Greater Sage-Grouse habitat," yet Attachment 2, the Planning Strategy Charter, states that "Greater sage-grouse habitat covers 73 BLM land use planning units (not including the excepted populations noted above)." Which is correct? The numbers presented in conjunction with the 73 figure appear to validate it.	All	Both	emc0113GB, emc0036RM
634.	15) Comment: Consider stretching the planning horizon for RMPs. ! The Charter states that, of the 73 land use planning units, "22 are managed under Management Framework Plans or RMPs completed before 2000 and 21 are managed under RMPs completed since 2000. Currently, the BLM has 28 plans under revision." In other words, the historical 10-year planning horizon for LUPs and their attendant revision has been exceeded for 22 RMPs and MFPs, and likely for many of the 28 now under revision. For a variety of reasons, including the number of plan revisions that historically have not been taken place within target planning horizons, the present dismal budget outlook, and the length to time required to achieve detectable positive change on arid and semi-arid rangelands in response to management changes, longer planning horizons seem warranted.	All	Both	emc0113GB, emc0036RM
635.	17a) Comment: Habitat Assessments and the EISs Habitat Assessments at the finest scale reasonable should be a component of all the EISs.	All	Both	emc0113GB, emc0036RM
636.	21) One-stop information portal ! Create a single on-line repository or portal for all BLM sage-grouse related documents, data bases and other information. Consider establishing a BLM web page or other mechanism to facilitate public assess to the many sage-grouse related documents (IM, IB, EIS, ROD, MOU), annual and other reports, GIS information and other resources	All	BLM	emc0113GB, emc0036RM
637.	We feel it is critical that the BLM and FS take a proactive approach to not only protect but also restore sage-grouse habitat in southeast Oregon. We urge you to implement the recommended conservation measures found in the 2011 'Report on National Greater Sage-Grouse Conservation Measures' to the fullest extent possible	All	Both	emc0263GB
638.	All development projects should include the restoration of degraded habitat so that so that there is a net conservation benefit upon completion of each project. It is important that all project and other planning documents be made available to the public so that we may follow your progress	All	Both	emc0263GB
639.	Please support sage-grouse recovery. I believe we must reduce livestock grazing in priority habitat in order to restore grasses and other flowering plants especially in riparian areas; stop prescribed fires and avoid vegetation treatments	All	Both	emc0264GB

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	especially with tractors or chemicals in these areas			
640.	NACo supports the ongoing sage grouse management efforts of state and local governments, stakeholder working groups, and BLM Resource Management Plans (RMPs) throughout the Eleven Western States. Efforts to date are protecting and restoring sage grouse habitats and reviving sage grouse populations. In light of these efforts, NACo opposes listing the Greater Sage Grouse as a threatened or endangered species at this time.	All	Both	emc0265GB
641.	This effort has produced best management practices for protecting the Greater Sage Grouse in harmony with other multiple uses. These best management practices are being followed in BLM RMPs throughout the Eleven Western States. NACo supports this locally driven commitment to conserve the Greater Sage Grouse while preserving other important multiple uses. The U.S. Fish and Wildlife Service should not list the Greater Sage Grouse as T&E species at this time as such action is not necessary. NACo urges continued application of best management practices by state, federal and local land management agencies, which will continue to make sage grouse populations stabilize and thrive throughout the West.	All	Both	emc0265GB
642.	The scoping statement identifies 438,500 acres on the Thunder Basin National Grasslands (TBNG) as potential sage grouse habitat. That, to us, seems to be an abundance of habitat for the birds. Why is the bird population declining? We believe it is due to the following: West Nile virus, eagles, hawks, fire, cheat-grass and numerous predators. The Scoping Statement states the BLM has over 30 MILLION acres of occupied sage grouse habitat; therefore, we believe there is no shortage of habitat for the sage grouse.	All	Both	emc0266GB
643.	Colowyo has a history of more than 30 years of documented support of wildlife enhancement programs, mine impact mitigation work and direct support (tlu ·ough unfettered access and direct financial support) of wildlife monitoring and scientific research involving many wildlife species. Colowyo believes that these activities have contributed to the continued presence of Greater Sage Grouse in the area. Additionally, Colowyo feels that the Bureau of Land Management's continuing support of mining activities near and within areas utilized by Greater Sage Grouse populations will in fact provide a mechanism for continued success of populations locally. The current regulatory framework and requirements for baseline data collection and evaluation, consultation and negotiation have served the concept of multiple use well while supporting economic stability in rural northwest Colorado. In many cases, data collected by energy/mining industry companies has provided the best information to date regarding local population dynamics.	All	Both	emc0270GB, emc0116RM
644.	Ultimately, the end result of this process should be a consistent poliey that incorporates an attainable and quantifiable biological benefit for Greater Sage Grouse populations while continuing to support the Bureau of Land Management's mandate for promoting multiple use, including continued opportunities for energy development and mining operations.	All	Both	emc0270GB, emc0116RM
645.	The Kane County Commission recognizes the importance of the goal of the Greater Sage-Grouse Comprehensive Conservation Strategy, referenced in the Conservation Measures, "to maintain and enhance populations and distribution of sage-grouse by protecting and improving sagebrush habitats and ecosystems that sustain these populations." (Stiver et al., 2006). However, the protection and enhancement measures must be tempered by the need for resource development, other uses of the public and private lands, and the fiscal well-being of Kane County and its residents	All	Both	emc0271GB
646.	A review of Appendices C. through F. appear to be reasonable to allow for development of resources while still maintaining or improving an environment that is suitable sage-grouse and its habitat.	All	Both	emc0271GB

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647.	Aside from these comments, we would like to again voice our strong support for inter-agency cooperation and consultation as set forth in the 2011 Bureau of Land Management Greater Sage-Grouse Planning Strategy with emphasis on the need and value of Regional and Sub-Regional Interdisciplinary Teams. National efforts to keep the Sage-Grouse off the list of threatened and endangered species simply will not be successful without the full cooperation and coordinated efforts of local entities (regardless of political boundaries) with responsibility for habitat and species management.	All	Both	emc0271GB
648.	We also believe that the 2009 Utah Greater Sage-Grouse Management Plan, with some minor updating, is a sound strategic document that not only provides good issue definition, but also a solid foundation for initiation of actions that are designed to improve/maintain species habitat and mitigate current and future activities that may be in conflict with planning goals.	All	Both	emc0271GB
649.	Sage Grouse habitat is already addressed with existing regulations, which provide measures to mitigate habitat destruction on every project. The ground covered by mineral claims is large, but the percentage of this land that is actually occupied or disturbed for mineral exploration is very small.	All	Both	emc0272GB, emc0110RM
650.	The methods used to build the Nevada Department of Wildlife (NDOW) Greater Sagegrouse habitat categorization map are scientifically flawed on multiple fronts: (a) They apply numerical data processing techniques to categorical data, which is scientifically unacceptable (see below). (b) The data used to build vegetation classifications are inherited from many separate mapping campaigns using different types of input data, resulting in an output predictive map that lacks spatial consistency and coherency. (c) Some of the remote sensing methods used to map vegetation types are the same techniques used to map hydrothermally altered rocks associated with mineral deposits. Thus the maps may confuse vegetated areas with vegetation-poor zones of mineralization.	All	Both	emc0272GB, emc0110RM
651.	In summary, there is no valid basis for the proposal to go forward in its current form. We are opposed to this kind of unilateral action that forces scientists to cobble together data of mixed heritage and quality to make decisions that unnecessarily restrict multiple use on vast acreages of land when detailed regulations are already in place to mitigate wildlife disturbance.	All	Both	emc0272GB, emc0110RM
652.	This land is mandated to be managed by the BLM for multiple use. The small and temporary use made for mineral exploration is compatible with other uses of the land, including Sage Grouse habitat. It is fundamentally absurd that huge amounts of land can be removed from multiple use with the argument of protecting a species when a detailed permitting process is already in place to protect this wildlife on a case by case basis.	All	Both	emc0272GB, emc0110RM
653.	The data used to assemble the NDOW Greater Sage-grouse habitat categorization map do not stand scientific scrutiny. Importantly, some of the satellite-based remote sensing methods used to build the map are capable of confusing vegetation with mineralized regions. Below is a diagram showing spectral reflectance relative to wavelength, in which a generalized green line illustrates vegetation reflectance and a generalized brown line illustrates the reflectance of dry soil. Landsat thematic mapper (TM) satellite bands are shown in red and the visible part of the spectrum is shown at the bottom for the 3 primary colors blue, green, and red. The vegetation curve shows reflection at green wavelengths and chlorophyll absorption in blue and red wavelengths, which is why vegetation normally appears green. At slightly longer wavelengths, strong reflectance in the near infrared region, known as the "red edge" is distinctive of vegetation, and this feature is often used to map vegetation with satellite imagery. Unfortunately, iron oxides associated with mineralization have spectral features similar to the red edge when mapped with the spectral resolution of Landsat. Iron oxide mineralization is one of the	All	Both	emc0272GB, emc0110RM

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	most important signatures used for mineral exploration. Landsat TM bands 5 and 7 have also been used to build vegetation indices used in the Sage-grouse habitat map (reference). In this case, band 5/7 ratios of vegetation resemble the ratios produced by hydrothermally altered rock that commonly occurs with mineralization. ASTER satellite imagery, which has a higher spectral resolution than Landsat imagery, could be used to distinguish vegetation from mineralized areas. In addition, more sophisticated Landsat data processing techniques than those used to build the current habitat map, could be more effective in discriminating mineralization from vegetation. One of these techniques is called Directed Principal Components Analysis (DPCA). This technique can separately map vegetation and mineralization in the majority of cases but requires experienced oversight to obtain reliable results. An extensive literature in the geosciences describes methods for separately mapping both vegetation and mineralization using remotely sensed imagery. In summary, the remote sensing processing methods used for assigning vegetation classes were insufficient to assure accurate classification of Sage-grouse habitat categories, but higher level processing techniques are available that can produce significantly higher accuracy vegetation classifications. Also, any resource analysis using satellite imagery must be verified by carefully planned and conducted surveys on the ground in the field. In addition, the maps represent a conglomeration of incomplete mapping campaigns of varied accuracy, reliability, and age. Unilateral decisions on withdrawal of lands from multiple use should not be based on an inconsistent patchwork of incomplete mapping projects. A much more consistent application of criteria could be obtained by implementing existing regulations during the established permitting process for proposed land disturbance.			
654.	Lastly, and fundamentally, at one point in the process of generating the Sage-grouse habitat map, numerical data processing methods were applied to categorical data. This issue is described below by our Chief Geoscientist Dr. Mark Coolbaugh: - 4 - It is likely that the GIS computations used to generate digital maps of habitat in the NDOW white paper "Greater Sage-Grouse Habitat Categorization" have strongly biased (inflated) the areas associated with some categories at the expense of the areas associated with others. This bias is not related to operator discretion, but instead is caused by the use of a GIS filtering technique called "mean aggregation". The aforementioned white paper describes a process by which mean aggregation was utilized to coarsen the resolution of output maps of habitat categorization from an initial pixel size of 30x30 meters to an final pixel size of 100x100 meters. Mean aggregation, as employed in this ArcGIS environment, assigns a value to a single 100-meter pixel based on the mean or average value of the smaller 30-meter pixels originally contained within it. This results in one 100-meter pixel value replacing 9 or more previous 30-meter pixels. The white paper explains that each of the original 30-meter pixels contained an integer number ranging from 0 to 5, corresponding to restoration potential categories R-0 through R5. If these 5 categories truly represent a quantitative scale of habitat quality, then the mean value might have some meaning as an average assignment of habitat quality. Unfortunately, this is not the case. In reality, each of the 5 restoration categories is unique, representing a unique combination of vegetation types. Therefore, a "mean" R-value inherently has no meaning. For example, the average of an R-1 value (lacking sagebrush canopy) and an R-3 value (presence of pinyon/juniper) is not equivalent to an R-2 value (insufficient grasses). Another manner of describing this issue is in terms of categorical (nominal) verses interval or ratio-type data. Categorical data includes vegetation types and geologic formations. Interval and ratio-type data include, for example, centigrade temperature and kelvin temperature scales, respectively, and represent data measureable on continuous scales, for which medians and other types of statistical calculations have meaning. But mean values do not have significance for categorical data. For example, the average of trees	All	Both	emc0272GB, emc0110RM

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	plus grasses does not equal shrubs, nor does the average of sandstone plus granite equal limestone. A summary of data scales and the types of statistical methods appropriate to each of them is provided by Bonham-Carter (1996) and can also be found on Wikipedia (http://en.wikipedia.org/wiki/Level_of_measurement). In addition to the issues described above, the mean aggregation method will expand areas associated with intermediate values (for example R-3) at the expense of areas associated with extreme values (0, 5, or no data). This bias is a normal result of the smoothing process and would not necessarily be a problem if we were dealing with interval or ratio-type data. But in the case of categorical vegetation data, areas of R-3 classification become expanded at the expense of other categories because in some cases, R-0 and R-1 numbers can combine with R-4 and R-5 numbers to yield mean values equivalent to R-3. One type of filtering operation that is appropriate for categorical data is the "majority filter", and this filter was indeed used in part in the sage-grouse categorization process described in the white paper. If it is still considered necessary to coarsen the output pixel grid from 30 meters to 100 meters, it is recommended that the mean aggregation technique be eliminated, and substituted with other filtering or smoothing methods, such as the majority filter or nearestneighbor			
655.	In summary, the data used to build the Sage-grouse habitat map are inconsistent and in places the methodology is flawed. These issues should be addressed before such a map is used to make drastic decisions involving the withdrawal of vast amounts of land from multiple use. Mineral exploration activities in any case comprise a very small fraction of lands under mineral claims, and existing regulations and the permitting process provide a more consistent and rigorous approach for mitigation wildlife disturbance.	All	Both	emc0272GB, emc0110RM
656.	As a general and introductory comment, Garfield County (the County) agrees with and appreciates the desire by the BLM to ensure the continued persistence of greater sage-grouse and aid in the recovery of the species; however, the County cannot support the approach the BLM is suggesting in the GSGCM report, and further questions the purpose and need for another lengthy NEPA process, when there are already regulatory mechanisms and extensive sage-grouse protection and management plans in place for the appropriate management and assurances for persistence and recovery of the species. After reviewing the GSGCM report and supporting literature, we believe that the GSGCM report's recommended conservation measures exclude a balancing of resources and preempts existing permitted activities by state or local government(s), and would have significant undue hardships on private landowners and other key stakeholders including energy companies, which are vital for our local economies. While we understand the goals of protecting and restoring sage-grouse habitats, the Conservation Measures would be an extreme hardship on our constituents, and appears to exclude other viable alternatives to habitat management and goes beyond what the cited scientific literature has indicated as necessary for the continued existence of a health population of this species. Further, with existing NEPA requirements for any action on federal lands or for projects with a federal nexus, there are already guidance documents and required review by the US Fish and Wildlife Service, as well as Colorado Parks and Wildlife for projects which may impact sagegrouse. Introducing additional lengthy planning and uncertainty to our constituents at this time is unfair and will cause negative impacts to industry, our economies, and our ability to utilize the public and private resources within Garfield County and northwestern Colorado.	All	BLM	emc0058RM
657.	Review of Literature from GSGCM Report Upon reviewing the GSGCM report, we reviewed literature cited by the report as the basis for the conservation measures. The GSGCM report suggests that only a 3% disturbance of a section be allowed	All	Both	emc0058RM

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	in very limited circumstances at any one time, and on page 21 regarding energy development, the GSGCM reporfs Conservation Measures present that the exclusion of mineral development and other disturbances from priority habitats is needed where possible and that agencies should limit them as much as possible in other areas (including private lands). The same section also states that a 4-mile NSO [no surface occupancy] likely would not be practical given most leases are not large enough to accommodate a buffer of this size, and lek spacing within priority habitats is such that lek-based buffers mav overlap and preclude all development (emphasis added). It further states that 4-mile buffers around leks are needed to ensure the continued persistence of the greater sage-grouse. The 3% surface disturbance conservation measure equates to only 19.2 acres of disturbance in a 640-acre section, based on "professional judgment from Holloran 2005, Walker et al. 2007, Doherty et al. 2008, Doherty et al. 2011, and Naugle et al. 201la, b" (see pg. 8 of GSGCM report). Further, the GSGCM report states that if there is already 3% surface disturbance within sage-grouse habitat, then no other uses should be allowed. The GSGCM report also indicates that if there is already more than 3% surface disturbance in sagegrouse habitats, then significant reclamation activities and mitigations should take place. However, upon reviewing the scientific literature cited by the GSGCM report, we do not see where these articles support a maximum limitation of 3% surface impacts within sage grouse habitats as needed for the continued persistence of the species. We believe that while the cited scientific articles do present solid science that sage grouse are sensitive to loss of sagebrush habitats and indirect impacts from road traffic, noise, etc., the GSGCM report takes a very extreme stance that is not supported in the cited articles that effectively halting any further realistic land-use activities within sage-grouse habitat is needed to protect the species.			
658.	Range Management / Grazing Range Management or Grazing (domestic livestock and wild ungulate) is a very important component of Garfield County's traditional ranching heritage and wildlife herd management which requires working together with our public lands. In preparation of the EIS, Garfield County recommends the BLM work closely with the Cattleman's Association and the Wool Growers Association for both Colorado and other states which are also affected by the EIS to gain their valuable input into this process.	All	Both	emc0058RM
659.	1. CLUB 20 urges you to give maximum standing to the input from local planning efforts in developing alternatives for the EIS and SEIS; those participating at the local level have actual experience with the land and subject being considered; 2. Alternatives that allow for a "one size fits all" programs can negatively impact opportunities for multiple use of public lands that may ultimately enhance habitat for sage grouse; local planning groups have the best knowledge of what works best in their regions	All	Both	emc0068RM
660.	It is unfortunate that BLM has stated they will utilize the Technical Team Report as an alternative in the EIS. CLUB 20 believes the technical team report should not be considered as an alternative due to its incomplete portrayal and biased position against other uses of federal lands such as energy development, recreation and livestock grazing. CLUB 20 does not believe the Technical Team Report to be a practical sideboard for alternative analysis. However, if it is utilized as an alternative, because it drastically impedes other uses for lands inhabited by sage grouse, there should be an equally opposite alternative that emphasizes recreation, energy, and agricultural uses of federal lands.	All	Both	emc0068RM
661.	When it comes time to select a preferred alternative, cooperating agency responses should be given due and proper consideration regarding their preferred alternative;	All	Both	emc0068RM

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662.	Flexible and Adaptive Management concepts must be built into alternatives that allow for appropriate exemptions for land uses in a sage grouse habitat where biological reviews demonstrate that another use will not negatively impact the habitat of the sage grouse.	All	Both	emc0068RM
663.	Natural resource development, i.e. oil and gas development, can also be accomplished through locally identified management plans. Biologists with an understanding of sage grouse requirements can identify areas that are able to sustain surface disturbances without negative impacts to the birds in the area. These areas should not be unilaterally made off limits by establishing arbitrary boundaries around sage grouse habitat. Again, local input and local management plans are most qualified to identify and reflect the most appropriate ways to sustain the sage grouse while continuing to sustain local economies.	All	Both	emc0068RM
664.	In summary, CLUB 20 encourages careful consideration of: - Local community sage grouse planning efforts; - Broad and scientifically based management alternative considerations; - A fully developed social and economic impact analysis related to all communities that may be impacted; and - The development of an EIS that relies on local knowledge and adaptive management.	All	Both	emc0068RM
665.	Introduction and Position Statement TC respectfully requests that the federal land management agencies (BLM and U.S. Forest Service (USFS)) engaged in developing the subject EIS: -Recognize the viability and value of the coal industry's extensive regulatory requirements and related existing regulatory mechanisms, which provide protections for the greater sage grouse - Preserve, actively support, and incentivize the extensive voluntary research and on-the-ground efforts to protect and conserve the greater sage grouse and its habitat that have been undertaken for more than a decade by a diverse group of energy companies, landowners and land-users, as reflected in the existing Colorado Greater Sage Grouse Conservation Plan	All	Both	emc0071RM
666.	Alternatives Should Allow for Multiple Use- Alternatives presented in an EIS should balance the need for sage-grouse protection with due regard for multiple-use mandates contained in other federal law including the Multiple Use Sustained Yield Act of 1960, 16 U.S.C. §§ 528-31; the Forest and Rangeland Renewable Resources Planning Act of 1974, 16 U.S.C. §§1600-14; and the national Forest Management Act of 1976, 16 U.S.C. §§ 1600 et seq. For lands managed by the BLM, the Federal Land Policy and Management Act provides in Section 302 that; "[t} he Secretary shall manage the public lands under principles of multiple use and sustained yield." 42 U.S. C.§ 1732(a). Furthermore, FLPMA requires management of the public lands "in a manner which recognizes the Nation 's need for domestic sources of minerals. " 43 U.S. C. § 1701(11)-(12) In 2006, the importance of mining on public lands was acknowledged, and BLM endorsed multiple-use for land-use management in its 2006 Energy and Non-Energy Mineral Policy, which states that, with few exceptions, mineral exploration and development can occur concurrently or sequentially with other resource uses, and further indicates that the least restrictive stipulations that effectively accomplish the resource objectives or uses will be used. See BLM 2006 policy at p. 2. TC contends that the numerous directives in federal land management statutes and agency policy must continue to be honored in any alternatives crafted to protect the greater sage-grouse.	All	Both	emc0071RM
667.	Sound Science Must Recognize Local Experience - While scientists count leks and evaluate habitat potential, it is important that sound alternatives recognize both current conditions, and local experience regarding historic sage grouse activity. In reviewing the habitat mapping, it has been noted that some areas identified as habitat have not had documented grouse	All	Both	emc0071RM

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	presence or activity in over a decade. Another factor that must be carefully weighed is the potential for the grouse to adapt to changing conditions and environment, and the influence and impacts of other environmental factors, such as predation.			
668.	Impact of Instructional Memoranda - TC is particularly concerned that the two recently issued Instructional Memoranda, if taken to their furthest extent, could effectively result in a moratorium on new activities conducted on public lands which have been identified as sage grouse habitat. We urge the BLM to defer action until a full and transparent public process has been completed to address sage grouse conservation. Existing measures, we believe, are more than adequate to address interim concerns until a specific plan is adopted through a public process.	All	Both	emc0071RM
669.	Sagegrouse populations in our area are healthy. Ranchers and the BLM have worked together to provide habitat the birds like. Don't change that.	All	BLM	emc0028RM
670.	In addressing the information found in the NTT's Goals and Objectives, there are additionally important guidelines and measures I have not found the NTT to consider in its observations and recommendations. I will be addressing these measures in a list format: NOTE: All the following comments are in context of this paragraph	All	Both	emc0074RM
671.	2. The Greater Sage Grouse needs to be given an indicator species designation, regardless of its awaited ESA ruling. The NTT has not adequately addressed the needs of the Greater Sage Grouse because of the lack of this designation.	All	Both	emc0074RM
672.	The radius of 4 miles given to each known operating lek is inadequate. The circumference for each lek needs to be raised to a MINIMUM 5.5 mile radius, therefore increasing overall coverage of all priority habitats. Mere "adequate" coverage, when considering this plan covers the span of 20 years, negates the whole preservation and enhancement of current greater sage grouse numbers. Current data suggesting a 4 mile radius is enough does not plan for the future.	All	Both	emc0074RM
673.	With regards to linkages between general and general habitats, these linkages should also be given a general status, therefore withdrawing them from further consideration of their status.	All	Both	emc0074RM
674.	With regards to linkages that connect priority and general habitats, I ask the BLM to write into the new twenty year plan the following language, which is taken from Instruction Memorandum No. 2012-044, "Where inconsistencies arise, BLM offices should consider the conservation measure(s) to the fullest extent…". Again, I point out the NTT has not written progressively stronger and more protective language into its goals and objectives, therefore not properly planning for the preservation and enhancement of the habitat and population of the Greater Sage Grouse.	All	Both	emc0074RM
675.	When considering anthropogenic disturbance, the above measures are mandatory and cannot be considered voluntary protocol by any party.	All	BLM	emc0074RM
676.	When considering the necessity for habitat preservation, all priority sites will be designated high priority and mandatorily set aside from any new or further oil and gas development, as well as road and other leasing development.	All	BLM	emc0074RM
677.	When considering the necessity for habitat preservation, all linkages between any site and a priority site will also be designated high priority and mandatorily set aside from any new or further oil and gas development, as well as road and other leasing development.	All	BLM	emc0074RM
678.	When considering the necessity for habitat preservation, all general habitat sites will be designated medium priority sites, with a mandatory evaluation of their protection from oil and gas development, and road development, and other leasing development. It will be mandatory for the BLM to act upon new information provided regarding lek locations, regardless of	All	Both	emc0074RM

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	their activity status, and to install protective measures in the middle of the finalized land usage plan. These measures will follow the regulations of all high priority, priority and general habitats, as well as mandatory exemptions from oil and gas development, road and other leasing developments as other Greater Sage Grouse habitats have undergone.			
679.	It is the BLM's responsibility to come up with a rehabilitation plan for all sites, regardless of the priority, when overusage, over-development, or natural causes have created a decline of more than 30% of the existing habitat within any designated area. When considering which habitats to rehabilitate first, sites given priority are in the following order: a. All High priority areas. b. All Priority areas. c. Any area within a 5.5 mile radius of a lek, regardless of its activity level. d. All linkages between any area and a priority or high priority area. e. All general habitat areas.	All	BLM	emc0074RM
680.	The BLM has one year to create and finalize rehabilitation programs for Greater Sage Grouse and their habitat. After the one year, implementation must take place.	All	BLM	emc0074RM
681.	All suggestions made by the NTT with regards to conservation measures shall be considered MINIMUM standards for a proposal, not for a RMP. These minimum standards will therefore set a path for more substantive measures for the new RMP.	All	BLM	emc0074RM
682.	I think that all of the Sage Grouse working groups have good ideas for the areas in which they live. The working groups have spent time and money and have volunteered to make sure that the sage grouse habitats are unharmed and that sage grouse continue to thrive. It would really be a shame if their plans and ideas from the last 1 0 plus years were not considered at this time.	All	Both	emc0077RM
683.	I believe that sufficient sage grouse studies already exist in a broad range including habitat loss, predation, disease, grazing management, and every other significant factor. Actual needs simply consist of the will to take management steps, lacking in many cases due to a number of apparent reasons.	All	Both	emc0082RM
684.	Although livestock grazing is the highest and best use for much BLM land, many areas of public land managed by BLM grazing land could easily be better managed for wildlife. On some BLM land, decades of livestock use has continued to depress game habitat as clearly evidenced by adjacent right of way and sometimes adjacent private land sagebrush, greasewood, and habitat cover. Habit studies have rarely appeared to change actual use. Certainly cost feasibility prohibits fencing off or separating many small areas of riparian or other critical habitat. However, many areas exist where habit can be significantly protected without major effects on livestock permit numbers and, in considering minimal grazing fees, certainly without significantly impacting income from public lands. I also believe that through the years the oversight and field reviews by range staff has varied greatly between different BLM areas.	All	Both	emc0082RM
685.	Although any increase in grazing costs will meet with objections, a moderate raise is so long overdue that it is difficult to imaging a sound basis for continued objection. Better care of public high wildlife habitat value and riparian areas including some additional fence and water development with emphasis on wildlife habitat will also encounter some objections. Although I believe that sage grouse numbers remain well above the threshold of endangerment or seriously threatened species and will remain so, the simple suggestion alone that such designation is possible should be a great embarrassment to an agency trusted with management of the public's lands. It is time for simple and logical management adjustments, not studies.	All	BLM	emc0082RM

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686.	The dynamic mapping/boundary designation approach to habitat management should be carried forward throughout the entire PRMP document and policy actions. CPW encourages the BLM and USFS to use adaptive management with clearly defined measurable objectives that can be evaluated with performance standards. Assumptions about the type and quantity of policy/project or activity must be field verified and consistently monitored and evaluated. Regularly scheduled evaluations would allow the flexibility to consider future applications/technologies, planned developments, and potential land use changes that influence grouse habitats and populations. Such considerations and assessments in relation to the PRMP and EIS should be completed at interim intervals (of no more than 3 years), or when deemed appropriate based on feedback, as opposed to every two decades or longer.	All	Both	emc0072RM
687.	Adaptive management is a time and staff intensive process, and can only be successfully implemented if necessary monitoring is completed on a regular schedule. CPW encourages BLM/USFS to provide the necessary funding and staff resources to manage PRMP policy direction, monitoring and enforcement for greater sage-grouse protections that will be described in the final PRMP. Components of adaptive management require evaluation of proposed thresholds, implementation items, and adjustment of management actions as necessary to make effective changes on the ground and in policy documents.	All	Both	emc0072RM
688.	CPW also expects that BLM will consider and analyze a wide range of cumulative impacts of developments on greater sage-grouse, including projects that are in the planning or development phase (e.g., interstate transmission lines, interstate pipelines, and adjacent state greater sage-grouse RMP revisions). It is unclear to CPW how cumulative impacts will be addressed in circumstances where impacts occur across state boundaries, such as is the case with the Hiawatha Environmental Impact Statement (EIS). Many questions also remain regarding oil shale energy development. For example, how will the potential cumulative impacts of the programmatic oil shale leasing EIS fit into this RMP? Other energy development EISs have also been completed and it is unknown how they may integrate with the greater sage-grouse PRMP. Will previously analyzed coal mining EIS findings be integrated into this PRMP as well?	All	Both	emc0072RM
689.	I am writing in support of the Sage Grouse Recovery Alternative for management of sage lands of the West.	All	Both	emc0083RM
690.	A better scientific basis is needed to identify habitat that supports the entire Greater Sage Grouse life cycle. Telemetry methods for this work are advancing rapidly, but robust, peer reviewed methods of extrapolating from intensely studied areas to the broad sage sea are lacking. Potentially damaging activities should be suspended until the spatial pattern of high quality habitat is established, and when that is done, potentially damaging activities should be allowed only in low quality habitat areas. Lateral effects should be thoroughly understood, so that habitat degradation does not occur in one place as a result of activities in other places. This last statement implies that grouse studies need to be coupled to quantitative characterization of human "built environment" and human activities (e.g. vehicular traffic volumes), in order to observe lateral influences.	All	Both	emc0083RM
691.	Balance in nature is everything. Please support the sage-grouse recovery alternative (the conservation community alternative)	All	Both	emc0084RM
692.	Particular attention needs to be paid to reclamation, which must be successful, not just attempted. In addition, garbage, whether it is left by forest users or forest visitors, should be carefully removed since it attracts crows and ravens, as well as other scavengers.	All	Both	emc0088RM

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693.	Particular attention needs to be paid to reclamation, which must be successful, not just attempted. In addition, garbage, whether it is left by forest users or forest visitors, should be carefully removed since it attracts crows and ravens, as well as other scavengers.	All	Both	emc0088RM
694.	The land management agencies should utilize work performed by the Wyoming Sage Grouse Initiative Team. This approach, if done properly and in accordance with appropriate state laws, provides for a more flexible approach that can manage for local conditions. The approach used by this team was to have all affected uses at the table, offering insight. Rather than use a state wide approach (one size fits all), each region of the state was represented by a team of resource users. This approach will better facilitate determining strategies which will work best for each area. Individual populations should be managed, rather than looking range-wide. Local input will facilitate strategies which will more acceptable to local residents and will also be better able to take into account local conditions and resource uses. Local monitoring efforts will also be useful to determine what is working at the local level. This approach will also be more flexible than a range wide approach.	All	Both	emc0106RM
695.	Finally: Incorporate Total Resource Planning ,TRM,into the Federal Agency Efforts. Total Resource Management is understanding the relationship among all of the resources, activities, and external influences; evaluating the impact of decisions; planning, organizing, implementing and controlling all activities to best accomplish goals and objectives; and accurately forecasting and maintaining flexibility to change quickly to optimize the outcome and reduce risks of decisions made. TRM involves thinking, planning and acting in a total resource context. Develop a total resource plan to guide decisions by comparing with actual conditions; therefore, controlling goals and objective achievement. In the case of Sage Grouse leaving predator control out of the management tools to increase Sage Grouse populations is unacceptable! Once study by the University of Idaho followed a year of killing depredating Ravens. The year following Raven Removal Nest success was 85%. According to the Scientist who conducted this study , Peter S. Coates, Territorial Ravens know where all the nests are and can be 90% successful in robbing nests. Concern that once Territorial Ravens are taken out more nomadic ravens may come in and their success would be more like 30% (60% for a pair) we're still 30% ahead and if the average hatch is 7 per hen then we could see populations double in a few short years! The US Fish and Wildlife Services need to be a partner is this effort and should make a concerted effort to control ravens in the most cost effective and efficient manner. Ravens need to be classified as unprotected with an open season and if they were the public would take care of the problem without government support and many sensitive, threatened and endangered species would be saved from this species that could never be extinguished. Killing Coyote's and other predators around the leks would also make sense if we're trying to expand the population. In much of Nevada we already have more habitat than we have Sage Grouse. Total Resource planning is working with the livestock operators to graze out riparian areas, to provide more livestock and wildlife water sources, and to keep rangelands grazed to a point that fire danger is reduced while still maintaining a reasonable forage base.	All	Both	emc0299GB
696.	The BLM's sage-grouse management policies should include cooperation and collaboration with Local Working Groups and should be based on progress and accomplishments on private, state, and federal lands over the past 12 years.	All	BLM	emc0298GB
697.	The RMP amendments should be consistent with existing Local Working Group plans. The challenge will be to come up with guidelines that are relevant and meaningful at local levels and at the same time consistent throughout the planning area.	All	BLM	emc0298GB
698.	BLM's Sage-grouse Strategy Planning seems to be designed to delay, confuse, and avoid potential ESA listing, rather than applying "best available science" based measures now and in the future to lessen and stop ongoing destructive impacts from	All	Both	emc0316GB

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	grazing, recreation, energy projects, mining, and gas and oil exploration and drilling etc..			
699.	For years we have observed the demise of sage steppe ecosystem conditions due to lack of adequate management and oversight. We have heard the BLM and the USFS promise to conserve, protect and/or restore sagebrush habitat for Sage-grouse and other sage-steppe obligate species, and then watched them manage public land for private and special interests. We see nothing wrong with the Greater Sage-grouse being listed under the ESA.	All	Both	emc0316GB
700.	Ideally, development of a National Sage Grouse strategy would involve the development of a range of policy alternatives that are informed by science. In contrast, the BLM's National Technical Team appears to be narrowing the range of policy alternatives, based upon blanket setback distances, NSO requirements, and seasonal restrictions. The strategy must respect outstanding commitments and agreements between BLM and its multiple use constituents such as leases, permits, ROWs and conditions of approvals for projects that have been approved by BLM. Failure to do so would only lead to litigation and provide a disincentive to the BLM and companies to innovate in ways that address the underlying causes of specific threats and that will benefit sage grouse and responsible development of oil and gas in the long run. API recommends that alternatives be developed which promote development and application of innovative approaches to management of oil and gas resources within Greater Sage-grouse habitats.	All	BLM	emc0346GB
701.	Due to the fact that the NTT's Report is the basis for one of the alternatives in the RMP revisions or amendments, API requests that BLM formally seek comments on that document apart from the RMP process. Because we recognize the importance of the NNT's Report as a document that may be referenced in future BLM decisions, API offers the following comments specific to that Report. API also requests that BLM address the following concerns in its RMP revisions or amendments.	All	BLM	emc0346GB
702.	A more potentially effective strategy for developing conservation measures (including BMPs) is to organize them in such a way that they address the specific cause and effect mechanisms that underlie each threat that is potentially deleterious to sage grouse. In this way, BMPs may be seen as a set of alternatives that can be used singly, or in combination to address specific threats as local circumstances require. An example of this approach is described in the text and Table 1 of Ramey, Brown, and Blackgoat (2011).	All	BLM	emc0346GB
703.	We hope that the BLM will acknowledge the importance of site-specific conditions in determining the most effective and efficient mitigation that can be applied. For example, topography influences sound transmission, while the technology being employed at a production site affects all aspects of noise being generated, including time on site, staffing needed, and amount of truck traffic. Therefore, taking into account local conditions can increase the options available for effectively mitigating the effects of oil and gas development.	All	BLM	emc0346GB
704.	There is currently no administrative mechanism at the BLM that allows the agency to track and test the effectiveness of previously required Best Management Practices (BMPs). Establishing such a database and making it public would provide a good starting point for the evaluation of any existing or newly proposed BMPs.	All	BLM	emc0346GB
705.	Prior to new BMPs being imposed, it would be advisable for the BLM to describe why currently required BMPs re inadequate, as compared to new ones (such as those proposed in Appendix D). This approach would provide a more defensible scientific basis for any new BMPs.	All	BLM	emc0346GB

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706.	NTT's presentation of adaptive management appears different than that utilized by the U.S. Department of Interior (DOI). For example, the NTT makes no mention of the role of stakeholders in the document, or the process by which alternative management actions are identified for decision making. The key elements of adaptive management in DOI guidelines include: - Ensure stakeholder commitment to adaptive management for duration of enterprise - Identify clear, measurable, and agreed-upon objectives - Evaluate management effectiveness over time - Identify management actions for decision-making - Model different benefits and costs as outputs of management through time - Design and implement a monitoring plan	All	BLM	emc0346GB
707.	Given the recent U.S. Fish & Wildlife Service's approval of the Wyoming sage grouse conservation plan, along with the request of officials within the Department of Interior (DOI) that other states follow this pattern to prevent a listing, it is our expectation that DOI and its agencies should approve a similarly driven effort within Idaho. It is important to note that Idaho's terrain and sage grouse conservation management issues are much different than Wyoming's and thus, our plan and our approach will also be different but it will be better suited to realistically conserving sage grouse in Idaho.	All	Both	emc0392GB
708.	The regulations should reiterate that ecosystems, occupied habitat and sage grouse populations vary and should not be managed by a "one-size-fits-all" approach, but rather by an approach that allows land managers, local working groups, and grazing permittees to collaborate on management practices that benefit the resources affecting individual populations in small areas- not over the entire west-wide greater sage-grouse range. Idaho's current sage grouse planning effort will recognize this type of approach and will enable the agencies' need to manage for sage grouse, balanced with the actual needs of the species on the ground and the local communities.	All	Both	emc0392GB
709.	I learned from a conservation colleague a couple months ago that a Near-Final Draft Four Rivers RMP document was provided to Ted Hoffman who complained in the RAC about the process, and got BLM to provide him a copy. I have mentioned this biased and preferential treatment repeatedly in comments and e-mails to BLM. Months have now gone by. The public has not seen any Draft RMP. This preferential early release of a draft document to ranchers means the following: 1) Rancher Hoffman and the cattlemen/woolgrowers will have much more opportunity for comment - i.e. they have been given preferential treatment with many months head start. 2) The livestock industry will be able to use political clout to get provisions of the Draft that they don't like changed - before the public even has a chance to see what was written. A perfect example of how this all works out is the recent weak and ineffective BLM Sage Grouse Interim management IM. BLM did NOT provide the public an opportunity for comment, or any input. But ranching interests had an opportunity to comment- in fact, the Public Land Council wrote a comment letter in response. End result: An IM that is completely ineffective in dealing with livestock grazing disturbance to sage-grouse and their habitats. I request that WWP be immediately provided with all the information Mr. Hoffman was provided with in regards to the Draft Four Rivers RMP. Mr. Hoffman didn't need to do a FOIA, so we don't, either. And also just to put this in perspective: Idaho BLM has been outrageously redacting page after page after page of what it considers "Draft" documents in FOIA responses. So I very much bet that if I were to do a FOIA for the document freely given by BLM to rancher Hoffman, there would be primarily big black voids, with critical pages blacked out as "predecisional" or some such excuse would be used to hiding critical info from the public to cover up for BLM siding with the livestock industry. Please let me know when we will receive this requested information. Please also enter these comments in the sage grouse EIS process, as it demonstrates the biased and preferential treatment BLM gives to public lands ranching interests. It illustrates the "Capture" of BLM by special interest groups that this process of amending RMPs will	All	BLM	emc0040GB

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	never adequately counter. Full top to bottom reform of the agency, and leadership with conservation vision is desperately needed - from the Boise District on up to the highest levels.			
710.	Materials at the Twin Falls BLM Sage-grouse meeting had a date of February 16 for the comment period close - I had a call from one of our members who attended. Is the comment period going to be extended - information provided to date is very limited, and was not even available at earlier meetings. Much more info needs to be made available - like what do all the Plans to be amended actually do/require now - in regards to sage-grouse and sagebrush habitat components and their management? The livestock grazing info provided by BLM is very deficient - and slanted towards industry.	All	Both	emc0050GB
711.	The mapping that is on display at the public meetings on grouse is the same as what accompanied the Interim Guidance Memos of a couple months ago. So what this means is that these same habitat categories will be used to guide BLM actions over the years until the range-wide Grouse EIS process is completed.	All	BLM	emc0079GB
712.	This also brings up the question: To what degree is the current willynilly MET tower, communication tower, livestock facility, springtime grazing disturbance and other habitat intrusion interfering with sage-grouse use of otherwise suitable habitats? It exposes another serious flaw in the whole Core model. The Core model regrettably focuses on existing leks that have been regularly counted - and not on sagebrush habitat presence and subsequent restoration actions or cessation of disturbances in these habitats. These actions could relatively rapidly make many sagebrush habitat where perhaps leks have been extinguished, or where birds suffer too much disturbance or lethal fences have been built, into prime or important habitats.	All	BLM	emc0079GB
713.	The poor effort put into mapping all important habitats and thus guiding management in the interim, means that grouse use in many more areas will be extinguished - and more irreparable harm done. The Interim map must be immediately revised. NOTE: comment emc0079GB includes a ma, "Notice of Intent to Prepare an Environmental Impact Statement for Grazing Permit Renewals in the Jump Creek, Succor Creek and Cow Creek Watersheds"	All	BLM	emc0079GB
714.	Since the sage-grouse listing petitions were filed in 2004, countless measures have been employed by the energy industry, private landowners, federal and state management agencies and other stakeholders to develop new science, data collection and analysis tools for the purpose of ensuring the survival of the sage-grouse. As such, numerous conservation programs have been in place for several years, and the BLM has been and continues to be involved in many of these efforts. These plans have resulted in an unprecedented, comprehensive effort to avoid listing the sage-grouse under the Endangered Species Act. BLM should recognize and build on these programs.	All	BLM	emc0116GB, emc0033RM
715.	Devon urges the BLM to consider the development of a wide ranging conservation strategy for sage-grouse and sage-grouse habitat that has already been undertaken by western states through the Western Association of Fish and Wildlife Agencies (WAFWA), in which the FWS, BLM and Forest Service are cooperating agencies. As a result of these efforts, to date, nine states have finalized conservation plans, and local working groups are being established to carry out these plans and to monitor their effectiveness. The remaining states are also working toward formulating and finalizing their conservation plans.	All	BLM	emc0116GB, emc0033RM
716.	Finally, the BLM should use the opportunity of amending its RMPs to address the concerns expressed by Judge D. Lynn WinmHl of the United States District Court for the District of Idaho in the case entitled Western Watershed Project v. Ken Salazar, Case No. 08- CV-516-DLW, Memorandum Decision and Order (D. Id. Sept. 28, 2011). In the referenced case, the court determined that the BLM had not adequately analyzed potential impacts to sage-grouse population from both livestock grazing and oil and gas development on public lands. As a result of this decision, the BLM's resource management plans	All	BLM	emc0116GB, emc0033RM

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	across much of the western United States risk additional challenge from plaintiff organizations such as the Western Watershed Project. Indeed, the Western Watershed Project has already indicated its intent to file litigation against the BLM challenging other resource management plans such as the recently released Draft Resource Management Plan for the Lander Resource Area in Wyoming. BLM should take the opportunity to correct any alleged deficiencies perceived by a court in Idaho to ensure that future litigation is less likely to succeed.			
717.	It is well established that NEPA only requires an agency to consider "reasonable alternatives." 40 C. F. R. § 1502.14 (2008). The BLM's obligation to consider alternatives is not without limitations. Courts and the Interior Board of Land Appeals ("IBLA") have long held that "[a]lternatives that do not accomplish the purpose of an action are not reasonable and need not be studied in detail by the agency." Citizens' Comma to Save Our Canyons v. United States Forest Serv., 297 F.3d 1012, 1030 (10th (ir. 2002) (citations and internal punctuation omitted); Northern Ala. Envtl. Ctr., et at., 153 IBLA 253, 263 (2004). "NEPA does not require agencies to analyze the environmental consequences of alternatives it has in good faith rejected as too remote, speculative, or impractical or ineffective." Citizens' Comm. to Save Our Canyons, 297 F.3d at 1030-31 (internal punctuation omitted). When developing alternatives for the RMP amendments and accompanying EIS, the BLM must ensure that the alternatives analyzed are both feasible and economic. The Council on Environmental Quality ("CEQ") has described reasonable alternatives as "those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable." CEQ's Forty Most Asked Questions, Question 2a, 46 Fed. Reg. 18028, 18027 (Mar. 23, 1981) (emphasis added). BLM need not analyze speculative, impractical, or uneconomic alternatives. Citizens' Comm. to Save Our Canyons, 297 F.3d at 1030-31. For example, overly stringent restrictions or conditions of approval (COA) may render development uneconomic and need not be analyzed. Further, given the fact the public lands must be managed for multiple use including oil and gas development, and given the fact that much of the public land in the Western United States is currently leased for oil and gas development, alternatives that prohibit or eliminate aU oil and gas development on public lands are neither practical nor reasonable and need not be studied in detail by the agency.	All	Both	emc0116GB, emc0033RM
718.	The BLM should explain to the public, via scoping meetings and the EIS for the revised RMP amendments, that oil and gas development activities are not prohibited during the resource management plan process. The position that the BLM must suspend all management decisions while an RMP is being revised has been rejected by numerous federal courts and the IBLA. See ORNC Action v. Bur:eau of Land Management, 150 F.3d 1132,113941 (9th eir. 1998) (holding that neither FLPMA nor the applicable regulations require the BLM to institute a moratorium on activities pending completion of an EIS for an updated or revised RMP); Western Land Energy Project v. Dombeck, 47 F.Supp.2d 1196, 1213 (D. Ore. 1999) (same); Southern Utah Wilderness Alliance, 163 IBLA 14, 28 (2004); Wyoming Outdoor Council, et ai., 156 IBLA 377, 384 (2002); Sierra Club Legal Defense Fund, Inc., 124 iBLA 130, 140 (1992). The Washington Office of the BLM has issued specific guidance noting that the BLM is authorized to approve and analyze oil and gas projects on a site~specific basis while an RMP amendment is underway. "When an RMP is being amended or revised, BLM will continue to process sitespecific permits; sundry notices, and related authorizations on existing leases in an expeditious manner while ensuring compliance with NEPA and other laws, regulations, and policies." Washington Office Instruction Memorandum 2001-191 , pg. 1 (August 6, 2001). "Actions that may appear to reduce a lessee's right to reasonably develop a lease should be cleared through the State Director and Regional Solicitor's Office." Id. The BLM should not limit or restrict oil and gas development during the	All	BLM	emc0116GB, emc0033RM

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	amendment process.			
719.	To the extent possible, the BLM should utilize the data developed by the Wyoming State Office for the proposed, but now apparently abandoned, Wyoming specific amendment to the RMPs within the State of Wyoming. This process was initiated in May of 2010 and was, reportedly, nearing completion prior to the announcement of the national sage-grouse RMP amendments. See Notice of intent, 75 Fed. Reg. 30054 (May 28, 2010). The BLM in Wyoming had already prepared an Analysis 'of the Management Situation and other important data that can be utilized as part of this larger effort. See Summary of Scoping Comments (Jan. 19, 2011); Analysis of the Management Situation (August 2011).	All	BLM	emc0116GB, emc0033RM
720.	The BLM must specifically incorporate and adopt to the maximum extent possible the sage-grouse conservation measures currently in place and utilized in Wyoming. The Wyoming sage-grouse Implementation Team and the Governor of Wyoming carefully developed the Core Area policy for sage-grouse based on the best scientific information available and in cooperation with operators and the WGFD. It is inappropriate to increase these timing restrictions in the BLM Land Use Plan. Devon encourages the BLM to modify the sage-grouse stipulations so that they are consistent with Wyoming Executive Order 2011-5. This will ensure consistent management of sage-grouse and habitat throughout Wyoming and reinforce that the State of Wyoming and the BLM are dedicated to protecting and preserving sagegrouse to prevent listing under the Endangered Species Act.	All	BLM	emc0116GB, emc0033RM
721.	As indicated by the number of decisions cited above, the purpose of the RFD Scenario continues to be a source of confusion and litigation. Even now appeals are pending before the IBLA and federal courts across the nation in which groups opposed to continued energy development are attempting to argue the RFD Scenario as a cap to preclude further domestic energy development. Thus, the BLM must clearly explain to the public that the RFD Scenario is not a cap or limitation on future development. In the most recent published decision from the IBLA regarding the RFD Scenario, the IBLA unequivocally determined that the RFD Scenario is not, and cannot be used as, a limitation on future oil and gas development. "While an important tool in the land use planning process, RFD scenarios do not constitute fixed or maximum limits on development under FLPMA such that exceeding them constitutes a violation of that statute." Biodiversity Conservation Alliance, et al., 1741BLA 1,11 (2008).	All	BLM	emc0116GB, emc0033RM
722.	In order to prevent future litigation and appeals, the BLM must include language in the revised RMPs describing the purpose of the RFD Scenario and the fact that the RFD Scenario is not a planning decision or limitation on future oll and gas development. Instruction Memorandum 2004-089, Policy for Reasonably Foreseeable Development (RFD) Scenario for Oil and Gas (Jan. ·16, 2004). For example, the BLM could expressly adopt and incorporate the position the Secretary of the Interior, through the IBLA, has expressed regarding the RFD Scenario in a recent published opinion:	All	BLM	emc0116GB, emc0033RM
723.	Noting that an RFD scenario is an analytical tool, we expressly rejected both the idea that it establishes a point past which further exploration and development is prohibited, and the assumption that the underlying environmental analysis has no validity beyond the RFD scenario. In rejecting that assertion, we implicitly agreed with BLM that an RFD scenario is neither a planning decision nor the No Action Alternative in the NEPA document.	All	BLM	emc0116GB, emc0033RM
724.	When developing the RFD Scenario for the Sage-Grouse RMP Amendments, the BLM should utilize the existing RFD Scenarios developed for recently completed RMPs in the western states. In Wyoming and Utah, for example, the BLM has	All	BLM	emc0116GB, emc0033RM

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	recently completed RMPs in Pinedale, Kemmerer, Casper, and Rawlins, Wyoming and Vernal, Moab, and Price, Utah and is preparing revised RMPs in Buffalo and Lander, Wyoming. Because the RFD Scenarios for these plans were recently prepared with significant public input and the expertise from those with local knowledge, BLM should utilize and incorporate this data to the greatest extent possible. Further, given the timeframes involved with the proposed plans amendments for the protection of sage-grouse, it would be virtually impossible for the BLM to prepare adequate information to prepare a new RFD Scenario for the huge amount of federal lands involved.			
725.	We would like to compliment the BLM for its efforts to conserve the GSG in order to avoid a potential endangered species listing in 20 15. However, we are concerned that the environmental impact statement (EIS) and RMPs may not be finalized soon enough in order to substantially impact the USFWS's decision. With that in mind, we recommend that the BLM streamline the process to the extent possible, enhance habitat immediately, and utilize existing models wherever possible.	All	Both	emc0114RM
726.	Comment #1 - RMPs already include GSG conservation measures. It should be noted that many of the RMPs (for example, the Green River and Kenunerer RMPs) already contain conservation measures such as seasonal stipulations and disturbance buffer requirements. GSG conservation measures are certainly not new to BLM planning requirements. Furthermore, BLM interim policy indicates that field specific conservation stipulations are already being included in new and modified authorizations, so in effect, increasing conservation efforts are already underway without having gone through the public review process.	All	Both	emc0114RM
727.	Comment #2 - RMP revisions should be consistent with state agency requirements. Wherever possible, the RMP revisions should parallel the Wyoming Executive Order 201 1-5 (EO). The EO was developed in consultation with the BLM, USFWS, Wyoming Game and Fish, local and state sage-grouse working groups, conservation groups, and the public. The EO provides a model which other agencies should follow in order to conserve GSG, because it is already established as an effective program. In fact, and as noted in the EO, on April 17,2008, the Office of the Governor of Wyoming requested that the U.S. Fish and Wildlife Service review the "Core Population Area" strategy to determine if it was a "sound policy that should be moved forward" and on May 7, 2008, the U.S. Fish and Wildlife Service responded that the "core population area strategy, as outlined in the Implementation Team's correspondence to the Governor, is a sound framework for a policy by which to conserve greater sage-grouse in Wyoming"; and on November 10,2010, the U.S. Fish and Wildlife Service again confirmed that "This long-term, science-based vision for the conservation of greater sage-grouse has set the stage for similar conservation efforts across the species range," and that "the Core Population Area Strategy for the greater sage-grouse provides an excellent model for meaningful conservation of sage-grouse if fully supported and implemented." I! would seem ill-advised to implement anything but a program that is already endorsed by the USFWS at this late stage.	All	Both	emc0114RM
728.	If differing requirements are enacted by multiple agencies, it will detract from the conservation effort. Instruction Memorandum 2012-044, ELM National Greater Sage-Grouse Land Use Planning Strategy, directs BLM staff to limit anthropogenic disturbances to less than 3% of total sage-grouse habitat, regardless of ownership. This is similar to BLM's December 21 , 2011 A Report on National Greater Sage-Grouse Conservation Measures by the Sage Grouse National Technical Team which suggests, "Manage priority sage-grouse habitats so that discrete anthropogenic disturbances cover less than 3% of the total sage-grouse habitat regardless of ownership." In contrast, the Wyoming EO establishes a 5% disturbance threshold for anthropogenic disturbances. The 5% disturbance threshold would then trigger mitigation offsets	All	Both	emc0114RM

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	but it would not prohibit the project completely. BLM has specifically noted "regardless of ownership" which implies that the 3% standard will be applied to projects that involve COIUlected federal actions. For projects that only involve private lands andlor mineral the BLM has no oversite responsibility. By enacting multiple limits, project proponents may likely choose projects based on private ownership to avoid BLM involvement and the result will simply be more disturbances on private lands, thus increasing the disturbance density in certain areas that may actually be more detrimental to the GSG habitat. If the BLM enacts different disturbance limits than those already in use in the EO, then the BLM should study and publish the potential impacts associated with this checkerboard disturbance effect. (Note: Western U.S. land ownership is 52% BLM, 8% USFS, 31 % Private, 5% State, 4% BIA and other Federal; 75 FR 13910).			
729.	A unified approach will be advantageous in order to effectively monitor results across the range. It will be impossible to effectively determine which management agency has had positive results on GSG population densities due to varying stipulations which will be administered differently on federal versus private or state lands. It would appear to be in the best interest of the various range management agencies to develop consistent stipulations, conservations practices, and monitoring protocols for this reason.	All	Both	emc0114RM
730.	The use of consistent terminology will enhance conservation efforts. The Wyoming EO established limited but effective terminology that has been successfully utilized for two years. This includes simple terminology like "core area", "DDCT", "disturbance density", and "connectivity" which are being utilized and are well understood. We realize that the BLM is trying to come to some agreement internally on what terminology to use, but there are so many different concepts that it is difficult to determine exactly what is intended. For example, various BLM documents such as IM No. WY-2010-012, IM No. WY 2010-013, USDI BLM 2010a, USDI BLM 2010b, WO IM-No. 2012-044 refer to several concepts such as "Preliminary Priority Habitat", "Preliminary General Habitat", "Key Habitat Map," etc. At this point in time it is very difficult to detennine BLM's intent in this conservation effort because there are so many different terms and multiple documents that utilize varying terms. We encourage the BLM and other conservation agencies to adopt the tenninology utilized in the EO for this reason.	All	Both	emc0114RM
731.	Comment #3 - Decisions and monitoring sbould be based on good science As noted in the Notice of Intent (FR Vol 76, No. 237, Friday December 9, 2011, page 770 11 , bullet #8) "The BLM and FS will endeavor to use current scientific information, research, technologies, and results of inventory, monitoring, and coordination to detemnne appropriate strategies that will enhance or restore greater sage-grouse habitats." Likewise, Bullet #18 states " State Game and Fish agencies ' greater sage-grouse data and expertise will be utilized to the fullest extent practicable in making management detenninations on Federal lands." BLM's A Report on National Greater Sage-Grouse Conservation Measures, December 21, 20 11 states "The standardization of monitoring methods and implementation of a defensible monitoring approach is vital if BLM and other conservation partners are to use the resulting infomlation to guide implementation of conservation activities (Naugle and Walker 2007)." We agree with these commitments to utilize the most up-to-date and accurate science and data in order to make informed decisions on this important issue. The use of common databases (State managed databases in some cases) wherever possible will ensure the use of the most up-to-date and accurate information for making decisions. With this in n1ind, there should be no need for duplicative databases across multiple agencies. The BLM notes that 68 land use planning units have sage-grouse habitat; this fact alone indicates the need for consistent data gathering mechanisms. The official Wyon1ing sage-grouse lek database is maintained by the WGFD in accordance with the Umbrella Memorandum of	All	Both	emc0114RM

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	Understanding between the WGFD and BLM (WGFD and USDI BLM 1990); we highly suggest the use of this type of resource across the land use planning units. Furthermore, the BLM and other agencies should agree upon consistent data needs and collection protocols in order to ensure unifonnity in data gathering and reporting across the multiple planning units. To bolster this statement, it would not make sense to report lek data (or any other data) in one land use planning area versus another if the data is not unifonnly collected and reported for comparison purposes across the range.			
732.	Comment #4 - Avoid overarcbing regulatory mecbanisms sucb as "significant portion of range" The Federal Register Volume 76, No. 237, page 77009 under Supplemental Infonnation mentions "The BLM and FS intend to evaluate the adequacy of sage-grouse conservation measures in RMPs and selected LMPs, and consider conservation measures, as appropriate, in proposed RMP and selected LMP amendments and/or revisions throughout the range of the greater sage-grouse." It is interesting that the same Federal Register included the Draft Policy on Interpretation of the Phrase "Significant Portion of Its Range" in the Endangered Species Act 's Definitions of "Endangered Species" and "Threatened Species" under the Notice of draft policy. Likewise, the second bullet in the Bureau of Land Management National Greater Sage-Grouse Planning Strategy Charter, August 22, 20 II, states "oversee the development of consistent regulatory mechanisms across the range of the greater sage-grouse." If the USFWS and the BLM intend to review the status of the GSG based on the entire range (excluding California, Nevada and Washington), then perhaps changing each of the distinct land use plans (RMPs and LMPs) is not the proper regulatory mechanism and those plans should be congregated into one master resource management plan. It would seem that one master plan would be a much more effective mechanism, versus modifying 68 unique plans. If this is the case, then the award winning and USFWS endorsed WY EO would provide an excellent model to use as the basis for a regional management plan.	All	Both	emc0114RM
733.	Comment #5 - RMP revisions should not "ban" any use completely BLM's A Report on National Greater Sage-Grouse Conservation Measures, December 21 , 20 II, provides an insight to BLM's stance regarding future development of minerals in relation to the GSG conservation effort. For both Coal and Non-energy Leasable Minerals the BLM states for Priority sage-grouse habitat areas to: "Close priority habitat. .. To mineral leasing. This includes not pennitting any new leases to expand an existing mine" (pp. 25). This is clearly a ban on any new mining leases in priority habitat areas. If this is truly BLM's intent, then this same approach should apply to any uses, including recreation, grazing, or any other activity that may potentially disturb the habitat. For example, in the case of an underground mine, that has limited surface impacts, why should there be a ban on new mineral leases, especially if those surface disturbances are less in comparison to other potential disturbance projects such as recreational activities or even prescribed fires? We recommend that the BLM simply apply consistent habitat conservation approaches across the multiple uses that it oversees and not apply specific restriction to certain industries, Wyoming's EO provides a good approach to disturbance limits for all activities, including the use of the DDCT which is used to detennine if disturbance activities are acc~ptable (r~gardl~ss of disturbance type).	All	Both	emc0114RM
734.	Comment #6 - Focus on efforts that conserve and enhance habitat, today Ifwe are to avoid a listing in 2015 (about 2 Y, years from now), conservations efforts will need to be on the ground and functioning as soon as possible. BLM is in the beginning stages of scoping efforts which will modify the RMPs for new habitat conservation standards. BLM intends to have the RMPs modified by the end of2014. Will this paperwork exercise be enough to convince the USFWS to not list the GSG? The RMPs will likely be just published in time for the USFWS review. However, little to no ground conservation efforts will	All	Both	emc0114RM

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	have occurred from now until 2015 under BLM's purview. We realize that NEPA requires due process and public review however, in the interim we recommend that the BLM (in Wyoming at a minimum) simply adopt the Wyoming EO. This will result in consistent disturbance limitations across the range, consistent data gathering, consultation with WYGF, consistent use of the DDCT, consistent stipulations, and will result in conservation efforts immediately. Additionally, we encourage the BLM and FS to focus on projects to enhance habitat wherever possible in an effort to show on-the-ground improvements to the USFWS before 2015. These enhancements could include a multitude of projects or range management techniques; including but not limited to the following: restrictions to prescribed burns (such as the - 10,000 acre burn that is planned for southern Wyoming to improve mule deer habitat including large sage brush vegetation areas; see the Rock Springs Rocket Miner, ELM High Desert District Plans Spring Prescribed Fires, 3/20/12), approval of new BLM seed mixes that enhance sagebrush or other shrub and forb mixes, allow grazing management changes that enhance habitat (such as timing to assist with noxious weed or cheatgrass eradication through holistic grazing techniques), working with the local pest management agencies in order to eradicate West Nile virus sources, raven control, reduce surface disturbances by considering alternative BLM road standards (allow two track roads versus full BLM road standards where it makes sense), and reduce vegetation removal requirements for right-of-way corridors where possible. Additionally. the agencies should support conservation projects and/or agreements wherever possible in order to enhance habitat even in private areas.			
735.	The following discussion and comments includes a summary of the existing regulatory mechanisms related to surface coal mining that are already in place to provide protections for the greater sage grouse as well as a focus on several of the specific elements, research studies and on-going achievements of PPROs voluntary approach to cooperative conservation. For more than a decade, PPRO has taken the lead to partner with private landowners, federal, state, local agencies and others in the energy industry in a significant and extensive voluntary ecosystem-based, landscapescale program to develop and implement conservation measures for the greater sage grouse and other species of concern in the PRB in northeastern Wyoming. One of the main goals of this initiative is to preclude the need to list these species under the Endangered Species Act (ESA).	All	Both	emc0122RM
736.	The following information briefly describes many of the existing regulatory mechanisms designed to protect and mitigate impacts to wildlife and wildlife habitat during the planning, leasing, permitting, operation and reclamation of surface coal mines. The following response by the U.S. Fish and Wildlife Service in its November 10, 2010 review letter to the State of Wyoming (attached) concerning the refined core population area strategy developed and revised by the Governor.s Sage Grouse Implementation Team is important and relevant to the more detailed discussion below. "Your third specific question asked if permitting pursuant to the Surface Mining Control and Reclamation Act (SMCRA) is adequate to protect sage-grouse in core areas. The provisions for conservation of Federal trust species, including candidates such as Greater sage-grouse, under SMCRA and its implementing regulations, are sufficient for conservation of this species."	All	Both	emc0122RM
737.	PPRO respectfully requests that the BLM and USFS allocate appropriate resources and commit to working with the Thunder Basin Grasslands Prairie Ecosystem Association to develop a companion Candidate Conservation Agreement (CCA) to the Association" s final draft Candidate Conservation Agreement with Assurances (CCAA). The CCA is needed to address activities in northeastern Wyoming where mixed federal/private/state landownership patterns occur and/or where there is a federal nexus for permitted land use activities. The U.S. Fish and Wildlife Service published "Guidance on Using Existing Tools to Expand Cooperative Conservation for Candidate Species on Mixed Federal and Non-Federal Lands" on September	All	Both	emc0122RM

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	8, 2008 (attached) which describes how this can be accomplished. The "Introduction" section of this document states: "The approach is applicable to intermingled surface lands, as well as "mixed estate" lands where the surface is in non-Federal ownership but the subsurface is Federal (e.g. managed for energy/mineral leasing), or vice versa." It is particularly important that a final draft of the CCA be completed prior to the end of 2012 in order to undergo final processing by the U.S. Fish and Wildlife Service so that the Association can proceed forward to sign up participants and develop Certificates of Inclusion which will detail individual commitments necessary for coverage under the combined CCAA-CCA. This timing should also allow the BLM and USFS to acknowledge and incorporate this important and substantial initiative on behalf of the greater sage grouse and other species of concern native to northeastern Wyoming in applicable Resource Management Plan revisions.			
738.	In April of2010, the U.S. Fish and Wildlife Service (Service) published its listing decision for Greater Sage-grouse as "Warranted but Precluded." The inadequacy of regulatory mechanisms to conserve sagegrouse and its habitats on federal lands was identified as a major threat to the bird. Along with that determination, the Service identified incorporation of Greater Sage-Grouse conservation measures into BLM's Resource Management Plans (RMPs) as a regulatory mechanism that would serve to conserve sage-grouse and its habitats. In formulating any amendments and revisions to RMPs, the issue of addressing mixed estate ownership must be adequately and fairly address with input from mineral owners.	All	Both	emc0125RM
739.	Conservation measures must be coordinated and consistent with the objectives set by State wildlife management agencies. Conservation measures must be consistent with the underlying laws that give rise to the RMPs. The Federal Land Policy and Management Act (FLPMA) requires public lands be managed for multi-use including mineral development. 43 U.S.C. § 1701(a)(12). Therefore, conservation measures that would exclude mineral development or so stringently limit such development are prohibited by law. Anadarko raises this issue because of language in the Report that suggests BLM may seek conservation measures that go beyond conservation and protection of the Greater Sage-grouse.l FLPMA provides that land be managed as habitat for wildlife, but also for mineral development. Id. Both may be achieved so long as an equitable balance persists in management decisions. Anadarko therefore emphasizes the need for BLM to include mineral owners in management discussions of conservation measures so this balance is achieved. Any population restoration measures considered must be carefully analyzed to the extent such measures will exclude other uses of the public lands.	All	Both	emc0125RM
740.	Anadarko requests that the Report be revised to provide for conservation measures that are consistent with State population management objectives and not for restoration of the species.2 An alternative, wherein the Report serves as its backbone, may be considered, but it should be eliminated from detailed analysis as it is based on a basic policy objective that is it inconsistent with the State's population management objectives. Anadarko believes BLM's purpose and need must be limited to supporting the State's popUlation management goals for "maintenance and enhancement" and not restoration. Seeking to include an alternative based on restoration of a species is not an alternative that warrants a detailed analysis.	All	Both	emc0125RM
741.	BLM must tier to Reasonable Foreseeable Development Scenarios (RFDs) from approved RMPs and completed RFDs for RMPs currently undergoing revision. RFDs must reflect each individual planning unit rather than the Eastern Region or a state as a whole. This is important as it will allow socio-economic analyses to occur at local or community scale. Additionally, RFDs must be revised if new technologies and other information warrant. Given past development trends and rapid developments in technologies, Anadarko believes that many portions of its lands could be successfully accessed for mineral	All	Both	emc0125RM

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	development that was unattainable only a few years back. New technologies affecting availability of mineral resources must be reflected in predictions of foreseeable development.			
742.	Anadarko understands that the land use planning effort will playa crucial role in future ESA listing determinations for the sage-grouse. Conservation of sage-grouse habitat is important but it must be balanced with a continued ability to develop our nation's resources. BLM has indicated in its Report "a commitment to new paradigm in managing the sagebrush landscape. It is one that is based on collaborative efforts among private, state and tribal partners." While the goal of that collaborative effort will be to conserve sagebrush communities and landscapes, the restrictions placed on use of federal land must be the minimum necessary to meet that goal (Section 363 Energy Policy Act of2005). Anadarko looks forward to participating in a collaborative manner.	All	Both	emc0125RM
743.	The Greater Sage-grouse is an important component of the history, economy and culture of the state of Wyoming. It is vital that the resulting conservation measures for the Greater Sage-grouse eliminate the need for federal listing under the Endangered Species Act and at the same time allow for responsible energy development on our public lands. In order to eliminate the need for federal listing a combination of regulatory mechanisms, habitat improvements, and scientifically-defendable adaptive management principals must be adopted in coordination with land managers, wildlife agencies, industry, and the public.	All	Both	emc0128RM
744.	The April 2010 listing decision by the U.S. Fish and Wildlife Service (USFWS) demonstrates that historic efforts to conserve sage-grouse and their habitat have failed. Additionally, changes in management strategies need to address these failures to prevent a listing when USFWS reconsiders the species' status in 2015.	All	Both	emc0128RM
745.	Both the Bureau of Land Management (BLM) and the United States Forest Service (USFS) play a crucial role in sage-grouse recovery. As land managers, the BLM and USFS are in habitat protections, the management decisions decided in the Environmental Impact Statements (EIS) and Resource Management Plan (RMP) and Land and Resource Management Plan (LMP) revisions and amendments will be a determining factor in the recovery of sage-grouse. Maintaining and increasing sage-grouse populations need to be the guiding principle behind the revision of these plans. Additionally, cooperation between land managers across state lines need to be a major component of the planning efforts to protect crucial habitat across state lines including migration corridors and maintaining habitat connectivity.	All	Both	emc0128RM
746.	WWF supports the creation of a consistent and scientifically defendable plan across the sage-grouse's range. Wyoming has been the leader in taking a proactive approach to protect the sage-grouse. Wyoming's Core Area strategy stands as a model that brought together committed stakeholders for the protection of sage-grouse. In order for USFWS to preclude listing of the sage-grouse under the Endangered Species Act it must be determined that science-based conservation measures have effectively addressed threats to the sage-grouse and that adequate regulatory mechanisms are in place to ensure those action measures occur. In July 2009 former USFWS Field Supervisor Brian Kelly identified the Core Strategy as science driven, outcome-based and an adaptive approach. Further Kelly recognized the strategy as a useful framework that could provide important regulatory mechanism.1 Additionally, in a letter to Governor Matt Mead, USFWS Field Supervisor Mark Sattelberg wrote, "The Service believes the Executive Order [core-strategy] can result in the long-term conservation of the Greater sage-grouse and thus reduce the need to list the species under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). If fully implemented, we believe the Executive Order can provide the conservation program necessary	All	Both	emc0128RM

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	to achieve your goal of precluding listing of the Greater sage-grouse in Wyoming." (Sattelberg 2011) 2 Wyoming's core strategy should be used as a model for other states when developing their alternatives. The core strategy is grounded in science and at the same time garners bipartisan support and has successfully brought together multiple stakeholders.			
747.	A tremendous amount of time, effort, and money has been used in the development of Wyoming's, scientifically grounded, Core Area Strategy. This should be recognized in the conservation strategies offered by BLM and the USFS. Wyoming began efforts to protect the sage-grouse with the signing of the first Core Strategy Executive Order in August 2008 and since then have continued to refine the strategy. Wyoming should not be punished for BLM's delayed response to addressing sage-grouse nationally. In its finding, USFWS found BLM and the USFS to not be "fully implementing the regulatory mechanisms available to conserve greater sage-grouse on their lands (USFWS 2010)." Wyoming should be rewarded for their effort and not burdened by additional regulations. USFWS, BLM, USFS, and Wyoming should meet at a minimum annually before USFWS's reconsideration of the sagegrouse's status. If it is determined during these meetings that Wyoming's current Core Strategy is not providing sufficient protections to the greater sage-grouse then Wyoming can begin implementing the more stringent protections recommended in the National Greater Sage-grouse Conservation Measures by the BLM Sage-grouse National Technical Team.	All	Both	emc0128RM
748.	The BLM and USFS will need support of agencies and stakeholders to achieve success: USFWS, state game and fish agencies, sportsmen, conservation and wildlife groups, private landowners, industry partners, federal permittees, and elected officials. The alternatives offered should include a plan for actively engaging diverse stakeholders. WWF recommends that the BLM and USFS look to Wyoming's sagegrouse working groups for guidance in engagement.	All	Both	emc0128RM
749.	WWF's recommends that alternatives put forth by BLM be broad enough in scope that each state is afforded the flexibility to move forward with their own core strategy. The state wildlife managers contain the on-the-ground knowledge of the issues contributing to sage-grouse population declines in their respective state and should be provided the opportunity to tailor specific recommendations to address those declines. If states are unwilling or unable to draft their own core strategy the BLM's Sage-grouse National Technical Team, A Report on National Greater Sage-grouse Conservation Measures, recommendations should be adopted.	All	Both	emc0128RM
750.	As conservation efforts proceed it is important that the process is both open and transparent. The agencies should maintain a publicly available consolidated database of relevant data and information including: ☐ Preliminary Priority and General Habitat data and maps o Seasonal habitats o Priority habitats across state borders o Important corridors and transition habitat ☐ Maps of valid existing rights ☐ Modeling information ☐ Updated research A plan for communication between all stakeholders should be included in all alternatives. In each alternative a timeline for posting information within the database needs to be included for the public to have access to the information in a timely manner.	All	Both	emc0128RM
751.	Excluding the 'no action' alternative, all alternatives must provide strong protections for the recovery of the Greater Sage-grouse. The alternatives must be grounded in sound-science and address the issues most threatening to the sage-grouse's recovery. The adopted alternative will only be as strong as the land agencies' commitment to abide by the regulations; the conservation measures will not aide in the recovery of sage-grouse if exceptions are allowed.	All	Both	emc0128RM
752.	Declines in sage-grouse populations throughout the 20th Century have been linked primarily due to habitat degradation and conversion (MICHAEL A. SCHROEDER 2004). USFWS has recognized habitat loss as the leading factor in the loss of	All	Both	emc0128RM

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	sage-grouse3. In the Eastern Region expanding energy development has the potential to continue to degrade the sagebrush steppe and prevent sage-grouse recovery. One alternative should be guided by the principles outlined in the Wyoming sage-grouse core strategy: see State of Wyoming Executive Order 2011-5.			
753.	Protect priority habitat from large scale disturbances: transmission lines, oil and gas wells, wind turbines, graded roads, etc.	All	Both	emc0128RM
754.	Incorporate seasonal stipulations into each alternative and offer no exceptions. o Allow for activity from July 1 to March 14 within core but outside of lek perimeters. Wyoming Core strategy gives a 0.6 buffer around leks. O In winter concentration areas exploration and development should only be allowed March 14 to December 1	All	Both	emc0128RM
755.	Recovery of Greater sage-grouse populations is vital for the health of the sage-brush steppe and the economy and social fabric of the west. The state of Wyoming's Core Area strategy was created to prevent the listing of the Greater sage-grouse under the ESA. USFWS has recognized the core area strategy as a viable management tool. WWF supports no additional restrictions for Wyoming unless Greater sagegrouse populations start to decline in great number. WWF encourages the USFS and BLM to use the core strategy as a guiding principle.	All	Both	emc0128RM
756.	First, we would like to call attention to BLM's stated position and goals in their printed handouts at recent scoping meetings: 1. "Maintaining and restoring sagebrush landscapes on public lands is the BLM's primary means of conserving sage grouse populations." 2. "Sagebrush ecosystems are home to a surprisingly abundant number of wildlife species that depend on this complex and often fragile ecosystem type. If sage grouse populations are in trouble, it means other sagebrush-dependent species are, too. We consider our work critical to help all species that depend on sagebrush habitat." 2 3. "Maintaining and restoring sagebrush landscapes on public lands is the BLM's primary mans of conserving sage-grouse populations." 4. "While this extensive planning process is underway, the BLM also is developing conservation measures and policy recommendations for the interim protection of sagebrush habitat." We agree with these goals and believe they should be integrated into the purpose and need statement for the plan amendments. All alternatives considered should be designed to meet these goals and objectives.	All	BLM	emc0129RM
757.	It is our belief that local citizens working together to resolve local issues offers the best chance of success. Farmers and ranchers have played a vital role in local working groups that have been formed to provide local strategies for protecting greater sage-grouse and its habitat. These voluntary local groups bring all interested stakeholders together, develop community-based solutions in response to discrete and unique greater sagegrouse conditions, and provide the on-the-ground work to implement their recommendations. The local working group model is a template for how endangered species issues should be addressed. Federal agencies should defer to those local working groups that are on the path toward achieving results and should not interfere with or conflict with the work of such groups. Any draft EIS or Environmental Assessment should identify any state or local working groups in their project areas and the work they are doing for sage grouse conservation.	All	Both	emc0140RM, emc0382GB, emc0075RM
758.	Clarity of Purpose and Assurances We question what assurances BLM and FS can provide that their efforts will be sufficient to remove the greater sage-grouse from the ESA candidate species list, the stated reason for this NOI. Our concern is that, while the greater sage-grouse conservation efforts will be made by the BLM and the FS, responsibility for determining whether the greater sage-grouse will be listed under the ESA lies with a different agency, the FWS. To that end, we suggest	All	Both	emc0140RM, emc0382GB, emc0075RM

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	that BLM and FS closely coordinate with FWS to ensure the adequacy of the regulatory mechanisms, so that their efforts have a greater probability of leading to the removal of the greater sage-grouse from the ESA candidate species list			
759.	We also seek clarification as to why certain areas were excluded from these planning efforts. The NOI applies to all areas within the range of the greater sage-grouse except the Mono Lake population of California-Nevada and the Washington state population, "which will be addressed through other planning efforts." Yet, the NOI does not indicate why these populations are excluded, nor does it describe what those additional planning efforts might be. Do the agencies consider either or both of these areas to be distinct population segments that might be separately listed under the ESA? Only the FWS can determine distinct population segments, and only after public notice and comment. Distinct population segment status has not been proposed for either population. Why are these areas treated differently, and what "other planning efforts" are being considered?	All	Both	emc0140RM, emc0382GB, emc0075RM
760.	EIS and SEIS Development and Subsequent RMP/LMP Revisions We acknowledge that this effort calls for the creation of a Programmatic EIS (PEIS) to analyze broad alternative strategies to protect greater sage-grouse habitat throughout the west. However, we would urge BLM and the FS to reject a strategy which utilizes that PEIS to implement broad National Environmental Policy Act (NEPA) analyses to be followed on a local basis. We believe the more effective course would be to use the PEIS as a guideline to conduct local analyses. This approach will account for the unique habitat conditions and management considerations for each local area, in lieu of a "one-size-fits-all" NEPA analysis. Such a "onesize- fits-all" NEPA analysis, which purports to be adequate for the entire greater sage-grouse population, is in fact an ineffective way to analyze alternatives that will enhance that population. This sort of analysis only belabors the process and hinders on-the-ground conservation efforts to protect greater sage-grouse habitat.	All	Both	emc0140RM, emc0382GB, emc0075RM
761.	As indicated in the NOI, "The RMP and LMP amendments/revisions will be limited to making land use planning decisions specific to the conservation of greater sage-grouse habitats." We believe that the EISs and SEISs should analyze and disclose how greater sage-grouse management will impact all established multiple uses, including properly managed livestock grazing, in existing land use plans.	All	Both	emc0140RM, emc0382GB, emc0075RM
762.	In creating RMP/LMP amendments, priority mitigation credit should be allowed to resource users who contribute time, work and funds to projects and programs that benefit the greater sage-grouse. Any RMP/LMP amendment to address greater sage-grouse conservation should leave enough flexibility to allow for alternative actions, the absence of which could actually prevent conservation instead of enhancing the species and habitat.	All	Both	emc0140RM, emc0382GB, emc0075RM
763.	Sage-Grouse National Technical Team Report as an Alternative On Dec. 21, 2011, the Sage-Grouse National Technical Team (NTT) issued a report titled, A Report on National Greater Sage-Grouse Conservation Measures. We are concerned that the NTT report did not include input from any affected stakeholders or interdisciplinary experts aside from state and federal scientists and specialists, ignores regional variances in greater sage-grouse needs, is not a comprehensive representation of the literature and research surrounding livestock grazing, and has not been scientifically peer reviewed for accuracy. While the report briefly mentions livestock grazing's role in reducing fine fuels and states that "proper livestock management…can assist in meeting sage-grouse habitat objectives," it fails to recognize that grazing is in fact a key contributor to greater sage-grouse habitat conservation. It omits the positive impacts of grazing, without which greater sage-grouse habitat would suffer greatly in the West. As such, we do not believe it should be considered as an alternative in	All	Both	emc0140RM, emc0382GB, emc0075RM

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	EISs and SEISs in its current form. The many contributions of grazing and ranching, which are largely ignored or understated in the NTT report, include: • Preservation of open space; • Noxious weed and invasive species eradication and containment; • Production of forb growth that is preferred by greater sage-grouse to non-grazed areas; • Wildfire prevention and controlled burn efforts; • Development of wildlife watering sources, including placement of bird ladders in troughs; and • Predator control.			
764.	Other problems with the NTT report include: • Its failure to address the work accomplished by local working groups or the pivotal role they should continue to play in greater sage-grouse conservation. • The undue emphasis it places on potential climate change. While climate is always changing, the nascent state of climate science makes modeling and predictions impossible, and this policy emphasis thus has the potential to result in overly restrictive land management decisions. • A measure that states that new water developments would only be authorized "when priority sagegrouse habitat would benefit from the development," a breaching of privately owned water rights. • A measure that allows for the retirement of grazing permits in priority sage-grouse areas, which is currently prohibited by law. The report goes so far as to direct planners to "identify the specific allotment(s) where permanent retirement of grazing privileges is potentially beneficial." We object to the suggestion that grazing is at odds with greater sage-grouse habitat conservation and adamantly oppose any proposal that would allow for "voluntary" retirement of grazing permits. Such aberration from federal statute would put at risk our members' ability to stay in business, thereby threatening the open spaces which they own and/or manage and which constitute vast areas of greater sage-grouse habitat.	All	Both	emc0140RM, emc0382GB, emc0075RM
765.	Flexibility in Decision Making There are inherent disadvantages of inflexible, "one-size-fits-all" standards. An adaptive, case-by-case approach will ensure that efforts and resources expended in the name of greater sage-grouse conservation are well spent. Ecosystems vary; site potential, plant communities, environmental influences, precipitation patterns and plant production and vigor are highly variable and cannot be appropriately managed by single-source standards and guidelines. The regulations should give flexibility to land managers. Research conducted in the Great Basin has indicated that the greater sage-grouse should be managed according to the needs of individual populations and that range-wide measures are not appropriate (Launchbaugh, et al. 2007). According to Stiver et al. (2006), "strategies for addressing potential effects of grazing on greater sagegrouse must be developed at the regional, and perhaps more effectively, local levels (and coordinated regionally)." It would thus be impractical, ineffective and detrimental to the greater sage-grouse for the agencies to ignore variations between individual populations by conducting a NEPA analysis beyond its cumulative impact zone.	All	Both	emc0140RM, emc0382GB, emc0075RM
766.	The NOI also states: "The BLM and FS will consider a range of reasonable alternatives, including appropriate management prescriptions that focus on the relative values of resources while contributing to the conservation of the greater sage-grouse and sage-grouse habitat." Alternatives should be developed and adopted according to impacts on other multiple uses. In management decisions, those least restrictive to multiple-use activities should be given priority consideration. Plan flexibility for case-by-case decisions will allow modifications as needed.	All	Both	emc0140RM, emc0382GB, emc0075RM
767.	Additionally, the NOI states: "The most current approved BLM and FS corporate spatial data will be supported by current metadata and will be used to ascertain greater sage-grouse habitat extent and quality. Data will be consistent with the principles of the Information Quality Act of 2000." All analysis, data and decisions, including substantiation of cumulative impacts for revisions of EISs, SEISs, RMPs and LMPs, must comply with the Federal Data Quality Act (Information Quality Act	All	Both	emc0140RM, emc0382GB, emc0075RM

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	of 2000).			
768.	First and foremost, we are concerned with the lack of public input involved in PPH and PGH designations. BLM IM No. 2012-044 states that PPH and PGH areas are to be "identified by the BLM in coordination with respective state wildlife agencies." BLM's inclusion of state Game and Fish Departments in this process does little, if anything, to mitigate our concerns. We believe that the designation process would greatly benefit from public input, and that the Administrative Procedures Act (APA) requires that public notice and opportunity for public comment be provided before special protection areas may be designated on federal lands. Not only that, we believe that owners of private lands intermingled with federal lands should be given notice and the opportunity to participate in the identification and classification of PPH and PGH areas that affect them. Furthermore, we believe PPH and PGH identification and classification should be peer reviewed by technical experts outside of the agencies.	All	Both	emc0140RM, emc0382GB, emc0075RM
769.	Ranchers' ability to graze livestock on BLM and FS managed lands is critical to many of our Western counties and rural economies. Thus, local and county governments should play an active role in land use planning. The NOI states, "The BLM and FS will coordinate and communicate with state, local and tribal governments to ensure that the BLM and FS consider provisions of pertinent plans, seek to resolve inconsistencies between state, local and tribal plans, and provide ample opportunities for state, local and tribal governments to comment on the development of amendments or revisions." We agree that local, state, and tribal governments should be granted full cooperating agency status when requested, and that the federal agencies should coordinate (when requested) with all existing local plans, as required by NEPA and other federal statutes. "Cooperating agency status" is defined under NEPA and Council of Environmental Quality (CEQ) statute and regulation, and is granted to any agency that has jurisdiction by law or special expertise for proposals covered by NEPA (40 CFR 1501.6). Any tribe or federal, state or local government jurisdiction with such qualifications may become a cooperating agency by agreement with the lead (federal) agency. "Coordination" is required under NEPA (and other federal statutes) when local land use plans exist and local government agencies request coordination with federal agencies. Coordination is the process by which local and federal government agencies harmonize planning and management actions to the extent possible under existing laws. All local governments that have legally applied for and followed statutorily mandated procedures to obtain cooperative agency and coordination status should be granted that status. Abiding by the cooperating agency and/or coordination processes will help ensure that: • The federal agencies timely and completely share all data with cooperators/coordinators, and that preliminary and final decisions in EISs/SEISs are timely and completely reported to cooperating/coordinating agencies and the public. • The federal agencies coordinate to adopt and adhere to state and local plans for greater sage-grouse management to the greatest extent possible. Any changes or modifications in RMPs/LMPs will include the input of the cooperating and coordinating agencies involved in the creation of the RMPs/LMPs. • The federal agencies divulge and explain any deviation from state and local plans. • When available, all data used in RMP/LMP amendments is primarily collected from local and state data sources. This will include "priority mapping," which shall consist of areas of actual greater sage-grouse use. • A methodology for monitoring is defined and followed so that individuals at local and state levels may provide data. • RMPs/LMPs may be amended readily according to the monitoring data acquired.	All	Both	emc0140RM, emc0382GB, emc0075RM
770.	Thus, BLM and USFS must be mindful that their primary responsibility is to manage the lands according to this multiple use mandate. The agencies are not conservation entities and cannot ignore their statutory obligations. As the U.S. Court of	All	Both	emc0378GB

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	Appeals for the Seventh Circuit held, in a case involving USFS, "The national forests, unlike national parks, are not wholly dedicated to recreational and environmental values." Of course, in carrying out their responsibilities, federal land management agencies are required to comply with the full suite of environmental laws designed to protect the nation's soils, lands, air and water. Energy and mineral interests wishing to undertake activities on public lands must comply with the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, National Environmental Policy Act, etc. In addition, minerals face additional scrutiny. For example, coal mining projects must meet the requirements of the Surface Mining Control and Reclamation Act (SMCRA), a soup-to-nuts regulatory framework covering all aspects of the mining process, from exploration and leasing, to reclamation, to the eventual release of reclamation performance bonds.			
771.	IM 2012-044 directs BLM field staff to strongly consider the conservation measures and recommendations described in the NTT Report. Unfortunately, that report recommends a variety of measures that directly contradict state and local conservation plans. Eleven states in the West are the habitat for the greater sage-grouse.8 The issues associated with the species' conservation are complex in their details and expansive in their impacts. Western states, and stakeholders in those states, have spent many years working to develop and implement workable conservation solutions that can preclude a formal listing of the greater sage-grouse under ESA.9 Those efforts have resulted in a number of innovative tools, including specific Candidate Conservation Agreements or Candidate Conservation Agreements with Assurances designed to protect the species. By way of example, we would point to the efforts by the State of Wyoming, which has done extensive work in establishing a model for conservation of the greater sage-grouse. Wyoming Executive Order 2011-5 was developed in consultation with the BLM, the U.S. Fish and Wildlife Service (FWS), Wyoming Game and Fish, local and state sage-grouse working groups, conservation groups, and the public. This EO was reviewed by the FWS, which found it to be a sound framework for a policy by which to conserve greater sage-grouse in the state. On November 10, 2010 FWS again confirmed that "This long-term, science-based vision for the conservation of greater sage-grouse has set the stage for similar conservation efforts across the species range," and that "the Core Population Area Strategy for the greater sage-grouse provides an excellent model for meaningful conservation of sage-grouse if fully supported and implemented." Such efforts are not acknowledged in the IMs, nor are there provisions for assuring that state or site-specific efforts will be utilized. The Roundtable believes that, minus clear and demonstrable data to the contrary, conservation plans and tools already vetted and underway in the region should be relied upon as the basis for the region's greater sage-grouse conservation effort. This is a prime opportunity for the Administration to make good on the goals set out in the President's Executive Order 13563 -- Improving Regulation and Regulatory Review: "Our regulatory system must protect public health, welfare, safety, and our environment while promoting economic growth, innovation, competitiveness, and job creation. It must be based on the best available science. It must allow for public participation and an open exchange of ideas. It must promote predictability and reduce uncertainty. It must identify and use the best, most innovative and least burdensome tools for achieving regulatory ends. It must take into account benefits and costs, both quantitative and qualitative. It must ensure that regulations are accessible, consistent, written in plain language, and easy to understand. It must measure, and seek to improve, the actual results of regulatory requirements." Just this week, the President sent another memorandum to the heads of federal agencies reiterating the importance of E.O. 13563 and outlining the details of new guidance on consideration of "cumulative impacts" of regulations: "Consistent with Executive Order 13563, and to the extent permitted by law, agencies should take	All	Both	emc0378GB

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	active steps to take account of the cumulative effects of new and existing rules and to identify opportunities to harmonize and streamline multiple rules. The goals of this effort should be to simplify requirements on the public and private sectors; to ensure against unjustified, redundant, or excessive requirements; and ultimately to increase the net benefits of regulations." We strongly urge BLM and USFS to heed the President's directives. A good deal of conscientious effort has gone into the Western region's plans to conserve the greater sage-grouse. Agencies need to use that effort, and the lessons learned on the ground, as the basis for federal actions going forward.			
772.	As noted in our letter requesting an extension of the comment period, the Roundtable is concerned that the BLM and USFS are moving forward before a proper vetting of greater sage-grouse habitat maps has been completed. While we appreciate the short extension of time granted by the agencies, we believe the comment period needs to be extended further. We hope the agencies will provide sufficient time to make sure that hard-won knowledge and progress on the ground can be integrated into the EIS and SEIS processes. Critical to that effort is good information flow. Unfortunately, a good deal of important data has been released by BLM well after the comment clock started. An example to illustrate our concern: IM 2012-043 outlines that Preliminary Priority Habitat Areas have been identified by BLM and state wildlife agencies. Those areas are described as having the highest conservation value for the species. However, accurate and comprehensive maps of these delineations have yet to be made available for public review. The January 10, 2012 Western Association of Fish and Wildlife Agencies' habitat map, delineating these designated habitat areas, was used during the IM roll-out meetings at BLM offices. However, subsequent discussions with BLM state and field office staff have determined that those delineations are already being significantly modified by state wildlife agencies. We are fully aware that time constraints exist and that BLM and USFS must move quickly if conservation plans are to impact the FWS' listing decision, which is due in 2015. That is all the more reason to spend the time available to make sure that the latest data is gathered and utilized at the front end of the process. BLM and USFS need to: 1) finish discussions with state wildlife agencies to assure that delineations of priority habitat areas based on the latest data; 2) vet the data to assure that the areas and boundaries are based on solid biological criteria which has been subject to site-specific field verification; 3) put the final proposed maps, along with definitive scientific data that demonstrates the need for protections, out for public review.	All	Both	emc0378GB
773.	The Roundtable has long supported federal, state and local initiatives that provide incentives for wildlife and habitat conservation. Most landowners, Roundtable members included, are inherently stewards of their land and the resources on it. Voluntary federal and state programs that help make conservation economically feasible are generally embraced by landowners and are, thus, most successful. We encourage the Administration to focus on tools that can encourage conservation through voluntary programs and incentives, such as Candidate Conservation Agreements or Candidate Conservation Agreements with Assurances.	All	Both	emc0378GB
774.	IM 2012-044 directs BLM staff to strongly consider the conservation measures and recommendations described in the NTT Report. One of those recommendations is to manage Priority Habitat Areas to limit anthropogenic disturbance to less than three percent of total sage-grouse habitat, regardless of ownership. Associated with that recommendation is the directive that, if the threshold limit is exceeded, no further anthropogenic disturbance should be permitted in Priority Habitat Areas. BLM's policies are contradictory. On one hand, the BLM IM creates an exemption from its conservation policies for states, like Wyoming, that have developed a local regulatory mechanism for sage grouse conservation approved by FWS. On the	All	Both	emc0378GB

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	other hand, BLM seeks to force compliance with standards much more stringent than Wyoming's. Neither the BLM IM nor the NTT Report provides a scientific basis for the lower threshold. In the absence of verified, site-specific data to the contrary, the agencies should not force requirements more stringent than Wyoming's.			
775.	We believe that a key role BLM and USFS could play is in establishing a common database for information on the greater sage-grouse gathered region-wide. There is no need for duplicative databases across multiple agencies. A common database will improve regulatory efficiency and ensure that the most up-to-date and accurate data is being used to inform regulatory and voluntary conservation actions. As part of this effort, BLM and other agencies should agree on protocols to ensure uniformity in data gathering/reporting across multiple planning units.	All	Both	emc0378GB
776.	At this point, it is very difficult to determine BLM's precise intent with this conservation effort because there are so many different terms used in different documents. We encourage the BLM and other conservation agencies to adopt common terminology. Ongoing conservation models, such as the Wyoming EO, have already been vetted and stakeholders have been working under them. It makes sense for BLM/USFS to adopt the terminology used there. Doing so will improve efficiency and assure that time is not lost due to confusion and disagreements over definitional issues.	All	Both	emc0378GB
777.	The issued IMs give BLM and USFS field offices the discretion to reject, deny or defer approvals for proposed activities, such as mineral leasing or rights-of-ways (ROWs), in preliminary priority habitat areas. The Roundtable believes it is fundamentally unfair to delay projects for two years while RMPs are revised to reflect new conservation measures for greater sage-grouse. Interim sage-grouse conservation can be achieved through the NEPA process for proposed projects, and conservation measures can be incorporated into issued permits.	All	Both	emc037GB
778.	The ESA2 establishes that the purpose of the Act is to "provide a means whereby ecosystems upon which endangered species and threatened species depend may be conserved…." (see Purposes, underlined emphasis added)2. As emphasized in the quotation above the purpose applies only to ecosystems "upon which endangered species and threatened species depend" and is not applicable to the habitat of a species until said species has been listed under the Act. Thus, if GSG are not legally qualified to be listed as endangered or threatened under the ESA, conservation measures to maintain or enhance GSG populations or habitat cannot be invoked under the auspices of the Act.	All	Both	emc0395GB
779.	The December 27, 2011 BLM IMs7 instruct all BLM Field Officials in all program areas to consider and implement specific GSG conservation measures contained in the associated December 21, 2001 BLM Report8 when conducting projects within "Preliminary Priority Habitat." "Preliminary Priority Habitat" currently encompasses essentially all of the highest quality breeding habitat that supports 75% of the known current breeding population, which includes approximately 27% of the occupied range of the GSG (see Doherty,6 pg. 2). These BLM IMs pre-decide the outcome of the proposed project to prepare EISs to incorporate GSG conservation measures into land use plans. The BLM IMs assume that conservation of "Preliminary Priority Habitat" is necessary to prevent the species from being listed under the ESA, and assume that the conservation measures identified in the associated BLM Report will ultimately be imposed as regulatory mechanisms to protect GSG. However, public input through this scoping process and subsequent review steps required before finalizing the proposed project may result in a completely different final decision regarding what actions, if any, need to be taken to avoid the presumed need to list the GSG under the ESA. In fact, as discussed herein, there is ample evidence that the GSG does not legally qualify for listing under the ESA, and the proposed planning process could well result in documentation of such	All	BLM	emc0395GB

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	evidence so that no further action is needed to prevent the GSG from being listed when the FWS makes its final listing determination by the year 2015. The decision and action to assume otherwise and immediately implement draconian sage-grouse conservation measures through the BLM IMs within "Preliminary Priority Habitat" based upon guidelines in the BLM Report makes a mockery of the current planning process and its alleged public scoping and comment opportunities. If decisions regarding GSG conservation measures and the landscapes to which they will apply have already been made, why pretend to seek public input regarding the issues and alternatives to consider regarding sage-grouse conservation? On the other hand, if the decisions have not yet been made, why impose preliminary actions upon a vast area of land when those actions may ultimately be found to be altogether unwarranted, counterproductive, or only necessary on a much smaller scale? On their face, the BLM IMs both indicate that the instructions promote "sustainable Greater Sage-Grouse populations" (IM 2012-043 at pgs. 1 and 2, and IM 2012-044 at pg. 2)7. Such an objective is consistent with a goal to maintain the minimum effective population needed to safeguard the species from extinction, and thus avoid the purported need for the species to be listed under the ESA. In other words, the minimum sustainable Greater Sage-Grouse population is equivalent to the minimum effective population (as high as 5,000 breeding adults) needed to provide sufficient genetic material to protect the species from the long-term risk of extinction. As discussed above, a minimum effective population as high as 5,000 birds comprises less than 1% of the current GSG breeding population, and requires less than 0.15% of the total acreage in the occupied range for support. While the IMs imply that the goal of BLM GSG conservation is to promote sustainable Greater Sage-Grouse populations, they then irrationally provide instructions to provide conservation protections to 75% of the current GSG breeding population (75 times as many birds) across a landscape that is more than 180 times larger than the area needed by the minimum effective population (27% of the occupied GSG range rather than 0.15%). Such massive expansion of the conservation goal (from one intended to promote a sustainable Greater Sage-Grouse population of 5,000 birds to one that directs the promotion of 75 times as many birds on more than 180 times as much land as is needed) mushroomed from a subtle change in wording contained in the goal statement of the BLM Report. Page 6 of the BLM Report8 states that the BLM "endorsed the goal" of the Greater Sage-grouse Comprehensive Conservation Strategy (Stiver et. al., 2006) "to maintain and enhance populations and distribution of sage-grouse by protecting and improving sagebrush habitats and ecosystems that sustain these populations" (underlined emphasis added). Note that the goal endorsed by the BLM Report to "sustain these populations" changes the ESA compliant goal of maintaining a sustainable population (minimum effective population of as many as 5,000 birds) to safeguard the GSG from extinction to an expanded goal to maintain or enhance these (current) populations. Since current GSG populations are so much larger than the minimum effective population, the expanded goal to sustain current populations requires conservation of many more birds over a much larger landscape than would be required by the ESA to merely protect the species from the risk of long-term extinction. Thus, while the Notice of Intent states that the purpose of the EIS process is to "avoid a potential listing" of the GSG under the ESA, the conservation measures identified for analysis under the EIS process, and already implemented by the BLM IMs, actually provide ESA styled protections to far more GSG over a much larger landscape than would be the case if the populations were to actually shrink to the point that the species met the criteria for listing under the ESA.			
780.	As discussed above, the current GSG population exceeds the minimum effective population by 107 times. Current GSG populations and habitats located within existing Wilderness Areas, National Wildlife Refuges, National Parks, and National	All	Both	emc0395GB

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	Conservation Areas likely far exceed the minimums needed to safeguard the species against extinction. These nationally designated areas already impose regulatory mechanisms that mirror those that are thought to provide protections for GSG. Thus, it is likely that a well reasoned, detailed analysis of the current situation will demonstrate that no additional action is necessary because GSG do not legally qualify for listing under the ESA based upon their current population size and slow rates of change in recent times. Further, their numbers and trend in existing nationally designated areas alone likely prevents the GSG from meeting the legal qualifications for listing under the ESA.			
781.	Even if analysis demonstrates that current GSG numbers and population trends disqualify the species from listing as either "endangered" or "threatened" under the ESA as argued herein, it may be reasonable to consider an alternative to maintain or enhance existing GSG populations. The FWS Findings express concerns regarding rapidly declining GSG populations between the late 1960s and late 1980s, and continued downward population trends (although at a slower rate) from the late 1980s to the present. Such concerns make it reasonable to consider an alternative that would maintain or enhance current GSG populations, so long as that alternative does not negatively impacting existing socioeconomic uses occurring on BLM and FS administered lands. An analysis of the past management history within the Great Basin indicates that GSG flourished when livestock grazing levels were significantly higher than they are now. During this same period, large wildfires in the region were very infrequent (likely due to lower wildfire fuel levels as a result of close grazing), and concerted predator control measures were practiced. These management actions could be put into practice again to benefit GSG without harming the existing socioeconomic climate, but rather enhancing it. In fact, it is reasonable to argue that the FWS Findings get it wrong when they conclude that there is a lack of regulatory mechanisms in place to protect the GSG. Instead, many of the regulatory mechanisms currently in place are harming the species. For example, regulations restricting livestock numbers and use levels increase fire fuels across the Great Basin, and these regulations have resulted in a dramatic increase in large wildfires in the region in recent decades, which has destroyed GSG habitat to the detriment of the species. Repeated fire has led many sagebrush communities to convert to cheatgrass dominance, which assures that the habitat will remain unfit for GSG into the foreseeable future. Rules restricting predator control, regulating the use of poisons and baits, and protecting ravens have resulted in excessive GSG loses due to predation. Whenever a species like the GSG with a relatively low reproduction rate (FWS Findings,4 pg. 13916) loses the vast majority of its eggs to predation, and can trace more than 80% of the mortality of those individuals that manage to hatch to predation (FWS Findings,4 pgs. 13930, 13971, and 13972), its populations can be expected to decline. Again, it appears that existing rules are harming GSG populations, not a lack of adequate rules. It is reasonable to analyze an alternative to eliminate existing regulatory/policy mechanisms that are harming GSG, or replace them with rules that again implement management practices that allowed the species to rapidly increase in the past, at least within the Great Basin. Because current GSG populations greatly exceed the minimum effective population, any management alternative that would stabilize or increase the current population level would eliminate any perceived justification to list the species under the ESA. However, given the multiple-use mandates applicable to BLM and FS administered lands, consideration and analysis of such an alternative to help GSG populations is only reasonable if it does not negatively impact other valid existing uses. An alternative to increase livestock grazing to reduce fuel loads and minimize wildfire impacts, and to return to concerted predator control practices is reasonable because it would benefit GSG without harming the existing socioeconomic climate, but rather enhancing it.	All	Both	emc0395GB

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782.	The BLM proposed alternative to impose GSG conservation measures to maintain or enhance current populations across a 75% Breeding Density Area is a vast overreach of what is reasonable to achieve the stated purpose of the Notice of Intent and avoid the presumed need to list the species under the ESA. If analysis of the current situation determines that no existing habitat area(s) provide large enough interconnected habitat with sufficient management protections to support a minimum effective population as high as 5,000 interbreeding adults into the foreseeable future, the EIS process must consider reasonable alternatives to establish such adequate habitat areas. Such alternatives should identify and designate GSG habitat(s) sufficient to support enough GSG to maintain a sustainable population that achieves or exceeds the minimum effective population, including, but not necessarily limited to, alternatives to provide such habitat: 1) as a single contiguous block; 2) as a proximate habitat network that would allow the free flow of genetic information among the minimum effective population; 3) within both of the GSG stronghold areas identified in the FWS Findings (the southwest Wyoming Basin and the Great Basin area straddling Oregon, Nevada, and Idaho, pages 13958, 13962, 13986, 13988, 14008, and 14009) 3; and, 4) within the minimum Breeding Density Area necessary to maintain the minimum effective population (for example, a 3% Breeding Density Area would sustain more than 15,000 GSG in Management Zones I – V alone, which is more than 3 times the minimum effective population of 5,000 birds).	All	Both	emc0395GB
783.	I. FOREST SERVICE ACTION IS NEEDED TO CONSERVE GREATER SAGE GROUSE. Clearly, the greater sage grouse (hereafter "GSG") is a species whose populations have greatly declined in the last 50 years or so.1 GSG was recently found by the U. S. Fish and Wildlife Service to be warranted but precluded from listing under the Endangered Species Act (ESA). See 75 Fed Reg 13910, March 23, 2010. In order to avoid ESA listing, strong measures will have to be implemented to maintain existing populations and allow recovery of GSG to full, viable, and demonstrably secure populations range-wide. In general, the recommendations of the National Technical Team (NTT, 2011), should be adopted. See further discussion in section IV below.	All	USFS	emc0175RM
784.	According to the warranted but precluded determination, the Forest Service has management authority for eight percent of GSG habitat in the seven management zones for the species. Fed Reg, id., at 13979.2 Though the BLM manages the majority of GSG habitat (id. at 13920), the Forest Service must do its part to ensure conservation of this species. This will be necessary to ensure that there are adequate regulatory mechanisms for protecting the species, the inadequacy of which currently warrants GSG listing under ESA. 75 Fed Reg 13982. GSG is a sensitive species in Forest Service Region 2. Under Forest Service policy, sensitive species must receive special attention: 2672 - PLANNING FOR MANAGEMENT AND RECOVERY. 2672.1 - Sensitive Species Management. Sensitive species of native plant and animal species must receive special management emphasis to ensure their viability and to preclude trends toward endangerment that would result in the need for Federal listing. FSM 2672. Further direction on sensitive species is as follows: 1. Develop and implement management practices to ensure that species do not become threatened or endangered because of Forest Service actions. 2. Maintain viable populations of all native and desired nonnative wildlife, fish, and plant species in habitats distributed throughout their geographic range on National Forest System lands. 3. Develop and implement management objectives for populations and/or habitat of sensitive species. FSM 2670.22.	All	USFS	emc0175RM
785.	I am concerned that due to the magnitude and importance of this effort, leaving any major items to be done between the DEIS and FEIS can be detrimental to the outcome and subsequent challenges. My comments have this in mind.	All	Both	emc0149GB

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786.	Having similar restrictions and consequences for similar activities will ensure fair and equitable treatment to everyone in the planning area. For example to keep it simple, you need similar mechanisms for permit and non-permit holders. Let's say a university is doing a research project and never acquired authorization, where everyone has similar restrictions (i.e ., 6 p.m. to 9 a.m. time of day restriction). As a power company employee you hold the company liable and the penalties go against the company. The penalties here need to go against the university and not the researcher, like you would a company and ultimately impact there ability in the future to do work on public lands. There has to be consequences, no matter how good someone or an organization thinks their actions or intentions are. If a person is out there under the blanket they are monitoring agency activities for some reason, the organization needs an authorization first and the organization needs to be liable for their member's activities. Everyone needs to take responsibility and have similar responsibilities and consequences. The brunt of the restrictions cannot go completely or almost completely on a few permit holders in such a large issue as this. I think it would be a sweeter pill to swallow if everyone gets the same pill.	All	Both	emc0149GB
787.	Having similar consequences will also make implementation easier and cheaper for the agencies. You can't effectively implement fifteen rules for fifteen groups, for similar impacts or actions. That being said, you shouldn't have some groups without any rules or restrictions that may have impacts to sage grouse or their habitat.	All	Both	emc0149GB
788.	Therefore, if you have one size fits all for most restrictions you can implement it, enforce it and everyone is on a level playing field. Also, if you require much more from the few permit holders than others than you are saying their particular use is more impacting than another group at the same time and place. You need to address that in your analysis.	All	Both	emc0149GB
789.	As an example, if you break migratory bird hunting rules, the USFWS has many mechanisms to punish you in the short and long-term. This issue is too big to all of us across the West to not have consequences, even serious ones to our individual actions. We are in this together. If one group says they should be exempt from any regulatory restrictions because of who they are and what they are doing for the greater good of sage grouse, then they are more worried about themselves then the health of the sage grouse or the public land habitats.	All	Both	emc0149GB
790.	I think it is an admirable task to accomplish in the proposed timeframe and then for the USFWS to utilize it in their listing decision. Your 45 day extension is going to make it even harder for you. If this process gets challenged as being inadequate in one way or another, I hope you will have a mechanism in place for the USFWS to be able to use the final document or significant portions of it in their efforts on the listing decision. If it doesn't, it will not meet the greater needs of the general public in this very important effort.	All	Both	emc0149GB
791.	I am concerned about what you will use in the cumulative impact section and does the public really understand what to comment on when the DEIS comes out. An example would be Idaho Power Company's Electrical Plans with similar life spans as these amendments. For example, for local citizens and local leaders to know the true potential impacts to upgrading or adding new lines to their homes and communities needs to be truly spelled out in the DEIS so they can respond and not wait until the FEIS comes out. If you do, it is too late to be truly addressed and discussed openly. The impacts will be physical, social and economical in terms of existing needs and future growth potentials	All	Both	emc0149GB
792.	I had requested the sage grouse lek data from IDFG, but was not able to open the various files due to my computer capabilities. I think you need to address historical and active lek information and show it to the public in a format we can easily access. That is where they are and how the data will be or will not be used. For example, this will be important not only	All	Both	emc0149GB

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	under power lines, but also near private property. At this point I do not understand the breeding density map well enough to comment and how they relate to historic and active leks. According to a simple evaluation, it appears the circles on the map are 10 miles across or have a 5 mile radius. If the impact zones are 5 miles from an active lek this will definitely impact various unpermitted and permitted activities; and potentially private property rights if use can be curtailed later after completion of this EIS.			
793.	In regards to lek locations, you need to inform the readers in the DEIS how private or nonfederal ownership property will or maybe impacted by nearby active or historic leks from the USFWS or other agencies in subsequent years, once the data is made available and regulatory mechanisms are in place.	All	Both	emc0149GB
794.	Do you foresee a County Planning and Zoning Committee being required to use this data in their permitting activities in the future? Please address this issue.	All	Both	emc0149GB
795.	Science alone will not save sage grouse. What science you use needs to be peered reviewed. The agencies know what has worked and hasn't in the past and today. You have over three decades of experience in vegetation management. You have made constant improvements and changes in practices so incorporate them here in this document. Take and get credit for them. Research your files, find these practices and get credit for your knowledge, skills and abilities in this effort.	All	Both	emc0149GB
796.	I admire your efforts to include Adaptive Management. However, everyone needs to buy into it to make it work. Some federal and state agencies seem to be very reluctant to try new ideas, like forage kochia for fire breaks. However, if you keep doing the same thing and expect a new and better result you are wasting valuable time on sage grouse and their habitats, other important resources and public funds. So until all the federal and state agencies agree to fully try new ideas, adaptive management will fail. Please be very open to new ideas in this process. If an attempt or trial objectives are not achieved, your adaptive management needs to have a plan to address those impacts, but if you do not have avenues to try, you will fail in the end. Some groups may not want you to have adaptive management available as a tool. They want you to be tied to a finite process which is not practicable or realistic yesterday, today or into the future. Especially over such a large planning area. You need to incorporate adaptive management strategies; processes to monitor it within realistic budgets and workloads; processes to respond to issues that don't work out and processes to quickly pass along the information of those that do work. You need to build processes in this EIS to quickly move forward on trials that do work. Any pre-work that can be done in this process that can be tiered to later is needed. Don't be afraid and don't paint yourselves in a corner before you start by fear of the unknown. Remember, science is only as good as the questions that have been asked and then answered. As information comes to light in this process, include a plan to ask academia more questions for them to answer to build on your science.	All	Both	emc0149GB
797.	Adaptive management needs to address everyone. I am sure you will have great regulatory mechanisms to address permit holders, be it a power company or a rancher to meet your resource objectives. However, we all know by the end of each year there is more potential impacts from the ever growing dispersed recreation community than the few vehicles and activities of permit holders addressing existing permits. You need to have the same or very similar restrictions to implement and manage. As used before, if you are going to restrict all permit holders from disturbing sage grouse leks from 6 p.m. to 9 a.m., then everyone needs to follow that same restriction. That includes permit holders, motorized recreation, general recreationists, researchers, groups saying they are monitoring your activities, etc.	All	Both	emc0149GB

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798.	I think casual use, as BLM has treated it in the past and considers it today; will become a weak link in the sage grouse issue, this EIS effort and future management. Casual use, which is non-impacting use, is a historical perspective before uses of public lands has increased in many places to today's levels. You need to address it in a proactive versus reactive basis in this EIS. Adaptive management would work here if you have a series of actions that will put in place if certain impacts happen and everyone is aware of the consequences of their actions up front and are treated fairly and similarly.	All	Both	emc0149GB
799.	For about 5 million acres of this planning area, 12 existing land use plan amendments were completed in 2008, through the Fire, Fuels and Related Vegetation Management Direction Plan Amendment EIS (FMDA). I believe that EIS covered much of what you will be addressing now; knowing fire is still the major threat. The Pocatello and Crater's RMP/EISs followed much of the philosophies in those two efforts so you can add those acres on top of that effort. The plan was aggressive, included much of the concerns for sage grouse and took many years to complete (more than you have). It also acknowledged that fire numbers were not going to be reduced over the life of that plan, but due to the efforts of BLM the intensity and size should. With that in mind, you need to be realistic on what are you really going to accomplish over the life of this new planning effort. In other words, don't plan to spend 10-20 times the funds in this effort then what you may actually get. That sets unrealistic and un-fulfilled expectations.	All	Both	emc0149GB
800.	I believe over the life of these amendments, the same will happen as the FMDA. The number of fires will not be measurably reduced, but the size and intensity should, if you have the ability to implement it. You need to be realistic here to keep achievable expectations and thus reasonable regulatory mechanisms.	All	Both	emc0149GB
801.	I am concerned the agencies are doing more than you are getting credit for already. You are doing these amendments to partially have a regulatory mechanism to get this credit. You must bring forward all activities, no matter how small or seemingly insignificant in one office or staff of one office and allow the USFWS determine if it is actually good existing practice. Please canvas your existing staffs. Even minor tweaks to an existing process to become acceptable and regulatory are better than starting new after this effort. Not asking these questions and getting a complete list can lead to an incomplete analysis of what is currently occurring and eventually getting credit for it.	All	Both	emc0149GB
802.	The wisdom to protect sage grouse will come when we all work together for the common good and not individually for or against any particular issue or use. Such as, what I do is OK and what you do is not. Just like what made the Owyhee Initiative a success, everyone must participate and be willing to give. Please keep that in mind as you proceed.	All	Both	emc0149GB
803.	While I appreciate the Bureau's cooperation with interested parties to identify alternatives to including the Sage Grouse under the full protection of the Endangered Species Act, I am concerned that the proposed plan deviates greatly from the spirit of this effort. Rather than ensuring the continued multi-purpose use of the vast federal lands under Bureau management, this plan appears to be unnecessarily restrictive to traditional activities and, in some cases, seems destructive of the fundamental property rights recognized by the Fifth Amendment to the U.S. Constitution.	All	Both	emc0347GB
804.	As a result of this clear contradiction between the proposed plan and basic Constitutional principles, I request that in the preparation of the final plan, the Bureau make appropriate changes necessary to ensure that private property rights are not trampled upon in the pursuit of your objectives.	All	BLM	emc0347GB
805.	The EISs/SEISs should allow BLM officials, FS officials, and grazing permittees the opportunity to work cooperatively and provide flexibility in making case-by-case decisions in the best interests of affected natural resources and area citizens.	All	Both	rmc0010RM

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	Planning criteria needs to include an objective ensuring management decisions are complimentary to other planning jurisdictions and adjoining properties. These planning jurisdictions and adjoining properties include deeded lands, and decisions reflected in the EISs/SEISs will critically impact landowners operations and planned livestock grazing management on these lands. For this reason, BLM and FS officials need to make every effort to ensure their decisions are complimentary to adjoining properties. Decisions affecting livestock grazing and other resource uses in the planning area will have significant direct impacts on grazing permittees.			
806.	Livestock grazing is an important tool used to enhance and sustain rangeland health. In Chapter Two of the EISs/SEISs, which includes goals, objectives, and management actions of the various resource values, it is essential these goals, objectives and management actions for livestock grazing management include the promotion of livestock grazing management. This is a stark contrast to the belief that livestock grazing management exists only to promote all other resource values. Chapter Two should be written with the understanding that livestock grazing is an important resource value in and of itself. Often, the effects livestock grazing has upon other uses are focused on and the impacts of those uses upon livestock grazing management, forage availability and grazing permittees are overlooked. Planning needs to include the effects greater sage-grouse management has upon livestock grazing management.	All	Both	rmc0010RM
807.	Management prescriptions must reflect multiple use resource principles. Congressional mandates, federal statutes, and implementing regulations call for multiple uses on BLM-administered lands. WDA particularly believes BLM should specifically include the Congressional policy expressed in the Federal Land Policy and Management Act of 1976 (FLPMA) about livestock grazing in the Amendment. FLPMA Sec. 102{8) states "The Congress declares that it is the policy of the United States that ... the public lands be managed in a manner ... that will provide food and habitat for fish and wildlife and domestic animals ... " Through experience we have learned many in the public are unaware of this Congressional policy. Yet that policy is critical to livestock grazing in planning area. It is critical that FLPMA is expressed in the EISs/SEISs.	All	BLM	rmc0010RM
808.	Active collaboration between local cooperators, state cooperators, and BLM and FS officials is key to successful planning. Cooperating agency meetings allow cooperators to discuss and have a shared knowledge of objectives, concerns, existing conditions, and desired conditions. They also help build a confidence in and support for proposed actions. We request meetings of cooperators to help develop goals, objectives, management actions, alternatives, and Draft and Final documents.	All	Both	rmc0010RM
809.	The EPA has reviewed the BLM's December 9, 2011 Federal Register NOI in accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Our review of the EIS prepared for the proposed action will consider the expected environmental impacts and the adequacy of the EIS in meeting procedural and public disclosure requirements of the NEPA. A copy of our rating system is enclosed.	All	Both	rmc0020RM RMC0077gb
810.	The EPA strongly supports the BLM's and U.S. Forest Service's (FS) efforts to incorporate consistent objectives and conservation measures for the protection of greater sage-grouse and its hahitat into relevant Resource Management Plans and Land and Resource Management Plans. We are providing comments to inform the BLM and FS of items we believe warrant consideration in forthcoming NEPA analyses for the National Greater Sage-Grouse Planning Strategy. Our intent is to assist BLM in that effort.	All	Both	rmc0020RM rmc0077gb

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811.	We recognize that as land use and land management plans are developed, there will likely be challenges to consider when developable, resource rich areas are in close proximity to greater sage-grouse conservation areas. Seasonal and location restrictions designed to protect the greater sage-grouse could also result in unintended impacts on other environmental resources, such as air and water quality and wetlands. For example, if energy or mineral development is concentrated temporally or spatially away from greater sage-grouse habitat, cumulative impacts on high value air resources (e.g., Class I areas) and water resources may become significant. The EPA recommends that the EISs explain how the ELM plans to make project-level decisions when faced with natural resource protection trade-offs. We encourage ELM to consider relative resource values and discuss in the EIS whether or not, and under what circumstances, changes that beneficially or adversely impact greater sage-grouse would be allowed.	All	Both	rmc0020RM rmc0077gb
812.	In light of ELM's role of carrying out the multiple use doctrine, we support processes and tools that involve as many stakeholders as possible in a transparent and collaborative process designed to facilitate clear understanding of the scope of decisions being made. One component of ensuring that the planning process is well understood by as many stakeholders as possible would be to ensure that up-to-date and detailed greater sage-grouse conservation planning strategy maps are readily available in the EISs and on ELM's website.	All	Both	rmc0020RM rmc0077gb
813.	Priority and General Greater Sage-Grouse Habitat The identification of priority and general habitat areas is an important aspect of this planning process. It will be important to understand how and why these designations could change, as the changes could affect the level of impacts to the environment. We recommend that the EISs describe the process by which priority and general habitat land designations could change over time and the criteria or circumstances that would be part of that process.	All	Both	rmc0020RM rmc0077gb
814.	Adaptive Management. Mitigation and Monitoring We understand from the NOI that ELM is committing to base the RMP and LMP amendments on the principles of adaptive management. We strongly support this approach and recommend that adaptive management plans include: • A timeline for periodic reviews and adjustments, as well as a mechanism to consider and implement additional mitigation measures, as necessary. • Specific thresholds that would trigger changes in management actions, monitoring or mitigation. • Criteria for determining whether additional mitigation measures are needed. • A commitment to implementation of the proposed monitoring plan. We agree with the Sage-Grouse National Technical Team's conclusion that the standardization of monitoring methods and implementation of a defensible monitoring approach is vital if BLM and other conservation partners are to use the resulting information to guide implementation of conservation acllviiles.	All	Both	rmc0020RM rmc0077gb
815.	The EPA especially supports recommendations for mitigation and monitoring from the following resources: • CEQ's January 14,2011 guidance on "Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated Findings of No Significant Impact."2 • Chapter 4 of the 2003 report to CEQ, "Modernizing NEPA Implementation" for information on factors, approaches and considerations relating to adaptive management and monitoring.'	All	Both	rmc0020RM rmc0077gb
816.	The Greater Sage-Grouse core area protection strategy, set forth in Executive Order 2011 -5, is Wyoming's long-term strategy for the conservation of the Greater Sage-Grouse and its habitat. The BLM and USFS have served as members of the Sage-Grouse Implementation Team with equal opportunity for input in the development of that strategy. We should keep to this good plan, not deviate from it. I request that the BLM and USFS analyze the management strategy outlined in Executive	All	Both	rmc0032RM

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	Order 2011 -5 and adopt its conservation measures in all land use plans in Wyoming.			
817.	As we move forward with a rangewide conservation strategy, it is important that we develop a process to conserve and restore habitats for Greater Sage-Grouse on a landscape scale. With that in mind, I request that future land use plans recognize the potential for off-site compensatory mitigation regardless of ownership, including federal lands, within and outside current core areas, as an effective conservation measure.	All	Both	rmc0032RM
818.	Land use plans should include permit incentives that accelerate restoration of degraded habitats on all lands that support sage-grouse. This should include adequate consideration of the use of non-native vegetation to prevent loss of habitat from wildfire, restoration of habitats associated with previous disturbances, and aggressive reclamation of activities permitted under current plans. At the same time, land use plans should address development practices in Greater SageGrouse core areas for the least possible disturbance required for those activities. Specifically, right-of-way development, well locations, and other surface disturbances should be designed to meet the overall objective of minimal surface disturbance in Greater Sage-Grouse habitat, rather thanjust standard engineering and siting protocols.	All	Both	rmc0032RM
819.	Our comments include an alternative for agency planners to analyze and consider in the planning process. As noted in BLM Instruction Memorandum 2012-044, the BLM must consider a reasonable range of alternatives in the sage-grouse planning process in accordance with the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq). The Council on Environmental Quality has also promulgated regulations stating that alternatives are the "heart" of NEPA planning and that federal agencies must "rigorously explore and objectively evaluate all reasonable alternatives" (40 CFR § 1502.14). The Forest Service Handbook states that the purpose and intent of alternatives are to "ensure that the range of alternatives does not foreclose prematurely any option that might protect, restore and enhance the environment" (FSH ch. 20 § 23.2). Even an alternative that prescribes measures that are outside the legal jurisdiction of the lead agency must still be analyzed in an EIS if it is reasonable (46 Fed. Reg. 18026, 18027). Our alternative, the "Sage-Grouse Recovery Alternative" (recovery alternative), is reasonable and scientifically sound. It seeks to maintain and increase current sage-grouse abundance and distribution by conserving, enhancing and restoring sagebrush steppe. It is an evidence-based alternative that takes a precautionary approach to resource management. It will likely differ from other alternatives developed in the planning process in at least two key ways: 1. The Sage-Grouse Recovery Alternative prescribes additional, and more restrictive, conservation measures than the Report on National Greater Sage-grouse Conservation Measures. The BLM convened a Sage-Grouse National Technical Team (NTT) in 2011 to review information on sage-grouse and sagebrush steppe and produce "A Report on National Greater Sage-grouse Conservation Measures" (SGNTT 2011). The BLM will primarily consider management recommendations in that report in the planning process (BLM Memo 2012-044). However, the NTT's assessment and recommendations for some planning issues, such as livestock grazing and associated infrastructure, vegetation management, invasive plants, fire management, and wind energy development, are insufficient to robustly conserve sage-grouse across its range. The Sage-Grouse Recovery Alternative incorporates information from other agency and peer-reviewed references to make additional and stronger management prescriptions for these land uses and related effects. 2. The Sage-Grouse Recovery Alternative recommends that the BLM designate a system of Areas of Critical Environmental Concern (ACECs) to conserve sage-grouse and other sagebrush-dependent species. The planning notices invite the public to propose ACECs in scoping comments (76 Fed. Reg. 77011). The Sage-Grouse Recovery Alternative	All	Both	emc0391GB

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	recommends criteria for identifying a system of ACECs (BLM) and Sagebrush Conservation Areas (USFS) rangewide to serve as refugia for sage-grouse and other species. These differences are significant and warrant separate and complete analysis and consideration in the planning process. As the Sage-grouse Recovery Alternative will be different from other alternatives and presents a reasonable program for conserving sage-grouse and their habitat, we intend for it to be published and analyzed as a stand-alone alternative in planning documents.			
820.	The planning notices identify 68 BLM planning areas and 20 USFS land management plans that may be affected by the announced planning process (76 Fed. Reg. 77009-77010; 77 Fed. Reg. 7178) (the BLM National Greater Sage-grouse Planning Strategy states that the planning effort will affect 73 BLM planning units (BLM 2011b: 1); we generated Table 1 from multiple BLM sources, listing 80 BLM planning units that may be affected by the planning process). As conservation organizations have previously advised, all federal departments and agencies that manage sage-grouse habitat should be involved in the planning process, including the BLM, USFS (National Forest System, see below), FWS (National Wildlife Refuge System), National Park Service, the Bureau of Reclamation, and the Departments of Energy and Defense. All federal lands with Greater Sage-grouse habitat should be included in the planning process—currently millions of acres of federally managed Sage-Grouse Recovery Alternative Ï Page 5 of 121 habitat would not be covered in the process (see Appendix 1). Failure to conserve sagegrouse on these lands could require listing the species under the Endangered Species Act.	All	Both	emc0391GB
821.	The planning process should also include all federal agencies that fund, permit, or monitor activities or resources on public or private land that affect sage-grouse, including the Federal Energy Regulatory Commission, Environmental Protection Agency, Natural Resources Conservation Service, Farm Services Agency, and the Army Corps of Engineers. The U.S. Geological Survey possesses much important information and expertise on sage-grouse and sagebrush steppe and should also be involved	All	Both	emc0391GB
822.	No current BLM plans have considered or incorporated the NTT report recommendations (or the recovery alternative), and so every BLM planning unit with sage-grouse habitat must be amended by the planning process, regardless of whether they are currently under revision or the status of their revision. Table 1 lists BLM planning units that may be affected by the planning process.	All	Both	emc0391GB
823.	The announced planning process would affect 20 USFS land use plans (76 Fed. Reg. 77010; 77 Fed. Reg. 7178).2 The planning process should include all USFS units that contain sagegrouse habitat (see Appendix 3). Failure to include all affected USFS units in the planning process and to amend those land use plans with sage-grouse conservation measures could hinder conservation and recovery of the species, particularly at the periphery of its range.	All	USFS	emc0391GB
824.	The BLM and USFS specifically identified a reference to inform the planning process (in addition to the NTT report): the Western Association of Fish and Wildlife Agencies (WAFWA) Conservation Assessment of Greater Sage-grouse and Sagebrush Habitats (Connelly et al. 2004) (76 Fed. Reg. 77010). Planners should also consult Greater Sagegrouse: Ecology and Conservation of a Landscape Species and Its Habitat (Knick and Connelly 2011),4 a seminal reference that updates and expands on the WAFWA publication, as well as other peer-reviewed scientific information (e.g., references cited in 75 Fed. Reg. 13910).	All	Both	emc0391GB
825.	While the BLM planning directive requires planners to analyze and consider the same conservation measures in EISs (i.e., the measures in the NTT report), it "expects" that measures may be variously and varyingly applied at regional and sub-regional	All	Both	emc0391GB

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	levels (BLM Memo 2012-044). While some variation is reasonable to address local ecological conditions, federal agencies must avoid developing and applying significantly different management prescriptions across sage-grouse range. A series of local plans that, for example, deviate from rangewide prescriptions to accommodate local economic interests and land uses could result in the same deficient, patchwork management that FWS previously determined to be inadequate to conserve sage-grouse in its "warranted, but precluded" listing determination (75 Fed. Reg. 13910).			
826.	In addition to prescribing the same or very similar conservation measures for sage-grouse rangewide, the multiple EISs must require that each covered RMP and LMRP adopt those measures. Conservation measures cannot be optional or left to interpretation, or some BLM field offices and national forests and grasslands may choose not to implement them, or implement them differently than planners intended, resulting once again in varying and patchwork management schemes for sage-grouse.	All	Both	emc0391GB
827.	The BLM and USFS must not delay implementing improved conservation measures for Greater Sage-grouse. Unfortunately, BLM interim planning guidance prescribes less restrictive conservation measures than are even included in the NTT report (BLM Memo 2012-043). The BLM and USFS should issue new interim guidance based on conservation measures in the NTT report	All	Both	emc0391GB
828.	BLM planning guidance requires that the agency address planning issues and follow planning criteria when developing and revising land use plans (BLM Handbook 1610-1). Planning criteria guide the development of a plan by defining the planning space involved. The planning space is bounded by legal obligations and by existing policies and decisions relevant to the issues being Sage-Grouse Recovery Alternative Ï Page 9 of 121 addressed. The criteria are then used to select the preferred alternative. Described another way, the preferred alternative must meet the planning criteria. The planning criteria and issues associated with the recovery alternative draw on objectives and guidelines for sage-grouse conservation in the NTT report and other sources: • Designate priority sage-grouse habitat in each WAFWA management zone (Stiver et al. 2006) across the current geographic range of sage-grouse that are large enough to stabilize populations in the short-term and enhance populations over the long-term. • Maintain or increase current sage-grouse populations, and manage or restore priority habitat so that at least 70 percent of the land cover provides adequate sagebrush habitat to meet sage-grouse needs. • Protect priority habitat from large-scale anthropogenic disturbances that will adversely affect sage-grouse distribution and abundance at any level. Disturbances include but are not limited to highways, roads, transmission lines, substations, wind turbines, oil and gas wells, heavily grazed areas, range developments, severely burned areas, pipelines, landfills, mines, and vegetation treatments that reduce sagebrush cover. • If priority habitat cannot be protected from disturbance (e.g., due to valid existing rights), minimize impacts by limiting permitted disturbance to one instance per section of sage-grouse habitat regardless of ownership, with no more than three percent surface disturbance (or, where stipulated, implement the disturbance cap prescribed in the applicable state conservation plan, whichever is more protective). • Ensure that unavoidable small scale disturbances do not cumulatively disturb more than three percent of each priority area. • Increase the amount of protected priority habitat by aggressively using available tools to resolve land use conflicts, including fluid mineral lease retirement, voluntary grazing permit retirement, mineral withdrawal, coal unsuitability findings, and mineral claim buyout. • Reduce road density in priority habitat, and establish exclusion areas for new right-ofway permits. • Ensure that disturbance or land uses permitted outside priority habitat do not negatively impact sage-grouse populations in priority	All	Both	emc0391GB

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	habitat. • Manage range resources to meet sage-grouse habitat objectives. • Only implement vegetation treatments that are demonstrated to benefit sage-grouse and retain sagebrush height and cover consistent with sage-grouse habitat objectives. • Design and implement fuels treatments to protect existing sagebrush ecosystems and support sage-grouse habitat objectives. • Require adequate protections for sage-grouse general habitat to maintain habitat connectivity, and support sage-grouse persistence and management goals in priority habitat. • Identify sage-grouse restoration habitat; use primarily passive restoration to restore these areas to support sage-grouse objectives. • Designate sagebrush reserves (ACECs, SCAs) and develop management stipulations to achieve sage-grouse conservation goals. • Ensure that plan implementation includes both agency and independent verification through collaborative monitoring (BLM Handbooks H4180-1, H16109). • Evaluate actions using independent peer review standards (OMB 2004). • Provide a linked sequence of measurable objectives for goals, needed land use prescriptions, actions taken to resolve identified issues, and verifiable monitoring. • The preferred alternative should be achievable under current and foreseeable agency resources.			
829.	The BLM's list of issues is incomplete. Connelly et al. (2011: 555-556, Tables 24.1, 24.2) reviewed literature and listed additional threats to sage-grouse that likely exist on federal land, including conifer encroachment, West Nile virus, seeded grassland, fences, power lines, vegetation treatments, roads, and reservoirs. It is unclear if BLM and USFS will address conifer encroachment/expansion, West Nile virus, seeded grassland and vegetation treatments as part of "Greater Sage-grouse habitat management." The NTT report also listed a few additional threats that degrade or fragment habitat or affect sage-grouse, including geothermal energy development, landfills, and residential development (SGNTT 2011: 8). The agencies should address all of these factors in the planning process	All	Both	emc0391GB
830.	Some threats to sage-grouse are more important than others. An expert panel convened by the U.S. Fish and Wildlife Service ranked threats to the species. They are, in order: invasive species, Sage-Grouse Recovery Alternative Ï Page 15 of 121 infrastructure related to energy (natural gas and oil) development and urbanization, wildfire, agriculture, grazing, energy development, urbanization, strip/coal mining, weather, and pinyonjuniper encroachment (70 Fed. Reg. 2267). The panel noted that energy development (70 Fed. Reg. 2264) and infrastructure related to energy development (70 Fed. Reg. 2258) are of greater concern in the eastern part of sage-grouse range, and wildfire (in part fueled by invasive plants) (70 Fed. Reg. 2265) is more important in the western portion of the range. Disease, predation, hard-rock mining, hunting and environmental contaminants were considered to be of lesser importance to sage-grouse (70 Fed. Reg. 2267). The individual synergistic and cumulative effects of land uses and related effects continue to fragment, degrade and eliminate sage-grouse habitat across its range (Connelly et al. 2011). Federal planners must fully analyze these threats, develop conservation and mitigation measures and apply them rangewide to conserve and recover sage-grouse. Some of the most pervasive threats to sage-grouse are briefly reviewed below	All	Both	emc0391GB
831.	SAGE-GROUSE RECOVERY ALTERNATIVE The Sage-Grouse Recovery Alternative is submitted as a complete alternative to be analyzed and considered for the sage-grouse planning process in accordance with NEPA. The recovery alternative incorporates the planning criteria and issues described above. The management prescriptions are based on the conservation measures in the NTT report (SGNTT 2011: 11-28), although they also differ from the NTT recommendations in key areas. The alternative includes some prescriptions additional to those in the NTT report, and rejects some NTT recommendations. These differences are identified in the recovery alternative in Appendix 7. The recovery alternative is	All	Both	emc0391GB

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	comprehensive, reasonable and feasible to implement, and we expect it will be published as a stand-alone alternative. We encourage the BLM and USFS to consult with us about any elements that may appear unclear or could be more appropriately described. We also request planners to communicate with us about any needed modifications in format for ease of comparison with other alternatives			
832.	We also strongly encourage the participating federal land management agencies to use this broad scale planning process to achieve landscape-scale, ecosystem-based conservation improvements across the entire sagebrush steppe ecosystem. NOTE: Comment emc0339GB includes attachments	All	Both	emc0339GB
833.	In an effort to help frame and appropriately structure this critical conservation planning effort, Defenders would like to touch on several key areas that we believe must be effectively addressed in order for this process to be successful. Please note that we are also signed onto two group letters, one covering the Rocky Mountain region and one covering the Great Basin region, including an endorsement for the proposed "Recovery Alternative" developed by a coalition of conservation groups. In particular, we are focused on ensuring that this planning process is efficient, effective, and transparent, and that it includes all the necessary components to ensure the conservation and recovery of greater sage-grouse and the sagebrush steppe ecosystem over the long term. Please consider the following recommendations.	All	Both	emc0339GB
834.	A scientific panel selected by the BLM outlined conservation measures that are an important starting point for this process, in the 2011 'Report on National Greater Sage-Grouse Conservation Measures'. These conservation measures should be put into practice to the fullest extent possible throughout the greater sage-grouse range. The agencies should analyze an alternative that fully incorporates the recommended conservation measures across a large proportion of priority habitat. The subset of priority habitat must be of sufficient size to meet the goal of maintaining and enhancing greater sage-grouse populations. Application of these measures in a subset of priority habitat should be combined with the measures recommended previously for consideration in all alternatives.	All	Both	emc0339GB
835.	The BLM and FS should also consider an alternative that offers a level of conservation protection (i.e. increases the probability of effective conservation and recovery of the species across its range) beyond the NTT Report. Such an alternative should include conservation measures recommended by the NTT Report and also incorporate improvements to the NTT's recommendations, such as ensuring that disturbance or uses that are permitted adjacent to priority habitat don't negatively impact sage-grouse populations in priority habitat, and including small or isolated populations (such as those along the periphery of the greater sage-grouse's range) in priority habitat. Defenders endorses the use of the "Recovery Alternative" created and submitted by a coalition of conservation organizations.	All	Both	emc0339GB
836.	Given inherent uncertainty surrounding the efficacy of natural resource conservation measures, plus the uncertain compounding effects of variable stressors such as climate driven impacts to population viability and recovery, successful sage-grouse conservation will require the BLM and FS to establish and sustain (through funding commitments) rigorous monitoring and adaptive management strategies. The NOI indicates that adaptive management will be used. We strongly encourage the agencies to partner with the scientific community to develop a scientifically legitimate adaptive management strategy that commits to reduce uncertainty and improve conservation through the use of ecologically grounded quantitative thresholds and analysis rather than simply providing the agencies with inordinate flexibility and discretion to perform risky, and potentially counterproductive, "trial and error" management. As we discuss below, the ability of this program to	All	Both	emc0339GB

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	demonstrate its effectiveness, both as it is developed and "modeled", and over time through implementation, will be vital for successful sage-grouse conservation. To benefit BLM and FS in this work, in Appendix 1 we provide additional information regarding what is needed for a strong monitoring and adaptive management framework. NOTE: This letter included an attachment, Appendix 1			
837.	The agencies should work with the Fish and Wildlife Service (FWS), in a thoroughly transparent manner, throughout this process to rigorously evaluate and determine whether protections created by this process are adequate regulatory mechanisms under the ESA, a question that FWS will ultimately answer. Methods for assessing the sufficiency of the conservation measures must be based on clear, measurable criteria that rigorously evaluate and project the effectiveness of the conservation measures including the likelihood that they will be enforced within agency planning and decision-making processes. We stress the fact that the effectiveness of conservation measures can only be verified by monitoring and legitimately constructed science-based adaptive management strategies that incorporate meaningful, quantifiable, conservation management thresholds that indicate when conservation objectives may be at risk of being missed. BLM and FS should be transparent throughout their analysis and share with the public their desired conservation outcomes, objectives, assumptions, values, and strategies.	All	Both	emc0339GB
838.	There are a number of key requirements for adequate regulatory mechanisms under the ESA, a few significant ones are listed here: - The planning process must be complete, and strong on the ground sage-grouse protections must be in place before FWS goes through the listing decision process. - The mechanisms created by this process should be comprehensive and address all the threats to the greater sage-grouse. - Plan amendments must come in the form of mandatory, measurable (i.e. able to be subject to monitoring and adaptive management) standards for sage-grouse conservation, not just voluntary unenforceable measures or guidelines that can be deviated from. - Adaptive management strategies must effectively incorporate science-based conservation thresholds (i.e. triggers) in combination with mandatory standards (For more information, see Appendix 1).	All	Both	emc0339GB
839.	It is also important that BLM and FS not engage in this process under the assumption that as long as "some" regulatory mechanisms are put in place, those will be sufficient to avoid listing. Instead, BLM and FS should approach this conservation and recovery planning process with the possibility that listing could still occur, and use this process to both try to avoid listing and to be better prepared if listing is unavoidable. One example of pre-listing conservation activities leading to better outcomes is the listing of the Canada lynx. In that instance, conservation planning efforts done prior to the listing, including working with diverse stakeholders, lead to a smoother transition when the species was listed and avoided major conflicts over activities within the lynx range. One way to accomplish better outcomes is to develop and implement agreements to conserve the sage-grouse before FWS makes a listing decision. In addition to candidate conservation agreements, BLM should work with FWS to develop pre-listing mitigation "pilot projects" for the sage-grouse, in which FWS would explicitly recognize the benefits of pre-listing conservation actions for the species, and then allow those benefits to offset adverse impacts to the species if it is listed. FWS recently issued an advance notice of proposed rulemaking to request comments on this idea. We encourage the BLM to work with FWS to develop pilot projects that implement the following policy recommendations: - Provide regulatory certainty to both federal and non-federal project participants. Regulatory certainty means that FWS provides participants with a guarantee that if their pre-listing conservation measures achieve specified	All	Both	emc0339GB

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	biological outcome, FWS will issue credits for those measures and allow the credits to be used to offset certain adverse impacts that occur after listing. Regulatory certainty does not mean giving federal agencies "No Surprise" Assurances under section 10 of the ESA. FWS can provide regulatory certainty by conducting an ESA section 7(a)(4) conference on its approval of a pre-listing mitigation agreement. - Net conservation benefit standard. Consistent with our recommendations in other sections of this letter, each pilot project should result in a net conservation benefit for the greater sage-grouse. This means that the benefits of the pre-listing mitigation actions must exceed the adverse effects resulting from the post-listing activities to be offset. - Mitigation only. Pre-listing mitigation actions should satisfy only post-listing mitigation requirements, not avoidance or minimization requirements that might be required if the species is eventually listed under the ESA. - Duration of mitigation measures. In certain situations, FWS should give landowners credit for temporary mitigation measures, provided that the impacts being offset are also temporary and that the species experiences a net conservation benefit. - Timing of credit issuance. As a general matter, FWS should not issue credits for pre-listing mitigation measures until FWS concludes that those measures have a very high likelihood of achieving their biological goals and resulting in a net benefit for the species.			
840.	Take a multi-species, landscape-level, ecosystem focused approach We encourage the agencies to consider using the sage-grouse conservation planning effort as a vehicle to meet their ancillary policy obligations and secure necessary conservation gains for other sagebrush ecosystem associated species of conservation concern. In order to achieve these conservation efficiencies, the BLM and FS should optimize expenditure of time and resources on sage-grouse conservation by: (1) conducting requisite analyses and developing conservation strategies on a landscape basis and (2) also analyzing the potential conservation co-benefits that could be conferred on other species such as pygmy rabbit and Brewer's sparrow by considering all species of concern associated with the sagebrush ecosystem as a part of the overall process of developing a conservation strategy for the sage-grouse. The associated environmental impact studies and analysis must ensure that individual Environmental Impact Statements prepared as a part of this overall strategy permit the public, state and federal agencies, and other stakeholders to understand the cumulative effects of management actions undertaken in accordance with this conservation strategy across the entire range of the sage-grouse. That is, when completed, these studies must provide a complete picture of how the alternative conservation strategies proposed under individual Environmental Impact Statements "add up to" a conservation strategy that will achieve the conservation objectives for the sage-grouse that are required to conserve the species. In addition, in each Environmental Impact Statement developed in accordance with this overall conservation strategy, we urge the BLM and FS to also analyze and consider alternatives that provide conservation benefits to other sagebrush steppe species of conservation concern. A targeted multispecies approach is more efficient than a narrow single-species approach, it takes advantage of the opportunity at hand, and provides the federal land management agencies added ecosystem and species-scale conservation benefits from work already being done.	All	Both	emc0339GB
841.	One multi-species approach would be to use anticipated conservation benefits to other species as a positively weighted factor in the development, comparative analysis, and selection of sage-grouse conservation alternatives and development of conservation measures and reserve design. For example, alternatives which consider, in addition to targeted sage-grouse conservation standards, broad, habitat-based conservation measures that confer conservation benefits to other species could be given additional consideration in decision making as providing broad conservation opportunities for the sage brush	All	Both	emc0339GB

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	ecosystem, not just one species. An example that could inform a multispecies approach is the BLM's Threatened and Endangered Species Fund, which targets "low hanging fruit"projects where relatively cheap intervention can lead to downlisting and delisting of species. With only $2 million in its budget last year, the Fund worked toward delisting a dozen species. The decision making and targeting process that goes into management of the Fund could be used to determine affordable and easy ways to add on benefits that could be incorporated into this planning process moving forward.			
842.	Plan and manage for recovery, and establish a "net conservation benefit" standard for mitigation Bureau of Land Management (BLM) special status species policy provides clear direction to put in place necessary protections to avoid ESA listing, requiring the agency to not only minimize threats to sensitive species, but also "improve the condition of the species habitat" and "initiate proactive conservation measures" to minimize the likelihood of ESA listing. Forest Service (FS) regulation and policy gives similar direction to provide for the diversity of plant and animal communities and to, among other things, develop and implement management practices to ensure that species do not become threatened or endangered because of Forest Service actions and maintain viable populations of all native wildlife. These regulations and policies provide a framework for this planning process and set the stage for strong measures and standards to protect and recover the greater sage-grouse. In order to ensure the success of this process at conserving and recovering greater sage-grouse, the agencies must do more than stop sage-grouse decline, they must lay the groundwork for recovery and long-term conservation of the species. In order to do this, and in order to comply with agency regulation and policy, it is necessary to 1) establish conservation measures (including restorative actions) and apply and enforce effective conservation standards that will contribute to the recovery of sage-grouse populations across their range and 2) develop a mitigation framework and policies that achieve a measurable "net conservation benefit" standard. Only with proactive conservation efforts and an insistence that activities that are detrimental to the sage-grouse be effectively mitigated can the species recover. This is especially important considering the current status of the species. The sage-grouse is "warranted" for listing under the Endangered Species Act, a status indicating that it is not only in decline, but has declined so far as to deserve ESA protections. Thus, simply holding steady at the status quo is insufficient.	All	Both	emc0339GB
843.	In the development and application of mitigation measures, the concept of "net conservation benefit" implies a higher bar than the traditional goal of "no net loss" and requires a demonstration (verified through outcome monitoring) that benefits to habitats or species subject to mitigation requirements will be greater than they would if no development occurred. This can be achieved through targeting of mitigation investments to larger-scale, sustained conservation actions (i.e. habitat acquisition or restoration of lands in existing ownership) in priority landscapes with broader conservation values that are more likely to be sustained over time. Compared to traditional on-site, in-kind mitigation, the landscape approach offers developers more flexibility and efficiency in meeting mitigation obligations like a "net conservation benefit" standard; in exchange, mitigation actions are expected to contribute to broader ecosystem recovery and health, rather than simply maintaining the status quo.	All	Both	emc0339GB
844.	Coordinate effectively and transparently with other agencies and the public We have significant concerns with the way this scoping process is designed. Specifically, the public has been asked to provide input and comments through scoping letters without the benefit of knowing how many EISs will be prepared, what areas they will cover, and whether and how existing and ongoing sage-grouse efforts will be incorporated. Based on what we have been told, different EISs will be looking at	All	Both	emc0339GB

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	different landscapes and threats throughout the west, but we assert that the outcomes, in terms of the level of protection for the sage-grouse, must be consistent across the range. For example, if one Resource Management Plan adopted significantly fewer or less effective conservation measures, this would pose a serious problem that runs counter to the purpose of the planning effort. Given the legitimate concerns that conservation measures will be inconsistently applied and could vary due to non-conservation based variables, the federal land management agencies should take all necessary steps within the analyses and interactions with the public, to demonstrate how variation in conservation measures, if they do indeed occur, will result in sage-grouse conservation across all planning areas and across the range of the species.			
845.	Effective conservation of the sage-grouse will require agencies and stakeholders to cooperate at all levels of organization. It will also be important that BLM and FS work effectively with each other and with other agencies through this process. One important shortcoming so far has been the availability of Interim Habitat maps. Both the BLM National Greater Sage-Grouse Land Use Planning Strategy (IM 2012-044) and the Greater Sage-Grouse Interim Management Policies and Procedures (IM 2012-043) reference Preliminary Priority Habitat and Preliminary General Habitat data to identify key sage-grouse habitat, dictate management prescriptions and analyze conservation actions within those areas. Both Instruction Memorandums suggest that this information is available to the public through the respective state agencies, however, it has been our experience that such availability is severely limited or nonexistent, depending on the state agency involved. We urge BLM and FS to remedy this as soon as possible and make the Preliminary Priority and General Habitat, as well as all other relevant information, available to the public.	All	Both	emc0339GB
846.	The role of the Forest Service in this process is of particular interest to us. The Forest Service operates under wildlife protection regulations and policies that are unique from those that govern the BLM. We therefore expect that the Forest Service will not only meet all of their existing statutory, regulatory and policy obligations in this conservation and decision making process, but will also strive to embrace emerging conservation policy goals found in the newly released National Forest Management Act planning regulations. For example, on Forest Service planning units, conservation standards must ensure viable, resilient and adaptable sage-grouse populations within those planning units. In addition, in order to be compatible with new ecosystem and wildlife policy found in the NFMA regulations, conservation planning for sage-grouse should also be viewed as an opportunity to not only contribute to the conservation of a candidate species, but to restore the ecological integrity of Forest Service lands and neighboring land owners with a conservation interest in sage-grouse, for example by considering the sage-grouse in forest planning as a focal management species whose conservation condition is indicative of the health and integrity of the broader ecosystem.	All	USFS	emc0339GB
847.	Lastly, rather than develop narrow conservation approaches on FS and BLM lands, we would strongly argue that both federal land management agencies would benefit from a broader, "all lands" and ecosystem approach to sage-grouse conservation, recognizing that the restoration of ecosystem integrity is an overriding goal in agency planning and management policy. In fact, conservation and recovery of sage-grouse populations is unlikely to successfully occur without considering the broader health of both public and private ownerships within the ecosystem.	All	Both	emc0339GB
848.	In addition, the U.S. Fish and Wildlife Service should join the BLM and FS as a partner agency in this process. We strongly believe that the existing and potential contributions of the National Wildlife Refuge System to securing a future for greater sage-grouse are invaluable and that their integration will result in a final strategy that maximizes the ability of federal land	All	Both	emc0339GB

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	management agencies to promote sage-grouse conservation. This planning strategy is intended to incorporate regionally appropriate, science-based conservation measures into land-use planning efforts throughout the range of the greater sage-grouse. Currently, twenty one units of the National Wildlife Refuge System are found within the range of greater sage-grouse, covering over one million acres of public land. Understanding what planning successes have been achieved, where shortfalls exist and where expansion of the refuge system may be justified will contribute to the success of greater sage-grouse conservation and recovery.			
849.	Incorporate lessons learned in Oregon Some of the sage-grouse management policies currently in place in Oregon at the state level provide additional guidance for BLM and FS. For example, Oregon Department of Fish and Wildlife developed a whitepaper outlining habitat mitigation for greater sage-grouse under a core area approach that provides a framework for protecting core habitat areas and properly mitigating development in non-core sagebrush steppe areas. This whitepaper is attached for your reference in Appendix 2. NOTE: attachment referenced	All	Both	emc0339GB
850.	In addition, Defenders is working within the state of Oregon to advocate for a landscape level approach to planning for development in sage-grouse range. Landscape-level planning can provide a forum for balancing the need for siting of new energy development and transmission facilities with wildlife needs and other conservation values. Geographic information systems technology and computer models allow evaluation of alternative future scenarios and assessment of cumulative effects. These planning efforts, conducted on a regional scale, would provide the basis for development of a decision support tool that provides geographic priorities to guide and inform siting decisions at the state, federal and local levels. Siting priorities should balance the need for renewable energy and other development with the needs of wildlife and local communities, and represent a shared vision for long-term conservation of natural resources. We encourage the adoption of a landscape approach to mitigation in the state of Oregon and by BLM and FS through this planning process. Such an approach should be based on conservation priorities and provide more efficient and effective options to offset impacts of permitted development.	All	Both	emc0339GB
851.	An additional source of information for analyzing climate impacts across the sagebrush ecosystem are the Rapid Ecoregional Assessments (REAs), currently underway at BLM. The assessments are intended to provide a better understanding of ecological conditions and to provide the necessary information for better conservation and restoration of ecosystems and resources. The BLM and FS should take advantage of the information made available through the final REAs in the coming years to provide baseline information for greater sage-grouse management and to help guide decisionmaking toward better outcomes that more effectively deal with the threat of climate change.	All	Both	emc0339GB
852.	Maintaining greater sage-grouse population numbers and connectivity throughout the planning area will play a key role in preserving the species. The science is clear: the best scenario for improved sage-grouse abundance and distribution is to conserve habitats with existing populations and then work outward from those core areas to improve habitats in more peripheral areas. Biologically important sage-grouse habitat throughout the range should be managed conservatively, including in areas of high renewable energy potential.	All	Both	emc0339GB
853.	We acknowledge that BLM is under tremendous pressure to develop conservation measures for the Greater Sage-grouse within an exceptionally short period of time as an effort to ward off listing of the species. However, in addition to our concern that BLM is jettisoning its commitment to multiple-use of public lands, we are alarmed that the conservation	All	Both	emc0340GB

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	measures outlined in the Report on National Greater Sage-Grouse were summarily adopted without public vetting and input. The purported "Platinum Standards" were established by a Sage-Grouse National Technical Team (NTT) that worked with a singular focus without benefit of others with exemplary expertise in the field, most notably the State of Wyoming which has developed a collaborative management approach to managing Sage-grouse and its habitat. It also ignored comments from the Colorado Division of Wildlife which raised concerns regarding the methods utilized. Before moving forward with this extremely narrow and injudicious approach, we recommend that BLM rely upon efforts led by States to utilize a collaborative technical team consisting of not just federal agencies but the oil and gas industry, mining, cattlemen associations or ranchers, along with other stakeholders to formulate a sensible strategy which can clearly define and implement priority habitat selection criteria and disturbance calculation criteria. These State-derived plans must serve as the basis for all preferred alternatives since they will support State derived population goals for the birds they own. It should be noted that for similar actions, such as the Wyoming Sage Grouse Core Area Executive Order, New Mexico Dunes Sagebrush Lizard Conservation Plan, and other species conservation plans, several years were required to finalize properly vetted documents which took into consideration the needs and views of the many stakeholders involved. Clearly, as stated throughout the December 2011 National Greater Sage-grouse Conservation Measures and Planning Strategy, it will be left to state wildlife agencies, the oil and gas industry, and other stakeholders to implement these new conservation and monitoring strategies.			
854.	As described, it is ambiguous how an analysis will be performed to determine priority habitat requirements and boundaries within federal management units. It is equally ambiguous how boundaries will be drawn and which criteria will be employed when drawing boundaries between priority, general, and associated habitat. Again, the agencies must rely upon the States to lead this effort as they are best equipped to identify not only priority habitats but also those lands which provide economic sustainability and tax revenues. It is inappropriate for the BLM and Forest Service to make such decisions. Moreover, the agencies' intent to designate priority habitat on non-federal lands must not be made without input from the States even if it delays schedules. That the agencies intend to include non-federal lands in a 3% threshold for disturbance in priority habitats is of great concern because many of these lands already contain disturbances within sage brush habitat which will result in a severe reduction of allowable uses on federal land designated as priority habitat. We strongly urge the agencies to analyze in detail in all environmental impact statements a planning alternative which restricts surface disturbance only on federal lands.	All	Both	emc0340GB
855.	BLM's Sage-grouse planning strategy purports to "strike the appropriate balance of resource uses and resource conservation to ensure the short and long-term sustainability of Greater Sage-grouse habitat and populations." As such the federal agencies will attempt to incorporate consistent conservation measures as land use planning decisions into all RMPs covering occupied habitat by developing land use prescriptions to protect the species. However, the approach recommended is far from balanced because it fails to acknowledge that both the Forest Service and BLM are subject to congressionally mandated multiple-use missions. Additionally, the planning strategy is clearly designed to usurp the States' authority to manage Sage-grouse populations.	All	Both	emc0340GB
856.	The intent is "to maintain, enhance, or restore conditions that meet Greater Sage-Grouse life historic needs." Since federal agencies manage wildlife habitat resources in cooperation with States and partners in an effort to restore habitat for big game and improving habitat quality for a large variety of wildlife species, it is important for the agencies to recognize that the oil and	All	Both	emc0340GB

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	gas industry has been an active participant in a number of such efforts. Industry has gone to great lengths to document the effectiveness of mitigation and conservation measures it has implemented in Colorado, Montana, Utah and Wyoming in order to minimize potential impacts to the Sage-grouse. In comments submitted in 2008 to the US Fish and Wildlife Service, IPAMS (now Western Energy Alliance) and the American Petroleum Institute provided examples of conservation and mitigation measures utilized by the industry around the Greater Sage-Grouse range. PAW submitted similar comments through the Wyoming Governor's office, which in turn were submitted to the U.S. Fish and Wildlife Service. Sets of both these comments will be submitted as a supplement to these comments due to their size and will be labeled Attachments A and B, respectively. We caution, however, that such conservation and mitigation measures are situation-specific and cannot be employed broadly since local conditions and needs must be a major consideration when utilizing these actions.			
857.	The agencies intend to complete EISs for 68 BLM Field Office RMP amendments as well as select Forest Service (FS) management units by September 2014 in order to avoid a potential listing of the Sage-grouse under the Endangered Species Act. Due to this very short time-frame, we caution the agencies not to rush to judgment by adopting overly prescriptive conservation measures in the interest of expediency. It is crucial for the analyses to consider all relevant scientific data when developing management alternatives for each of the EISs and not to rely solely upon the conservation measures included in the recently published Greater Sage-Grouse Interim Management Policies and Procedures.	All	Both	emc0340GB
858.	The IM states, "While these conservation measures are range-wide in scale, it is expected that at the regional and sub-regional planning scales there may be some adjustments of these conservation measures in order to address local ecological site variability...It is anticipated that plans may develop goals and objectives that differ and are specific to individual planning areas." We support this acknowledgement that regional and sub-regional conservation measures may require divergent conservation measures in order to address local variability. However, it is our view that a minimum of sub-regional approach would be most appropriate allowing for local modification as necessary. We also support the direction that BLM FOs and Forest Service Ranger Districts do not need to apply the IM policies and procedures in states that have adopted their own conservation policies, such as Wyoming. Rather, it is crucial for the agencies to refrain from finalizing the preferred alternative until such time that it completes work with States to develop conservation policies and identify priority habitats. Again, until the birds are listed under the ESA they are the property of the states.	All	Both	emc0340GB
859.	Furthermore, numerous conservation measures and programs have already been implemented in nine states and others are in various stages of preparation in several counties and states which contain sage-grouse habitat through the Western Association of Fish and Wildlife Agencies (WAFWA). These efforts are taking into account site-specific conditions to ensure their effectiveness. Since BLM and the Forest Service are cooperating agencies in these efforts, we urge that these program efforts be carefully and fully considered in the analysis process.	All	Both	emc0340GB
860.	Additionally, in order to implement a truly effective management strategy, a comprehensive database is essential to maintaining a record of the type, extent, and effectiveness of mitigation measures already in use by the oil and gas industry. It would also incorporate all new measures as they are developed to ascertain their effectiveness. Such a database would provide an overview of which measures are useful and which should be discarded as ineffective. Without this information, the application of adaptive management would be fallacy.	All	Both	emc0340GB

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861.	Section 363 of the Energy Policy Act of 2005 requires federal land management agencies to ensure that lease stipulations are applied consistently and to ensure that the least restrictive stipulations are utilized to protect many of the resource values to be addressed. Therefore, even though the analyses will be developing conservation strategies for the Sage-grouse, BLM is required to adhere to BLM policy that requires "the least restrictive stipulation that effectively accomplishes the resource objectives or uses for a given alternative should be used." In addition, it is also necessary to clearly demonstrate that less restrictive measures were considered but found insufficient to protect the Sage-grouse. A simple statement that there are conflicting resource values or uses does not justify the application of restrictions. Discussion of the specific requirements of a resource to be safeguarded, along with a discussion of the perceived conflicts between it and oil and gas activities must be provided. Clearly, an examination of less restrictive measures must be a fundamental element of a balanced analysis and documented accordingly in the EISs. We are concerned that the protection measures included in the Interim Guidance is, in many cases, overly restrictive, particularly for a game species that is currently unlisted. In fact, it appears that certain conservation measures exceed those required to protect candidate species. Moreover, it appears BLM is attempting to ward off listing of the Sage-grouse by recommending constraints that exceed those implemented for listed species. Again, Greater Sage-grouse are owned by the states and BLM must manage toward the State's population management goals.	All	BLM	emc0340GB
862.	For many years the U.S. Fish and Wildlife Service has worked with partners to help them develop Candidate Conservation Agreements (CCAs). CCAs have primarily been developed by Federal agencies to cover Federal lands; and several have resulted in conservation efforts that made listing unnecessary. The primary goal of a CCA is to guide conservation measures and efforts in order to make listing unnecessary for the covered species. Even if the species covered by a CCA ends up being listed in the future, the robustness of the CCA in providing for the conservation of the covered species provides considerable certainty to all involved parties. This is because the Conference Opinion associated with the Incidental Take Statement (which covers relevant Federal agency actions associated with implementation of the CCA, including activities by non-Federal property owners on Federal lands) could be adopted as a Biological Opinion. It should be noted that this would be possible only if the agreed-upon actions are properly implemented and no significant new information or changes in conditions have occurred. Consequently, we recommend that BLM defer to existing CCA's when amending the RMPs in order to provide continued certainty to CCA participants rather than developing a whole new set of conservation measures.	All	BLM	emc0340GB
863.	Fundamentally, we do not support preparation of RMP amendments or supplements for integrating new management standards for Sage-grouse. It is our belief that the standards developed by the NTT are based upon inherently flawed scientific assumptions which have no factual basis and will severely impede the benefits of multiple-use activities on public lands in the West. Having made that position clear, we recognize that BLM and the Forest Service are following management direction to conduct these new analyses. Therefore, it is crucial for the agencies to work closely with State governments and stakeholders to ensure that all new federal management strategies take into account local State expertise as well as socio-economic priorities within these areas. We also urge BLM to recognize the measures already in place to reduce impacts to Sage-grouse populations and habitat when developing these new management standards. Finally, it is important for all new standards to be formulated and implemented at the local level rather than applying them on a region-wide basis.	All	Both	emc0340GB
864.	The sage-grouse is an imperiled icon of the Sagebrush Sea. Federal departments and agencies manage more than 70 percent of remaining sagebrush steppe. Although cooperation among many federal and state agencies and private land owners will be	All	Both	emc0391GB

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	necessary to conserve sage-grouse and sagebrush habitat, the federal government and federal public land are key to achieving these goals. The BLM and Forest Service have an important opportunity to address decades of mismanagement and habitat loss and set a new course to protect and restore sagebrush steppe for sage-grouse and hundreds of other species. We look forward to participating in the planning process ahead.			
865.	Maps should be provided to clarify the Instruction Memorandum (IM) statement (page 1, under Purpose), "The Gunnison Sage-Grouse, bi-state distinct population segment in California and Nevada, and the Washington State distinct population segment are not covered by this IM and will be addressed through other policies and planning efforts." Does this mean Nevada is not impacted by or covered under the policies outlined in this IM?	All	Both	emc0147GB
866.	Past uses and current leases should be grandfathered under this IM. Biological surveys were conducted as part of the required NEPA review that took place when BLM approved the original application, and sage grouse impacts would have been included in those surveys. Impacts should have been identified and mitigation measures applied at that time.	All	Both	emc0147GB
867.	The introduction of "appropriate offsite mitigation that the BLM, coordinating with the respective state wildlife agency, determines would avoid or minimize habitat and population-level effects" needs to be clarified and released for public comment as it can significantly increase the cost of a ROW permit (mitigation fees and/or habitat impact offset land purchases) and development or approval timelines. Before this IM is implemented, an outline specifying the cost per acre required as an offset or amount of replacement land needed for each acre disturbed should be completed to ensure consistency in application across field offices and state offices, as well as development a policy if no appropriate offsite mitigation is available for the impacted population. This will greatly reduce economic uncertainty for all involved.	All	Both	emc0147GB
868.	BLM field or other offices should not "defer making a final decision on an application until the completion of the LUP [Land Use Plan] process," as this may or will delay projects by years, depending on the status of the applicable LUP.	All	Both	emc0147GB
869.	The IM acknowledges that additional time and monetary costs will be incurred for added review, analysis, planning, coordination, and implementation under the IM. However, the magnitude of the costs is not addressed. Given the additional work mandated by the IM, added costs are likely to be large, and should be quantified. More reasonable consideration of sage grouse protection alternatives (e.g., only requiring extensive analysis on new projects) would result in reduced IM implementation costs.	All	Both	emc0147GB
870.	Title 7 of the Nye County Code requests that federal and agencies coordinate with Nye County and the Board of Commissioners when pending actions affect local communities or citizens. Further, coordination is also required under Section 202(c)(9) of the Federal Land Policy and Management Act of 1976. Because the actions and restrictions described in the IM will affect local communities and development in Nye County, and because the actions may conflict with Nye County's existing Land Use Plans, the county requests that BLM coordinate with Nye County.	All	Both	emc0147GB
871.	Finally, Nye County formally requests Cooperating Agency status on the Greater Sage- Grouse National Strategy Environmental Impact Statement.	All	Both	emc0147GB
872.	NOGA has concern with the maps that will be used to detmmme Priority Habitat and General Habitat. These maps were made available in Nevada on or about March 16, 2012- just one week prior to the deadline for comments. This was not sufficient time to allow our membership to review the maps and identify any need for corrections, Given the reliance of the	All	Both	emc0239GB, emc0095RM

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	implementation of the sage-grouse conservation measures on the location of Priority and General Habitats, we believe these maps should be labeled as "DRAFT" at this time and there should be opportunity to modify the maps as information is checked With just a few days to view the maps prepared in Nevada, there are obvious errors - areas of salt desert shrub vegetation that are identified as sage-grouse habitat. To our knowledge, there is no scientific literature lhat documents sage-grouse use of lhese areas, and certainly not as Priority Habitat. The woik done locally in Ellro County through the Notiheastem Nevada Stewardship Group, Inc. (NNSG) includes over three million acres of on-the-ground assessments based on ecological sites. This information was available to the Nevada Department of Wildlife (NDOW) and Elko District BLM and was not even considered in the mapping effort. The brood-scale mapping the agencies have used to identify sage-grouse habitat was conducted at a much coarser scale, with little or no ground-truthing. As such, the Agencies mappmg effort is subject ro errors and simplifications. 'These errors and simplifications can he addressed during baseline data collection, but only if the mapping effort is ongoing. The National Technical Team (NTT) report (NTT 2O11} places great emphasis on the maps which identify Priority Habitat and General Habitat, and the NOGA is not aware of any public input to these maps. Therefore, the NOGA requests that an opportunity must be reserved at the activity-authorization level for affected parties to conffirm the maps proposed for use in the EIS.			
873.	The documents attached show significant support that the Greater Sage Grouse issues that the United States Fish and Wildlife Service (FWS) have address are mostly due to their own agency's doing. The documents attached show that the Greater Sage Grouse numbers of the 1960s and 1970s were in fact due to predator control measures implemented by the FWS under a division called Predator and Rodent Control (PARC). The studies attached will also show that FWS is responsible for the numbers at present due to protection of predators under the Endangered Species Act and lack of tools due to their abuse of those same tools in different era. Meaning: they (FWS) used those tools so aggressively that they were banned or species were protected. I am not stating that these numbers are bad or good at any time in the past or present. But, it does show that FWS actions were mostly responsible for the change in numbers.	All	Both	emc0240GB, emc0096RM
874.	Eco-systems adjust to their environment all the time without any impacts due to "man". They adjust accordingly with inputs due to "man" also. The National Environmental Policy Act (NEPA) was written with this in mind. It's intent was to make sure that "man" managed it's natural resources with the mission for it to be to "the benefit of mankind". It is obvious that due to high productivity of federal lands for domestic meat and fiber, as well as our increase in wildlife production, predator numbers also increase. This in turn, impacts the whole eco-system which included both domestic and wildlife species.	All	Both	emc0240GB, emc0096RM
875.	The FWS is trying to accuse Federal Land Management Agencies of mismanagement of Sage Grouse. When, in fact, it was all due to their own agency control or lack of control of predators and protection of certain species that in fact are responsible for decline of other species. Just look at Wolves vs. Elk.	All	Both	emc0240GB, emc0096RM
876.	The FWS is in total control of the Pittman - Robertson monies to state wildlife agencies. They are forcing state wildlife agencies to use these resources in the future to manage their mistakes (FWS).	All	Both	emc0240GB, emc0096RM
877.	In conclusion: The Sage Grouse Issue at hand is not due to poor management of the Federal Land Management Agencies. It is not due to poor management of the State Wildlife Agencies. The responsibility of the decline (that is by nature ... normal) in Greater Sage Grouse populations rest solely on the poor management and poor decisions made by the United State Federal Fish and Wildlife Service.	All	Both	emc0240GB, emc0096RM

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878.	Let us look at FWS identified threats from most to least threatening with comments: 1. Invasive Species: Intense fires due to reduced grazing and timber harvest. Sterilization of seeds and cones; and a welcoming of noxious weeds. 2. Infrastructure: Want energy .... need powerlines. 3. Wildfire: More intense and hotter due to poor management and lack of harvest which is mostly due to FWS direction. 4. Agriculture: Very little merit to back this up. Show me the data. Has been some loss of habitat due to getting rid of big sage. Most of this however is on private ground and not under the supervision of the FWS. 5. Grazing: Show me the data. Should state: "Lack of Grazing". 6. Oil and Gas: Studies show that is only temporary. After development, Sage Grouse use habitat in question. 7. Coal and strip mining: Great reclamation and only temporary lack of resource for Sage Grouse. 8. Urbanization: Acres developed is very small in comparison to total sage grouse habitat. 9. Weather: Natural and not an issue to be addressed 10. Conifer Invasion: Keep up the ESA enforcement of certain species and we will not have to worry about this due to all the conifers burning up. 11. Human: FWS personnel especially. It was FWS management that has increased and decreased Sage Grouse populations. 12. Predation: #1 issue with all studies in Montana and FWS puts down as #12. FWS should take responsibility for actions of the past and present. 13. Disease: Less than 5% of losses at best. 14. Water Development: I am assuming that they are addressing West Nile Virus and other. Studies show that is less than 5% of loss of females (< 2.5% of female population). 15. Prescribed Fire: No need for most prescribed fire in Sage Grouse habitat. Just graze it more intensely. 16. Hard Rock Mining: I have no idea how this would impact Sage Grouse unless it is noise. 17. Hunting: We have addressed hunting as an issue for a long time. If you have 50% losses (75% of that contributed to predators) and 10% by hunting…. You don't have very many live ones to work with. Control predators, and hunting is not an issue. 18. Climate Change: Don't know 19. Contaminates: Don't know. It is obvious that the identified threats are: ☐ Predators ☐ Invasive species mostly due to very hot wildfire and ☐ the Untied States Fish and Wildlife Service because of the lack of checks and balances on the agency. They run the show with no oversight.	All	Both	emc0240GB, emc0096RM
879.	Our review found that the US Fish and Wildlife Service's own determinations show that greater sage-grouse is not legally qualified for listing under the Endangered Species Act. Yet the BLM is now proposing (and implementing under their December 2011 Instruction Memorandums) unnecessary sage-grouse conseryaljon measures that have and will nmatively imoact most economic activities across the species eotire range, increasing the regulatory cost and burden to conduct natural resource related activities, both commercial and recreational, and significantly impeding or virtually eliminating such activities. Because the greater sage-grouse is not legally qualified for listing as "endangered" or '"threatened" under the Endangered Species Act, the BLM's proposed actions and interim management directions under the December 2011 Instruction Memorandums are unreasonable and unwarranted and need to be withdrawn.	All	Both	emc0251GB, em0101RM
880.	If regulatory/policy controls to minimize human disturbance have failed to allow GSG populations to flourish within the vast wilderness areas and other nationally designated conservation areas, then it is unreasonable to apply such draconian control measures to broad landscapes beyond the boundaries of these areas in the vain hope that such regulation will somehow work in other locations. To implement regulatory mechanisms that are certain to severely interfere with other valid existing uses of the landscape and negatively impact local and regional economies in the face of evidence that such mechanisms did not reverse the plight of the GSG in these nationally designated areas would be unreasonable, irrational, and counter-productive. Instead, if the minimum effective population of GSG necessary to protect the species from extinction cannot be supported within such nationally designated areas, then management practices that were in place when greater	All	Both	emc0251GB, em0101RM

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	sage-grouse populations dramatically increased from the mid 1800s to early 1900s need to be identified and implemented again in other areas, including increased livestock grazing to reduce wildfire fuel loads, and concerted predator control practices			
881.	The December 27, 2011 BLM IMs7 instruct all BLM Field Officials in all program areas to consider and implement specific GSG conservation measures contained in the associated December 21, 2001 BLM Report8 when conducting projects within "Preliminary Priority Habitat." "Preliminary Priority Habitat" is currently delineated to encompass essentially all of the highest quality breeding habitat that supports 75% of the known current breeding population, which includes approximately 27% of the occupied range of the GSG (see Doherty,6 page 2). These BLM IMs pre-decide the outcome of the proposed project to prepare EISs to incorporate GSG conservation measures into land use plans	All	Both	emc0251GB, em0101RM
882.	The BLM IMs assume that conservation of "Preliminary Priority Habitat" is necessary to prevent the species from being listed under the ESA, and assume that the conservation measures identified in the associated BLM Report will ultimately be imposed as regulatory mechanisms to protect GSG. However, public input through this scoping process and subsequent review steps required before finalizing the proposed project may result in a completely different final decision regarding what actions, if any, need to be taken to avoid the presumed need to list the GSG under the ESA. In fact, as discussed herein, there is ample evidence that the GSG does not legally qualify for listing under the ESA, and the proposed planning process could well result in documentation of such evidence so that no further action is needed to prevent the GSG from being listed when the FWS makes its final listing determination by the year 2015. The decision and action to assume otherwise and immediately implement draconian sage-grouse conservation measures through the BLM IMs within "Preliminary Priority Habitat" based upon guidelines in the BLM Report makes a mockery of the current planning process and its alleged public scoping and comment opportunities. If decisions regarding GSG conservation measures and the landscapes to which they will apply has already been made, why pretend to seek public input regarding the issues and alternatives to consider regarding sage-grouse conservation? On the other hand, if the decisions have not yet been made, why impose preliminary actions upon a vast area of land when those actions may ultimately be found to be altogether unwarranted, counterproductive, or only necessary on a much smaller scale?	All	Both	emc0251GB, em0101RM
883.	On their face, the BLM IMs both indicate that the instructions promote "sustainable Greater Sage-Grouse populations" (IM 2012-043 at pages 1 and 2, and IM 2012-044 at page 2)7. Such an objective is consistent with a goal to maintain the minimum effective population needed to safeguard the species from extinction, and thus avoid the purported need for the species to be listed under the ESA. In other words, the minimum sustainable Greater Sage-Grouse population is equivalent to the minimum effective population (as high as 5,000 breeding adults) needed to provide sufficient genetic material to protect the species from the long-term risk of extinction. As discussed above, a minimum effective population as high as 5,000 birds comprises less than 1.5% of the current GSG breeding population, and requires less than 0.25% of the total acreage in the occupied range for support. While the IMs imply that the goal of BLM GSG conservation is to promote sustainable Greater Sage-Grouse populations, they then irrationally provide instructions to provide conservation protections to 75% of the current GSG breeding population (50 times as many birds) across a landscape that is more than 100 times larger than the area needed by the minimum effective population (27% of the occupied GSG range rather than 0.25%). The massive expansion of the conservation goal (from one intended to promote a sustainable Greater Sage-Grouse population to one	All	Both	emc0251GB, em0101RM

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	that directs the promotion of 50 times as large a population on more than 100 times as much land as is needed) is the outgrowth of a subtle change in wording contained in the goal statement of the BLM Report. Page 6 of the BLM Report8 states that the BLM "endorsed the goal" of the Greater Sage-grouse Comprehensive Conservation Strategy (Stiver et. al., 2006) "to maintain and enhance populations and distribution of sage-grouse by protecting and improving sagebrush habitats and ecosystems that sustain these populations" (underlined emphasis added). Note that the goal endorsed by the BLM Report to "sustain these populations" changes the ESA compliant goal of maintaining a sustainable population (minimum effective population) to safeguard the GSG from extinction to an expanded goal to maintain or enhance current populations. Since current GSG populations are so much larger than the minimum effective population, the expanded goal to sustain current populations requires conservation of many more birds over a much larger landscape than would be required by the ESA to merely protect the species from the risk of long-term extinction. Thus, while the Notice of Intent states that the purpose of the EIS process is to "avoid a potential listing" of the GSG under the ESA, the conservation measures identified for analysis under the EIS process, and already implemented by the BLM IMs, actually provide ESA styled protections to far more GSG over a much larger landscape than would be the case if the populations were to actually dwindle to the point that they met the criteria for listing under the ESA.			
884.	Minimum Breeding Density Area Alternative The December 2011 BLM IMs direct that specific GSG conservation measures be implemented within "Preliminary Priority Habitat" which is currently delineated to roughly correspond to the 75% Breeding Density Area mapped by Doherty (footnote 6). The 75% Breeding Density Area (area that encompasses 75% of the current GSG population upon about 27% of the occupied habitat) identified as "Preliminary Priority Habitat" under these instructions exceeds a minimum effective population as high as 5,000 by more than 50 times, and exceeds the acreage needed to support the minimum effective population by more than 100 times. If the Breeding Density Area concept is to be used as a strategy to manage GSG for the purpose of avoiding the need to list the species under the ESA, only the minimum Breeding Density Area necessary to maintain the minimum effect population needs to be identified and conserved. As calculated in Table 1 on page 18 herein, a sage-grouse conservation measure designed to maintain current populations in a 3% Breeding Density Area would sustain 15,963 GSG in Management Zones I – V, which is 3.2 times a minimum effective population as high as 5,000 birds. Thus, management to maintain current populations in a 3% Breeding Density Area would be more than sufficient to avoid the purported need to list the species under the ESA. The BLM proposed alternative to impose sage-grouse conservation measures to maintain or enhance current populations across a 75% Breeding Density Area is a vast overreach of what is reasonable to achieve the stated purpose of the Notice of Intent and avoid the presumed need to list the species under the ESA.	All	Both	emc0251GB, em0101RM
885.	Sage-Grouse Count and Trends in Areas of Restricted Man-Made Disturbance Military reservations, national parks, wilderness areas, wilderness study areas, and wildlife refuges are all large landscapes managed to greatly restrict major man-made disturbances. In that respect, they provide current environmental examples of any hoped-for result of land-use protocols that would be enacted by the EIS. 1. What are the bird counts within these restricted land-use areas? 2. Is the count more than the trigger value to list the sage-grouse as T & E? 3. What is the population trend of sage-grouse in these areas? 4. If the trend is up, will there be enough birds within these restricted land-use areas to prevent T & E listing? 5. If the trend is down, why will land-use protocols intended to restrict and control anthropogenic disturbances increase sage-grouse	All	Both	emc0250GB

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	populations?			
886.	Man-Made Disturbance in Areas of Low-Quality and Degraded Sage-Grouse Habitat There should be a positive, proactive relationship between sage grouse, man-made disturbance, and restoration of low-quality and degraded sagebrush communities (R-values as explained in the attachment: Greater Sage-Grouse Habitat Categorization). Because sage grouse habitat is a special issue, we need a special classification of disturbance pertinent to the issue. On a case by case basis, we need a disturbance classification that supersedes permitted disturbance limits (e.g., 5 acres per notice on BLM administered lands, Plan of Operations, and EAs) and that makes consideration for low quality or degraded (R3/X3 juniper/pinion encroachment and R4/X4 cheat grass and noxious weeds) sage-grouse habitat. All disturbances must be bonded and reclaimed, at operator's expense, to appropriate vegetation. In sage-grouse country, that vegetation would be suitable for sage-grouse habitat. To the extent that disturbance can be conducted on or routed through low quality sage-grouse habitat, especially R3/X3 and R4/X4 areas, reclamation can only improve, not degrade, habitat for sage-grouse. In these areas, disturbance and its requisite reclamation to sage-grouse habitat should be encouraged by not having the disturbance count against the permitted limit. This is one way to get the sage-grouse habitat issue to win-win through multiple use of the land.	All	Both	emc0250GB
887.	Predation and fires are immediate events. Habitat control and management are long term solutions which cannot immediately protect sage grouse from predation and fires. By agency policy ravens are now provided subsidized hyperpredation of sage grouse. By agency policy, fire potential cannot be substantially reduced since grazing down fuel loads requires lengthy bureaucratic permission rather than a rancher's immediate seasonal decision. Predation control through either poisoned bait (eggs) or small bore firearms can be immediately effective. Fire control through free-market grazing decisions of cattlemen or sheep growers can be effective in protecting sage grouse within one climate season. Bureaucratic habitat control will take no less than multiple budget cycles, and personnel reviews, before any agency even begins to be an effective advocate for the benefit of sage grouse.	All	Both	emc0274GB
888.	The agencies' most desired actions are high-cost, high-personnel endeavors. Those require additional employees, facilities, and fleets. The most effective of these in helping the bird is firefighting. The need for firefighting can be most effectively reduced by allowing ranchers and farmers to go about their business using their own judgment, without agency interference. Agricultural production historically has supported sage grouse populations by coincidentally providing both food and shelter.	All	Both	emc0274GB
889.	The apparent agency refusal to seriously consider predation and fire in the survivability of the sage grouse assures not only the endangered species listing of the sage grouse, but in fact the actual endangerment of the species. Extinction will not be the fault of the rancher nor the hunter nor the industrial worker. Sage grouse extinction will be the fault of the politically-correct scientist and the politically-correct bureaucrat.	All	Both	emc0274GB
890.	We are concerned that BLM not develop a 'one size fits all' GSG management strategy. We have experience with GSG range-wide, from the uplands of Nevada through the northern and central Rocky Mountains of Montana, Wyoming, Utah and Colorado and into the northern Great Plains of eastern Wyoming and Montana. The weather, soils, vegetation and ecology of these areas varies across the range, and to a degree the GSG has adapted to this variation. Having spent the past 6 or more years working with Local Sage Grouse Working groups across the range, I (R. Danvir) have been impressed with the dedication, knowledge, insight and creativity expressed by the people who know these areas - their ability to identify	All	Both	emc0281GB

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	stressors, threats and solutions to maintain or enhance GSG in their area. These local Working Groups included BLM biologists and range conservationists. The quickest way to lose the support of these hundreds of dedicated people is to disregard the hard work and existing GSG Local Working Group Conservation Plans already done. It is absolutely essential that BLM management henceforth recognizes and incorporates the work of the local working groups throughout the range of the GSG, and maintains their adaptive management approach			
891.	NOGA has concern with the maps that will be used to determine Priority Habitat and General Habitat. These maps were made available in Nevada on or about March 16, 2012 - just one week prior to the deadline for comments. This was not sufficient time to allow our membership to review the maps and identify any need for corrections. Given the reliance of the implementation of the sage-grouse conservation measures on the location of the Priority and General Habitats, we believe these maps should be labeled as "DRAFT" at this time and there should be opportunity to modify the maps as information is checked. With just a few days to view the maps prepared in Nevada, there are obvious errors - areas of salt desert shrub vegetation that are identified as sage-grouse habitat. To our knowledge, there is no scientific literature that documents sage-grouse use of these areas, and certainly not as Priority Habitat. The work done locally in Elko County through the Northeastern Nevada Stewardship Group, Inc. (NNSG) includes over three million acres of on-the-ground assessments based on ecological sites. This information was available to the Nevada Department of Wildlife (NDOW) and Elko District BLM and was not even considered in the mapping effort. The broad-scale mapping the agencies have used to identify sage-grouse habitat was conducted at a much coarser scale, with little or no ground-truthing. As such, the agencies' mapping effort is subject to errors and simplifications. These errors and simplifications can be addressed during baseline data collection, but only if the mapping effort is ongoing. The National Technical Team (NTT) report (NTT 2011) places great emphasis on the maps which identify Priority Habitat and General Habitat, and the NOGA is not aware of any public input to these maps. Therefore, the NOGA requests that an opportunity must be reserved at the activity-authorization level for affected parties to confirm the maps propsed for use in the EIS.	All	Both	emc0239GB, emc0095RM
892.	The agencies have been managing public lands in Nevada based on the principles of multiple use and sustained yield. The emphasis of the NTT conservation measures is single-species management. There is a plethora of issues that affect sage-grouse and the conservation measures only address anthropogenic activities. Perhaps these measures should be considered as a last resort. The BLM and USFS must address noxious weeds, wildfires, pinyon-juniper encroachment, and other habitat issues before curtailing land uses. Diseases, hunting, predation, and other causes of direct mortality should be addressed before curtailing land uses. The NOGA believes that the best way to provide for protection of the sage-grouse, while simultaneously allowing continued economic development, is for BLM to develop conservation measures in cooperation with the regulated community that include a strong but pragmatic mitigation program.	All	Both	emc0239GB, emc0095RM
893.	The NOGA was pleased to see the mention and use of Ecological Site Descriptions and State and Transition Models to identify seasonal habitats, guide habitat management, and influence fire rehabilitation efforts. This information is science-based and provides insight on how the habitats can be managed for long-term sustainability.	All	Both	emc0239GB, emc0095RM
894.	Overall, we find the conservation measures to be very negative and restrictive. There is no attempt to identify positive conservation measures that improve habitat; although the goal is to "Maintain and/or increase sage-grouse abundance and distribution by conserving, enhancing, or restoring the sagebrush ecosystem." There should be some room in this goal for	All	Both	emc0239GB, emc0095RM

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	including conservation measures that actively improve habitat quality.			
895.	The goal of the conservation measures as indicated on page 6 of the NTT report is to "Maintain and/or increase sage-grouse abundance and distribution by conserving, enhancing, or restoring the sagebrush ecosystem upon which populations depend in cooperation with other conservation partners." There are a lot of concepts included in this goal that need clarification. For example, to increase sage-grouse abundance and distribution implies that other resource uses will be diminished and how will that decision be made? The sagebrush ecosystem is a disturbance based system in Nevada, where fire, floods, insect outbreaks, and drought have removed sagebrush from areas of the landscape for periods of time and perennial grasses and forbs dominate after the disturbance. This is followed by a period of time when grasses, forbs, and young shrubs are present, and as the shrubs increase in stature and abundance, the grasses and forbs decline until there is a sagebrush-dominated plant community, ready for the next disturbance. If "conserving, enhancing, or restoring the sagebrush ecosystem" means maintaining these various phases of the sagebrush community on the landscape, then many land uses can be accommodated. However, the report implies that only the sagebrush-dominated phase is important. We disagree and believe that a healthy ecosystem is one with many phases of the sagebrush ecosystem present on the landscape. This concept is much more in concert with the Ecological Site Descriptions and the State and Transition Models being developed by Natural Resource Conservation Service.	All	Both	emc0239GB, emc0095RM
896.	We support the use of Ecological Site Descriptions (ESDs) for conducting range health assessments as the ESD concept includes the use of State and Transition Models that document the various community phases for each ecological site, as well as the thresholds that require management actions to avoid crossing thresholds. These concepts are important in maintaining the integrity of ecological sites, sustainability of range resources, and maintaining "intact sagebrush" (as defined by including all the community phases of an ecological site, including grass-dominated conditions following disturbance).	All	Both	emc0239GB, emc0095RM
897.	In closing, the NOGA supports the concept of enhancing sage-grouse populations and habitat. But the conservation measures in the NTT report create real concerns that socio-economic and ecological impacts will occur by implementing these conservation measures, but very few gains in sage-grouse populations or habitat will be realized by implementing these conservation measures. We encourage the BLM and USFS to conduct a full, thorough, and objective analysis of these conservation measures. We also request that the BLM and USFS consider an alternative that allows for energy and mineral development and sustained livestock management, and includes the opportunity to mitigate the impacts that these activities may cause. Simply not continuing multiple-use activities on public land is not the answer to the sage-grouse listing issue.	All	Both	emc0239GB, emc0095RM
898.	NOGA is concerned about, among other things, the practical, on-the-ground implications of the agencies' proposed conservation measures. The proposed EIS should clarify that the measures will recognize the principles of multiple use and sustained yield. Also, the proposal should allow flexibility for the agencies to develop conservation measures in cooperation with the regulated community that include a strong but pragmatic mitigation program while simultaneously allowing continued economic development.	All	Both	emc0239GB, emc0095RM
899.	First we'd like to acknowledge that managing federal lands and resources is an extraordinarily difficult job. As you know well, the list of laws that must be complied with is long, the variety of lands and natural resources to take into account are near limitless, and the uses proposed for the land can range from a picnic to open-pit mining. The job is complicated by	All	Both	emc0254GB

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	understaffing, other federal and state agency jurisdictions, federal policy and priority changes, the need to respond to new science, and the impossibility of making decisions for all natural resources and all uses on all lands without site-specific review. That last issue bears heavily on the goals of conservation of Sage Grouse habitat and protection of areas of known Sage Grouse occupation. Land and Resource Management Plans can provide broad guidance. A Sage Grouse Programmatic EIS and the data gathered for it can provide broad guidance on one issue - and the broad-brush maps developed so far. But their utility must be limited to first-level screening.			
900.	NGP urges the agencies to ensure that you do not create a situation where, once mapped for a particular management direction, the direction cannot be changed in the face of new scientific evidence without an EIS. We recommend that clear language provide for a process for changes to or variances in implementation supported by appropriate site-specific studies.	All	Both	emc0254GB
901.	The proposed amendments to the must integrate the recommendations made in the Geothermal Leasing Programmatic EIS (ROD issued December 17, 2008) and the West-wide Energy Corridor Programmatic EIS (ROD issued January 14, 2009) The Federal Global Climate Change Initiative and Policy Book "includes a goal to reduce the greenhouse gas intensity of the US economy by 18 percent over the ten-year period from 2002 to 2012 and to provide initiatives to reduce greenhouse gas emissions, including encouraging renewable energy sources development." Geothermal PEIS at 1.8.3 (emphasis added). While both documents defer to site specific constraints, each represents an attempt to define priority areas of energy and transmission land use by the agency.	All	Both	emc0254GB
902.	All suitable sage grouse habitat (over 40 million acres of federal land) cannot be preserved. Suitable preservation areas, of manageable size, should be considered with energy development and existing rights maintained. The agencies must balance not only resource development and species preservation, but preservation programs with agency resources. We encourage a program where the proposed action is well funded and well staffed with a realistic scope. If the proposed action is to succeed in serving to mitigate listing of the species, the program must be shown to have a high probability of success.	All	Both	emc0254GB
903.	Current mitigation measures should be reviewed for effectiveness and revised where they are demonstrated to fall short. Geothermal projects have long existed and are being developed under current sage grouse mitigation rules. We know of no instance where a geothermal project has adversely impacted the species. The geothermal industry has long been aware of species constraints and worked with the agencies with mitigation and monitoring programs within the projects' area of interest. We encourage an evaluation of present mitigation in terms of energy development and focus placed upon areas where such measures are falling short.	All	Both	emc0254GB
904.	COMMENTS ON "A Report on National Greater Sage-Grouse Conservation Measures" produced by the Sage-Grouse National Technical :Team (NTT) One of the objectives of the NTT report is to manage priority sage-grouse habitats so that discrete anthropogenic disturbances cover less than 3% of the total sage-grouse habitat regardless of ownership. Additionally, in priority habitats where the 3% disturbance threshold is already exceeded, to prohibit further anthropogenic disturbances until enough habitat has been restored to maintain the area under this threshold. This is a problem because it has the potential to prohibit development in vast tracks of public lands for years, if not decades, regardless of the status of the species, its habitat, or the specific impacts or mitigations from any such proposed development.	All	Both	emc0254GB
905.	Samson supports the development of management policies that will prevent the species from being listed, but is concerned	All	Both	emc0246GB

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	that the protection measures and restrictions included in the Interim Guidance Instructional Memorandum (IM) and the National Technical Team's Report an National Greater Sage-Grouse Conservation Measures (the "Report") are excessively restrictive for a species that is not currently listed as threatened or endangered under the Endangered Species Act (ESA).			
906.	Samson supports the process of requesting and compiling public comments for use by agencies such as the BLM, for their consideration when undertaking an important project, but to ensure that the planning process Is fully informed by the interests of those that will be impacted by future management restrictions for GSG, we recommend that BLM consider forming a collaborative technical stakeholder team consisting of not just agencies but the oil and gas industry, mining. Cattlemen, ranchers and others to develop a strategy to clearly define and implement a priority habitat selection criteria along with disturbance calculation criteria before September 2014. For similar type actions such as the Wyoming Sage Grouse Core Area Executive Order, Dunes Sagebrush lizard Conservation Plan, and other species conservation plans, several years were needed to finalize a properly vetted document agreed to by many of the stakeholders involved. In addition, it will be up to the BLM, state wildlife agencies, the oil and gas industry, and other stakeholders to implement mitigation strategies as prescribed by the amendments for each respective BLM resource area.	All	BLM	emc0246GB
907.	Samson appreCiates BLM's decision to allow state GSG conservation policies to supersede the Interim Management IM after approval by the USFWS and adoption by BLM In a state-specific IM, such as Wyoming. Rather than top-down, federal directives, GSG conservation should be guided by initiatives developed at the state and local levels. Accordingly, Samson supports the western states in their efforts to develop common-sense and consistent management practices for GSG.	All	Both	emc0246GB
908.	Nevertheless,\we are concerned whether BLM intends to be bound by anyone plan. BLM should refrain from selectively choosing a policy document that best suits its management needs on a case-by-case basis. If BLM issues a state-level IM that would supersede the Interim Guidance IM, only the state plan should be used to guide management deciSions, rather than a combination of state and federal plans.	All	BLM	emc0246GB
909.	In addition, for those states with management plans for GSG that have been approved by USFWS and adopted by BIM through the issuance of a state-level IM, the RMPs in that state should be amended to incorporate the state's policy in its entirety, not the conservation measures in the NTTs Report.	All	Both	emc0246GB
910.	BLM must consider and analyze the conservation measures from the Report in at least one alternative in each EIS or SEIS for each BLM resource area. The conservation measures that could ultimately be incorporated into RMPs may be incompatible with existing statutes or regulations (such as a taking of private property rights), drive out stakeholder Investment, and conflict with federally issued leases and job creation activities.	All	BLM	emc0246GB
911.	We also urge BLM to amend conservation measures and best management practices (BMP's) into RMPs that have been recommended by local working groups, are the results of survey reports, and credible information about the status of GSG and its habitat within the planning area covered by that RMP. Broadly applying the conservation measures in the Report without a thorough examination of the condition of the species in a speCific area could result In unjustified and unreasonable restrictions on multiple-use development under the amended RMP. Conservation and mitigation measures should be developed on a case-by-case basis and must be informed by local conditions and information. Numerous cbnservation measures and programs have already been implemented across the range of GSG through the Western AssOCiation of Fish and Wildlife Agencies (WAFWA). These efforts take into account site-specific conditions to ensure their effectiveness.	All	BLM	emc0246GB

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912.	In the Report, the BLM NITs stated objective for this planning strategy effort was "to ... conserve and restore the greater sage-grouse and Its habitat on BLM-adminlstered lands on a range-wide basis over the long term." [Emphasis added) We object to this statement because restoring sage grouse numbers is not under purview of BLM. Further, the conservation measures identified in the Report, which have been crafted to meet this objective, are extremely restrictive and go far beyond what is necessary to protect a non-listed species. We ask you to clarify that restoring the species and its habitat is not part of this planning effort.	All	BLM	emc0246GB
913.	Throughout this process, BLM should not amend any aspects of the RMPs except those related to GSG management. Doing so would be outside the scope of this planning effort.	All	BLM	emc0246GB
914.	Samson is very concerned about the limited timeframe of this planning effort and feels that BIM may not be able to complete the efforts outlined in the Planning Direction 1M by the end of FY 2014. BLM struggles to meet existing obligations such as monitoring, inspection & enforcement, project NEPA processing, and permitting at current staffing levels, yet must now rededicate significant resources to updating 68 RMPs by September 2014. Normally, updating even a single RMP takes several years. We are concerned that the timeline will lead to a NEPA process that does not rely on science, and therefore may not be defensible under the Data Quality Act.	All	BLM	emc0246GB
915.	BLM field offices may also need additional resources to Institute the management policies set forth in the Interim Guidance IM and the RMP amendments. Speciflcally, BIM field offices may require additional staff with relevant expertise to administer new greater sage-grouse management requirements for individual projects, such as developing polygons for density restrictions within priority habitat areas. Additionally, BLM must ensure that the preparation of the EIS and subsequent RMP amendments does not prevent BIM field office employees from regularly processing NEPA documents, Applications for Permits to Drill (APD), and sundry notices in a timely manner. The administrative efficiency of BIM field offices is directly related to industry's ability to provide affordable energy resources from public lands across the West.	All	BLM	emc0246GB
916.	At this time, it is very unclear how an analysis will be performed to determine priority habitat requirements and boundaries within federal management units. We request that BIM clarify how these boundaries will be drawn in accordance with state wildlife agencies and what criteria will be enforced to draw boundaries between priority, general, and associated habitat.	All	BLM	emc0246GB
917.	Because the timing, distance, and density requirements within PPH areas are so extensive in the Report, operators need ample flexibility when operating outside of those areas. We ask the BLM to consider the heavy burden it asks operators to bear when complyins with the greater sage-grouse standards within PPH areas when applying timing, distance, and density restrictions for leks, nesting/early brood-rearing habitat, and areas of suitable habitat outside PPH areas.	All	BLM	emc0246GB
918.	Samson recommends that BIM analyze an Adaptive Management (AM) alternative in this planning effort. AM allows project proponents to adjust approaches for GSG management based on new data acquired through monitoring. The AM approach also allows BIM the necessary flexibility to modify management policies and decisions based on what is actually happening on the ground.	All	BLM	emc0246GB
919.	Further, the revised RMPs should allow the BLM to critically assess Information about habitat on a local or regional basis when it considers GSG stipulations on individual projects. Efforts of local working groups, including sitespecific research, must be identified and incorporated into the planning process when applicable.	All	BLM	emc0246GB

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920.	We are interested and concerned about the contractor who will be selected to perform the economic analysis. We request that the BLM ensure the contractor has a proven track record of providing balanced analysis of all the socia-economic Impacts related to sage grouse restrictions, valid existing lease rights and other multiple uses of public lands. In addition, we are concerned about the use of subjective, focus group or "willingness to pay" research by some socio-economic consultants to attempt to quantify the value of conservation by the general public. We do not believe these scenarios provide factual, socio-economic information to compare to actual socio-economlc data provided by stakeholders and local and state governments, such as tax revenues from all multiple users and employment figures based on BLM's EIS alternatives to be analyzed for these RMP amendments.	All	BLM	emc0246GB
921.	Recognize the lack of science to base decisions on tall structures such as electric transmission and distribution facilities.In partnership with the Utah Division of Wildlife Resources, Utah State University, and several APLIC-member utilities, APLIC has supported efforts coordinated by Utah Wildlife in Need (UWIN) to assess Sage-grouse and tall structures. These efforts include stakeholder workshops and a literature review to assess current knowledge and concerns regarding sage-grouse and tall structures, and the development of research protocols to be used when assessing potential impacts of tall structures on sage-grouse. Tall structures for the purpose of the UWIN project are electric transmission and distribution lines and associated infrastructure. A key concern learned in Phase I (literature review/stakeholder workshops) of the project is "the science upon which to base many tall structure decisions is lacking." These efforts meet goals identified by the Western Association of Fish and Wildlife Agencies (WAFWA) in the 2006 Greater Sage-grouse Comprehensive Conservation Strategy. APLIC encourages the BLM to reference and utilize these documents as it refines its sage-grouse strategy. These documents can be found at the Utah State University website, http://utahcbcp.org/htm/tall-structure-info.	All	Both	emc0275GB emc0111rm
922.	Accept research as an acceptable form of mitigation for electric transmission projects. There are multiple major transmission projects under consideration that cross over greater sage-grouse habitat. APLIC strongly urges BLM to accept research, where feasible, as an acceptable component of a mitigation package for electric transmission projects which may impact sage-grouse habitat. This may be especially applicable for unknown, indirect impacts of transmission lines. Likewise, such research would help facilitate the development of "scientific and consistent siting criteria" and "Best Management Practices", which are also goals identified in the WAFWA 2006 strategy document.	All	Both	emc0275GB
923.	Encourage BLM personnel to attend APLIC Avian Protection training workshops. APLIC with assistance from the FWS twice annually conducts workshops on avian power line interactions throughout the U.S. Short courses include presentations regarding: regulations and permits; electrical systems; causes and prevention of bird electrocutions and collisions; nest management and protection; minimizing avian impacts associated with new construction; and Avian Protection Plans. Course presented in the western U.S. include discussion of greater sage-grouse. BLM personnel involved in greater sagegrouse conservation and eagle protection are welcome to attend the training. Attendees from previous workshops have included electric utility personnel, federal and state agency representatives, environmental consultants and avian protection equipment manufacturers/vendors. Information on upcoming training workshops is posted at www.aplic.org .	All	Both	emc0275GB
924.	Comments on "A Report on National Greater Sage-grouse Conservation Measures" (produced by the Sage-grouse National Technical Team, December 21, 2011). The following comments pertain to specific parts of the above-referenced document. Page 4, Introduction, first bullet: "Understand current scientific knowledge related to the greater sage-grouse."	All	Both	emc0275GB

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	APLIC urges the BLM and National Technical Team to consider the literature review conducted by Utah Wildlife In Need (UWIN) entitled "Contemporary Knowledge and Research Needs Regarding the Potential Effects of Tall Structures on Sage-grouse (Centrocercus urophasianus and C. minimus)" when developing management strategies and considering conservation measures regarding above ground structures such as transmission and wind turbines in relation to sage-grouse. The current state of knowledge regarding this issue is greatly lacking as stated in the executive summary of the above referenced report as follows "We learned during the project that there were no peer-reviewed, experimental studied designed specifically to evaluate the landscape effects of tall structures on sage-grouse." Conservation measures and management strategies should reflect the current state of knowledge, be "science-based" (as stated in bullet 7 page 5 of the conservation measures document) and be developed in a way to foster/facilitate the acquisition of needed research data through appropriately designed studies. As stated above, APLIC recommends these studies, where feasible should, also be acknowledged as an acceptable form of mitigation for project proponents whose projects may impact sage-grouse habitat.			
925.	Comments on "A Report on National Greater Sage-grouse Conservation Measures" (produced by the Sage-grouse National Technical Team, December 21, 2011). The following comments pertain to specific parts of the above-referenced document. Page 6, 3rd paragraph, "Human land use, including...power line infrastructure...have contributed both individually and cumulatively to lower numbers of sage-grouse across the range." There is no empirical research to support this claim. As identified above, the UWIN literature review concluded that there is a significant lack of valid science regarding sage-grouse and power lines. APLIC requests that the Conservation Measures document include valid and appropriate scientific data to support its claims and recommendations. Where such data are not available, it should be noted as an area where further research is needed.	All	Both	emc0275GB
926.	Comments on "A Report on National Greater Sage-grouse Conservation Measures" (produced by the Sage-grouse National Technical Team, December 21, 2011). The following comments pertain to specific parts of the above-referenced document. Page 8, footnote, "Professional judgment as derived from..." As stated previously, APLIC requests that the Conservation Measures document include valid and appropriate scientific data, rather than opinions, to support its claims and recommendations. Where such data is not available, it should be noted as an area where further research is needed.	All	Both	emc0275GB
927.	Comments on "A Report on National Greater Sage-grouse Conservation Measures" (produced by the Sage-grouse National Technical Team, December 21, 2011). The following comments pertain to specific parts of the above-referenced document. Page 28, "Monitoring of Sage-grouse and Sagebrush Habitats" section. The concept of adaptive management is raised. APLIC encourages BLM to engage industry stakeholders in discussions if adaptive management is to be considered. Adaptive management leads to regulatory uncertainty to industry, and can have substantial financial implications that would make projects or project funding unfeasible.	All	Both	emc0275GB
928.	Comments on "A Report on National Greater Sage-grouse Conservation Measures" (produced by the Sage-grouse National Technical Team, December 21, 2011). The following comments pertain to specific parts of the above-referenced document. Pages 28-29, "Monitoring of Sage-grouse and Sagebrush Habitats" section. This section discusses the need for rigorous monitoring protocols to assess the impacts of conservation and management actions. We suggest that this be expanded to recognize the need for research where existing science is lacking (e.g., sage-grouse and tall structures). We recommend that the Conservation Measures document reference the UWIN document (UWIN Report. 2011. Protocol for	All	Both	emc0275GB

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	Investigating the Effects of Tall Structures on Sage-grouse (Centrocercus spp.) within Designated or Proposed Energy Corridors) as a guidance document, and recommend that industry funding of research that meets these criteria qualify as a form of mitigation for project impacts.			
929.	APLIC encourages the BLM to involve electric utility industry stakeholders, including APLIC, as it develops its sage-grouse strategy. Members of the electric utility industry can help identify industry-specific guidance and methods that may be included in a "mitigation toolbox" to addresses specific impacts associated with different industries. APLIC also encourages the BLM to work with electric utilities to identify areas where proposed or future electric utility infrastructure may be needed so that sage-grouse habitat and energy needs can be appropriately planned and sited. APLIC represents a positive history of the electric utility industry working with agencies to find solutions to avian electrocution and collision problems; we feel that similar collaborative efforts between industry and agencies can be used to find solutions that will benefit sage-grouse and their habitat.	All	Both	emc0275GB
930.	At the same time, El Paso and its customers have an interest In helping to achieve the BLM multiple use policy to conserve sens itive species.	All	Both	emc0278GB, emc0113RM
931.	El Paso recognizes the importance of conserv ing sage-grouse and their habitat. However, we have concerns that the BLM is overlooking Congress' directives requiring multiple uses of public lands. The conservation measures as provided by the National Technical Team ("NTT") do not address BLM' s or the Forest Service's multiple-use mandates.	All	Both	emc0278GB, emc0113RM
932.	The planning strategy object ive is to "develop new or revised reglflaf01Y mechanisms, Ihrough Resource Management Plan (RMP .~~ 10 conserve and res/ore the grealer sage-grouse and its habitat on BLM-adminislered lands 011 a range wide basis over /he long-lerm." However, the measures described by the NT!' are not balanced and do not acknowledge the multipl e-use mission of the BLM. While the agencies must complete the analysis and resulting documents in a short timeframe, El Paso requests that overly protect ive measures not be adopted in order simply to expedite the process. Rather, careful considerat ion of various peer-reviewed sc ientific data as well as close consultation with state and local workin g groups, industry, state wildlife agencies, and others fami liar with sage-grouse and sage-grou se mitigation should precede the development of any RMP revisions. In addition, El Paso would empha size the need for the BLM to carefully consider and adhere to their long-standing policy of multiple-use of the public lands.	All	Both	emc0278GB, emc0113RM
933.	El Paso would also recommend the inclusion of a broader stakeholder group for the development and evaluation of any proposed conservation measures. Significant work has already been done by numerous state and local working groups, indu stry and other interested stakeholders regarding sagegrouse habitat and di sturbances within these habitats. Inclu sion of these groups will result in the development of conservation meas ures that are both effective and practicable.	All	Both	emc0278GB, emc0113RM
934.	As an interstate transporter of natural gas, El Paso constructs and maintains numerous facilities 111 many states that cross land managed by multiple BLM Field Offices. The proposed conservation measures must, to the greatest extent poss ible, provide a consistent management approach across the range of the species and between BLM Field Offices. The NIT objectives identify the need to "Oversee the development of consis/ent regula/OIY mechanisms across the range of the greater sagegrouse ." El Paso recently completed the Ruby Pipeline Project that crossed land managed by seven BLM Fie ld Offices in four states. Our experience was that the lack of consistency in Field Office policies across the Project had a significant impact on project permitting, construction schedule and costs. The conservation measures deve loped during the	All	Both	emc0278GB, emc0113RM

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	NEPA process should provide consistent definitions of lek buffer s ize, dates that identify when certain activities are allowed within identified habitats, and consistent levels of allowable impacts. We understand that s ite specific cons iderations may affect these parameters, but BLM should strive to minimize inconsistency.			
935.	El Paso would request that the BLM acknowledge and incorporate rece nt studies regarding the impact of oil and gas activities and predation on sage-grouse populations in the EIS's. The NTT should strive to incorporate all peer-reviewed and published scientific papers that provide data relevant to impacts to sage-grouse.	All	Both	emc0278GB, emc0113RM
936.	The following comments address the NTT Report ("Report") on National Sage-Grouse Conservation Measures dated December 21, 20II . El Paso recognizes that as stated in the Report, the conservation measures described are not an endpoint, but instead are a starting point for the BLM to be used in the planning process. El Paso's comments focus primarily on specific aspects relevant to energy infrastructure projects that currently are or may potentially occur with sage-grouse habitat. It is imperative that as conservation measures are further developed as a part of this process, that the BLM solicit participation from land owners, industry, ranching, mining, and other land users to insure that the measures developed both comply with other existing regulations and that the BLM's policy of multiple-use is adhered to.	All	Both	emc0278GB, emc0113RM
937.	One of the initial goals of the conservation measu res is to "manage priorily sage-grouse habitat so that discrele anthropogenic disturbances cover less than 3 percent of the sage-grouse habitat" and to allow no addition disturbances in these areas until enough area has been restored to maintain the area under this threshold. This goal may be unrealistic in many areas due to preexisting disturbances. Further, if this disturbance occurs in areas that are not under the jurisdiction of the BLM, the 3 percent threshold may never be reached since the BLM has no jurisdiction to manage such areas. This would essentially make these public lands unavailable for multiple-use as is mandated by BLM policy. In addition, the second bullet on page 7 of 74 states the objective to "manage or resourse priorily areas so thal at least 70 percent of the land cover provides adequate sagebrush habitat over the long term." This too may be an unrealistic goal since some areas did not historically support this level of sagebrush habitat.	All	Both	emc0278GB, emc0113RM
938.	On page 6 of 74, the New Paradigm, El Paso feels that it is important that local governments be included in the development of policy and conservation measures. Local economies and governments will be directly affected by these measures and need to provide input regarding any new measures.	All	Both	emc0278GB, emc0113RM
939.	On page 9 of 74, No. 3 Right ·of ·Way - Lands/Realty, the document addresses the need for offsite mitigation if disturbances exceed the 3 percent threshold. If mitigation is required to offset disturbance within sage ·grouse habitat, the BLM needs develop a consistent policy across the sage ·grouse range that identifies specific and defined mitigation ratios and the process used to identify suitable mitigation measures. This needs to include input from state and local working groups, state wildlife agencies, industry, ranchers, and other affected groups.	All	Both	emc0278GB, emc0113RM
940.	Throughout the report, the conservation measures are applied to both priority sage-grouse habitat and general sage ·grouse habitat. It has been assumed that these areas equate to those identified on maps provided on the website, however this information needs to be clearly identified in future documents. We would anticipated that these maps would change over time due to events that modify habitats, either positively or negatively, or as new information is received and new research is directed at sage ·grouse. The BLM needs to identify a schedule for revis ions and provisions for how the modifications would be made. El Paso would request that this be a public process that takes into account input from the state and local	All	Both	emc0278GB, emc0113RM

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	working groups, state wildlife agencies, industry, ranchers, mining and other affected stakeholders.			
941.	In addition, the conservation measures do not identify any provisions for adaptive management. It is critical that the BLM provide for changed circumstances including new regulations, additional research, or changes in population dynamics. A comprehensive discussion of how the conservation measures would be modified is important to the long-term success of the program. This discussion should also identify how conservation requirements will differ between PGH and PPH areas.	All	Both	emc0278GB, emc0113RM
942.	The Informational Memorandum (IM) stipulates in several areas that the field offices have the discretion to defer making a final decision until the completion of the Land Use Permit process. El Paso has concerns that implementation of this recommendation could be used to indefinitely delay decisions being made on new projects or maintenance projects that occur with priority habitats. There needs to be clear guidance on how long the decision making process can last so that companies have assurances that can be built into project schedules.	All	Both	emc0278GB, emc0113RM
943.	The IM states that Special Recreation Permits may be "canceled as appropriate to avoid or minimize habitat alterations or other physical disturbances to Greater Sage-Grouse ." El Paso has concerns that if these permits can be canceled, that the policy may be further extended into other Special Use Permits that are required for project implementation. This needs to be clarified .	All	Both	emc0278GB, emc0113RM
944.	The above comments are a general overview of the concerns that El Paso has with the conservation measures as provided. We recognize the complexity of addressing these concerns as they relate to the many users of the BLM administered lands. We would suggest th at as the BLM moves forward with the development of these measures the interests of state and local worki ng groups, ranchers, private landowners, industry, and other groups be included in their development. These groups have many years of experience in working in these areas and with sage-grouse, as does the BLM, and through a cooperative process we believe workable conservation measures can be developed that address disturbances to sage-grouse and their habitat.	All	Both	emc0278GB, emc0113RM
945.	Throughout the West the sage-grouse plays a significant ro le in interstate pipel ine permitting. Addressing sage-grouse related issues can be a significant factor in the timely and cost-effective permitting and implementation of natural gas projects. Delay and inconsistency resulting from permitting requirements for sage-grouse can be costly to pipeline companies like El Paso and to their customers. As stated previously, El Paso recognizes the enormity of the scope of this project and the short duration of time in which the BLM and Forest Service have to complete this task. El Paso would request that the BLM and Forest Service develop a consistent management policy across the range of the sage-grouse and identify conservation measures that will allow much needed energy projects to move forward in a manner that is consistent with sage-grouse protections.	All	Both	emc0278GB, emc0113RM
946.	NRCS staff attend every sage grouse local work group in Utah, and regularly interacts with local partners, including BLM staff.	All	BLM	emc0300GB
947.	The Sage Grouse Initiative is an excellent example of how NRCS is orchestrating a paradigm shift in recovery for at-risk species. Instead of regulatory burdens, SGI takes a voluntary approach that benefits agriculture and sage grouse - along with a suite of other wildlife species too, from pronghorn to mule deer	All	Both	emc0300GB
948.	I therefore urge you to reconsider both the proffered justification for these new regulations, and the form of the proposed	All	Both	emc0301GB

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	regulations. Extrapolation of trend lines beyond the data limits is a diagnostic indicator ofjunk science. The apparent dependence of the BLM on using such extrapolations in determining that new regulations are needed is therefore deeply concerning on a scientific level. With respect to the proposed regulations, a strong case can be made that there precisely counterproductive to the proposed goal of stabilizing or increasing sage grouse population number:			
949.	The BLM has a responsibility to maintain multiple use of the lands under its control using the best and highest scientific standards. An unpleasant but necessary component ofthis responsibility is to stand up, when necessary, against voices motivated by emotion rather than science. The debacle over the so-called 'red wolf (a true wolf-coyote hybrid that was nonetheless for a time mistakenly identified as an endangered species) well demonstrates the difficulties that arise when data are misused. It is your responsibility to ensure that similar misuse does not occur in the case at hand.	All	BLM	emc0301GB
950.	The BLM has a responsibility to maintain multiple use of the lands under its control using the best and highest scientific standards. An unpleasant but necessary component ofthis responsibility is to stand up, when necessary, against voices motivated by emotion rather than science. The debacle over the so-called 'red wolf (a true wolf-coyote hybrid that was nonetheless for a time mistakenly identified as an endangered species) well demonstrates the difficulties that arise when data are misused. It is your responsibility to ensure that similar misuse does not occur in the case at hand.	All	BLM	emc0301GB
951.	App C. at 4. It further recognizes the importance in conserving special status species, and the role of BLM in ensuring such conservation: Given the legal mandate to conserve threatened or endangered species and BLM's policy to conserve all special status species, land use planning strategies, desired outcomes, and decisions should result in a reasonable conservation strategy for these species. Land use plan decisions should be clear and sufficiently detailed to enhance habitat or prevent avoidable loss of habitat pending the development and implementation of implementation-level plans. This may include identifying stipulations or criteria that would be applied to implementation actions. Land use plan decisions should be consistent with BLM's mandate to recover listed species and should be consistent with objectives and recommended actions in approved recovery plans, conservation agreements and strategies, MOUs, and applicable biological opinions for threatened and endangered species. Id. This section highlights the requirement of the agency to follow relevant policy regarding special status species and the agency's sage grouse conservation strategy. Additionally, consistency is a notable requirement here, and BLM should thus ensure consistency across landscapes throughout this process to protect sage grouse populations and habitat.	All	Both	emc0276GB
952.	ISSUES TO BE ANALYZED IN THE EIS There are numerous threats associated with negative impacts to sage-grouse and sage-grouse habitat on public lands, and the combination of these threats has resulted in drastic declines in the number of sage-grouse remaining in the West. The recent report created by the Sage-grouse National Technical Team in December 2011 noted that the BLM is to specifically address threats identified by the Fish and Wildlife Service in their 2010 listing decision.7 We agree with this approach and identify other threats that we feel must be discussed and analyzed in the NEPA process. This is not meant to be an exclusive list, and thus we urge the agencies to remain open to the potential that other threats not listed below exist. As these comments focus particularly on the Great Basin Region of the Greater Yellowstone Ecosystem, this section will entail a discussion of all threats we have identified within this part of the ecosystem, including those only relevant in particular or specified locations.	All	Both	emc0276GB

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953.	Studies have found that mitigation measures are generally not effective to offset these negative effects. Some negative effects of habitat disturbance can be offset by successful reclamation, but there is no evidence that populations will rebound to their previous size, and reestablishment may take 20 to 30 years. Additionally, studies show that in some reclaimed areas, sage-grouse have not returned. To complicate matters more, there is a wealth of research suggesting that restoration of sage-grouse habitat may be difficult or impossible to achieve. And while BLM has a No Surface Occupancy buffer stipulation, studies have concluded that this stipulation is ineffective to protect sage-grouse. This is especially true because the BLM has too often granted exceptions and waivers to wildlife stipulations. Between 2006 and 2007, for example, 115 exceptions were granted, 72 of which were in the Great Divide planning area in Wyoming, supporting one of the densest population concentrations for sage-grouse.	All	Both	emc0276GB
954.	First of all, I believe overgrazing is not a function of numbers, but of time. The more time spent by any number of cattle (large or small) on a particular area the more degraded it may become. Speaking from our own experience on our ranch the solution is to graze an area for a short amount of time and then move on. In this way the cattle more closely resemble the migration of the buffalo, working the ground with their hooves and removing old growth. We started a rotation method of grazing our pastures in 1992, which was an extremely dry year for us with virtually no spring moisture. We feared we would not have nearly enough summer forage for our cattle. We took inventory of our pasture by carefully studying what was there and determined we could probably make it through the year by dividing the pasture to take advantage of all available forage. As we could not afford to suddenly go out and cross fence all our pastures we purchased electric poly wire and small posts to go with it. Every time we moved the cattle we moved the fence with them. We did not spend more than about two weeks on any one area. Water was a problem as most of the reservoirs were dry and we hauled water to wherever the cattle were. Not only did we make it through the summer with enough forage but, to our amazement, we left more forage at the end of the summer than we normally did on the good years with the conventional method of grazing where you dump the cattle out in a pasture in the spring and gather them in the fall. The reason for this is when rains did come the cattle could not go back and graze the small shoots coming up because they were confined to another area. Come fall this regrowth left much more standing forage going into the winter. The next spring we discovered those pastures with winter cover on them grew and recovered much faster than those without cover. Once seeing the advantage to a rotation method of grazing we continued the practice, gradually adding permanent cross fencing	All	Both	rmc0003RM
955.	Please consider the importance of the public-private partnerships that have been so successful.	All	Both	rmc0007RM
956.	Keeping ranches economically viable is crucial to the continued success of the Sage Grouse.	All	Both	rmc0007RM
957.	Because these policies are likely to be carried over into the EIS process, we believe it is appropriate to articulate our concerns as part of our scoping comments. However, our comments apply equally to projects that are currently under NEPA review and thus may be impacted by these policies in advance of the EIS process.	All	Both	emc0277GB, emc0112RM
958.	Thus, affected entities should be provided opportunities to confirm assumptions regarding the value of particular habitat areas. And in areas of confirmed priority habitat, BLM should not simply disallow development. Instead, the agencies should develop, with the regulated community, strong but flexible conservation measures that include opportunities for pragmatic mitigation.	All	Both	emc0277GB, emc0112RM

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959.	On March 9, 2012, the BLM and the Forest Service released the Nevada preliminary habitat maps just two weeks before the close of comments on the EIS scoping process.9 Two weeks is insufficient time to fully evaluate the ramifications of the habitat maps;	All	Both	emc0277GB, emc0112RM
960.	It is difficult to determine the precise basis for which areas were classified as Preliminary Priority Habitat or Preliminary General Habitat. The objective criteria for such designations, as well as any subjective components considered, should be provided to the public. Furthermore, we note that the NDOW maps are only a "starting point" and the boundaries "are expected to change." The maps also were developed on a landscape-scale and were not intended to identify project-level habitat boundaries. Thus, the NDOW maps provide no certainty regarding the geographic scope of the proposed EISs and make it difficult, if not impossible, to fully assess the potential applicability of conservation measures and to provide complete comments on their effects.	All	Both	emc0277GB, emc0112RM
961.	In addition to the data underlying the habitat maps, the agencies should provide the basis for the conservation measures in BLM's Technical Report and interim management policies. NEPA requires full disclosure and opportunity for public participation in governmental decisions affecting environmental quality. See Robertson v. Methow Valley Citizens Council, 490 U.S. 332,349-50 (1989) (NEPA "guarantees that the relevant information will be made available to the larger audience that may also play a role in both the decisionmaking process and the implementation of that decision"); 40 C.P.R. § 1500.1(b), (c). To that end, in preparing an EIS, agencies must "insure the professional . .. and scientific integrity, of the discussions and analyses in environmental impact statements." 40 C.F.R. § 1500.24. They must identify the methodologies used, and must explicitly refer to the scientific and other source information relied on in the EIS. [d. The information "must be of a high quality," and must allow for "accurate scientific analysis, expert agency comments, and public scrutiny." /d. § 1500.1(b). The agencies must also discuss responsible opposing views. [d. § 1502.9(b).	All	Both	emc0277GB, emc0112RM
962.	NEPA procedures must ensure that environmental information is available to public officials and citizens "before decisions are made and before actions are taken." 40 C.P.R. § 1500.1 (b); see also etr.for Biological Diversity v. U.S. Forest Serv., 349 F.3d 1157, 1167 (9th Cir. 2003) (NEPA disclosure requirement "obligates the agency to make available to the public high quality information, including accurate scientific analysis, [and] expert agency comments .. . before decisions are made and actions are taken"). Unfortunately, the materials, data, studies, records of personal communication, and other materials relied on in the BLM's Technical Report and interim management policies were not available for public review at the time of the scoping notice. The public, including Barrick, was therefore not afforded an opportunity to consider the effects of those policies and to prepare comments accordingly. Further, BLM stated that the conservation measures and policies in those documents will be incorporated into the EIS alternatives.	All	Both	emc0277GB, emc0112RM
963.	Prior to concluding the scoping analysis, the agencies should provide, and allow public comment on, the scientific information and analysis for the BLM's Technical Report and Instruction Memoranda, including: • Scientific basis: The scientific basis for the Technical Report and interim management policies should be provided. For example, the agencies should identify the methodologies used and scientific literature considered. • Access to materials considered: Access to the materials, data, studies, records of personal communication, and other materials considered in developing the Technical Report and interim management policies should be provided. • Field assessment of map findings: The agencies should identify whether affected parties will be given an opportunity to field-check the Priority and General Habitat maps. If so, the agencies should explain	All	Both	emc0277GB, emc0112RM

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	when the parties will have that opportunity. For example, after the maps are complete, will a party be able to field-check the maps to determine whether identified habitat actually exists as depicted? And if so, will the party be able to do so after the EISs have been finalized, for instance, when the agencies are tasked with making an activity-level decision within a mapped Habitat area? What would be the process to submit evidence refuting the agency's map finding and what would be the burden of proof?			
964.	• Habitat fragmentation: The definition of habitat fragmentation needs to be clearly defined to ensure that treatments that remove sagebrush in an effort to maintain the integrity of the ecological site with the eventual reestablishment of sagebrush on the site are not considered actions that fragment the habitat. The various phases of the ecological site plant community are not fragments, but parts of the overall landscape-scale habitat for sage-grouse. • Unfragmented habitats: The meaning of unfragmented habitats should be clearly defined. For example, if a wildfire breaks a large area of intact habitat into two large areas, and the burned area converts to cheatgrass or other non-native annual species, then this burned area may be considered fragmented. However, if the area that burned realizes the establishment of native perennial grasses and forbs, then this is the first phase of the rehabilitation of the site back to sagebrush-grassland and the area may not be considered as being fragmented-the ecological site is still intact and will support sage-grouse habitat. Areas that have been burned or otherwise converted to non-native ranges may be considered for rehabilitation with the goal of re-establishing native perennial grasses and forbs, and eventually, big sagebrush.	All	Both	emc0277GB, emc0112RM
965.	• Preliminary priority and general habitat (PPH and PGH): The meaning of priority and general habitat, whether preliminary or final, should be defined. The habitat designations have been developed primarily as office exercises and should not be used at a project scale level. The baseline data collection for each project should include an on-the-ground evaluation of these habitat categories, which should be used to refine the mapping of these designations.	All	Both	emc0277GB, emc0112RM
966.	• Relation to Nevada Department of Wildlife habitat categories: The agencies should explain how the definitions of PPH and PGH in the Technical Report and Instruction Memoranda compare or contrast to the Nevada Department of Wildlife (NDOW) habitat categories used to delineate preliminary priority and general habitat in Nevada (Preliminary Priority Habitat includes essential/irreplaceable and important habitats, and General Habitat includes habitat of moderate importance). Which set of definitions will guide final habitat designations in Nevada and elsewhere?	All	Both	emc0277GB, emc0112RM
967.	Three percent anthropogenic disturbance restriction: Please provide the scientific basis for the 3% figure. What is the basis for establishing a numerical threshold? How was the 3% figure identified? Were any other figures considered, and if so, why were they rejected? How is the boundary delineated? What would be considered acceptable mitigation to avoid the threshold? For example, if a burned area was reseeded with perennial grasses and shrubs, do the shrubs have to be established and 3 feet tall to be considered successful reclamation? If so, then this could take several years.	All	Both	emc0277GB, emc0112RM
968.	• Seventy percent land cover for priority habitat: Please explain the recommendation to "manage or restore priority areas so that at least 70% of the land cover provides adequate sagebrush habitat to meet sage-grouse needs." This recommendation does not appear to take into account ecological sites that occur within these large areas that do not have the capacity to provide the cover requirements of sage-grouse. What is the scientific basis for the 70% figure? What is the basis for establishing any numerical threshold? How was the 70% figure identified? Were any other figures considered, and if so, why were they rejected?	All	Both	emc0277GB, emc0112RM

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969.	• Mitigation: Absolute disturbance or land cover requirements (for example 3% anthropogenic activities or 70% land cover) eliminate the role and potential of on- and off-site mitigation to improve the area. For example, a project may be authorized that disturbs more than 3% of a given area. If the project includes mitigation of what is otherwise poor habitat within the area or off-site, there may be a net habitat benefit that would not otherwise occur without the development-mitigation relationship. How will the agencies provide for appropriate mitigation?	All	Both	emc0277GB, emc0112RM
970.	The management plan revisions must comply with multiple use and sustained yield requirements Barrick's experience is that productive uses can co-exist with, and benefit, sagegrouse when coupled with appropriate conservation measures. Noxious weeds, wildfires, and pinyon-juniper encroachment have degraded vast areas of potential sage-grouse habitat. During mine reclamation, we routinely restore such low-value habitats into prime potential sage-grouse habitat. Our ranches also provide off-site restoration opportunities that possibly would not be available without their connection to mining operations. We believe the best way to provide for protection of the sage-grouse, while simultaneously allowing continued economic development, is for BLM to develop conservation measures in cooperation with the regulated community that include a strong but pragmatic mitigation program. Therefore, our comments request that the EISs recognize multiple use principles and feasible alternatives that include mitigation opportunities that will promote sage-grouse conservation.	All	Both	emc0277GB, emc0112RM
971.	The management plan revisions must comply with multiple use and sustained yield requirements The agencies are required to manage for "multiple uses." However, the BLM Technical Team's conservation measures prioritize sage-grouse management to the exclusion of other uses. For example, as noted above, one measure would prohibit any disturbances affecting more than 3% of priority sage-grouse habitat. 17 That restriction seemingly would preclude any roads, transmission lines, substations, wind turbines, oil and gas wells, geothermal wells, pipelines, landfills, homes, mines, or other uses from affecting more than 3% of priority habitat. See id. BLM also proposes to withdraw priority habitat from mineral entry, threatening existing and future mining claims. 18 The scoping analysis should recognize that the proposed revisions must comply with the agencies' multiple use mandates.	All	Both	emc0277GB, emc0112RM
972.	The management plan revisions must comply with multiple use and sustained yield requirements In the Federal Land Policy and Management Act, Congress declared that BLM's public lands were to be managed "on the basis of multiple use." 43 U.S.C. § 1701 (a)(7); see also id. § 1732(a) (directing the BLM to manage public lands under the principles of multiple use). Multiple use management requires "a combination of balanced and diverse resources uses," including "recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values." Id. § 1702©. BLM must manage for multiple uses, including mineral extraction and grazing. Wildlife conservation may never be the BLM's exclusive management consideration.	All	Both	emc0277GB, emc0112RM
973.	The management plan revisions must comply with multiple use and sustained yield requirements BLM must also recognize "the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands." Id. § 1701(a)(12). And BLM must manage the public lands for a "sustained yield," requiring "the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the public lands consistent with multiple use." [d. § 1702(h). Mineral extraction, grazing, and other productive uses must be considered on equal footing with sage-grouse management, and not merely as an afterthought. The National Forest Management Act and the Multiple-Use	All	Both	emc0277GB, emc0112RM

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	Sustained-Yield Act require the Forest Service to similarly manage for mUltiple uses and sustained yield. Forest Service management plans must provide for "multiple use and sustained yield of the products and services obtained therefrom in accordance with the [Multiple Use Sustained Yield Act], and, in particular, include coordination of outdoor recreation, range, timber, watershed, wildlife and fish and wilderness." 16 U.S.C. § 1604€. The Forest Service must recognize "the policy of the Congress that the national forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes." Id. § 528. Accordingly, both the Forest Service and BLM must recognize multiple uses during the revision process.			
974.	The management plan revisions must comply with multiple use and sustained yield requirements The proposed land use and resource management plan revisions require sagegrouse conservation measures, but they do not expressly recognize the agencies' multiple use and sustained yield obligations. They also do not recognize the value of minerals, grazing, timber, and other productive uses. The scoping analysis should clarify that all multiple use and sustained yield objectives, including provisions for productive uses, should be considered during the revision process. See Norton v. S. Utah Wilderness Alliance, 542 U.S. 55, 58 (2004) (describing multiple use management as striking a balance among the many competing uses to which land can be put); Rocky Mtn. Oil and Gas Ass'n v. Watt, 696 F.2d 734,738 (lOth Cir. 1982) (the Federal Land Policy and Management Act requires BLM to recognize competing values).	All	Both	emc0277GB, emc0112RM
975.	i. Purpose and need statement should include multiple use Multiple use and sustained yield principles should be set out in the "purpose and need" section of the environmental impact statement. Those principles were not described in the scopin~ notice and seemingly were not emphasized in BLM's conservation measures. 9 Environmental impact statements must specify "the underlying purpose and need" of the agency action being considered. See 40 C.F.R. § 1502.13. The purpose and need statement is critical because it constrains the range of "reasonable alternatives" to be examined. 42 U.S.C. § 4332(C)(iii); 40 C.F.R. § 1502.14; see also Westlands Water Dist. v. U.S. Dep't of Interior, 376 F.3d 853, 868 (9th Cir. 2004). "Alternatives that do not accomplish the purpose of an action are not reasonable and need not be studied in detail by the agency." Citizens Comm. to Save Our Canyons v. U.S. Forest Serv., 297 F.3d 1012, 1031 (lOth Cir. 2(02). Agencies are given "considerable discretion" to define the purpose and need. Nat'l Parks & Conservation Ass'n v. Bureau of Land Mgmt., 606 F.3d 1058, 1070 (9th Cir. 2010) (citation omitted). However, "an agency cannot define its objectives in unreasonably narrow terms" so that only one or a limited number of alternatives will meet the purpose and need. Id. (citation omitted). Otherwise, the impact statement "would become a foreordained formality." Citizens Against Burlington, Inc. v. Busey, 938 F.2d 190, 196 (D.C. Cir. 1991); see also City of Carmel-by-the-Sea v. U.S. Dep't of Transp., 123 F.3d 1142, 1155 (9th Cir. 1997). Here, multiple use and sustained yield requirements should be spelled out in the purpose and need statement to ensure they are considered. See Citizens Against Burlington, 938 F.2d at 196 (in defining the purpose of an EIS, "an agency should always consider the views of Congress, expressed, to the extent that the agency can determine them, in the agency's statutory authorization to act, as well as in other congressional directives"). The National Technical Team's recommended conservation measures would allow uses other than sage-grouse management on only 3% of priority habitat and would withdraw priority habitat entirely from mineral entry.20 Under Instruction Memorandum No. 2012-044, those conservation measures "must be considered and incorporated into at least one alternative in the land use planning process." Given BLM's and the Forest Service's multiple use mandates for land use planning, which must be incorporated in the purpose and need	All	Both	emc0277GB, emc0112RM

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	for these management plan revisions, alternatives that manage solely for sage-grouse conservation to the exclusion of all other uses cannot meet the purpose and need, and need not be considered in detail.			
976.	ii. Range of alternatives should not be more restrictive than an Endangered Species Act ("ESA") Listing The agencies' objective in launching the RMP revision process is to "conserve sage-grouse and its habitat and potentially avoid an ESA listing. „21 While the prospect of a sage-grouse listing and its regulatory consequences may be daunting, the restrictive measures recommended by the National Technical Team may be even more so. Indeed, the ESA permits the Fish and Wildlife Service to at least consider each proposed action individually, taking into consideration the site-specific circumstances, species and habitat conditions, potential effects to the species, and potential mitigating actions. While "take" of listed species is prohibited under the ESA, there are opportunities for take permits. By contrast, some National Technical Team recommendations would put millions of acres of public lands off limits from mineral entry or arbitrarily cap disturbance regardless of sitespecific species occurrence and habitat conditions, or mitigation opportunities that might be offered by the project proponent. In deciding what conservation measures should be imposed to avoid a listing, the agencies must consider whether the measures proposed may cost more than the ESA listing it is attempting to avoid. The irony of the agencies' purpose to avoid a listing and the BLM National Technical Team's recommended conservation measures is highlighted by the Technical Team's proposal to withdraw from mineral entry priority sage-grouse habitat areas.22 The Technical Team also recommends a 3% surface disturbance cap in priority habitat.23 Such blanket prohibitions that admit no exceptions based on habitat conditions and quality, species occurrence, or mitigation that might be offered by the project applicant are at once inflexible and draconian, evidencing a singularity of purpose that directly contradicts the agencies' multiple-use mandates. By contrast, an ESA listing does not automatically put off limits all projects that might adversely affect the species or its critical habitat within its range. In fact, the ESA specifically provides processes to obtain "take" authorization for both private projects and those with a federal nexus. For private projects that might result in "take"-defined broadly to include any activity that would or would attempt to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect a species, 50 C.F.R. § 17.3-an applicant can obtain an Incidental Take Permit under ESA Section 10 after preparing an approved Habitat Conservation Plan. 16 U.S.c. § 1539(a)(l)(B); 50 C.F.R. § 17.22(b)(l)(iii). A Habitat Conservation Plan specifies the actions that will be taken by the project applicant to minimize and mitigate effects to the listed species. Measures can be as varied as avoiding Impacts by relocating project facilities, minimizing impacts through timing restrictions and buffer zones, rectifying impacts by restoration and re-vegetation, and compensating for impacts by habitat restoration or protection at an offsite location.24 The Fish and Wildlife Service can issue an incidental take permit if after considering the effects and committed mitigation measures, the taking will not appreciably reduce the likely survival or recovery ofthe species as a whole. 50 CF.R. § 17.22(b)(2). Similarly, when an agency such as BLM permits an activity that is likely to adversely affect a listed species, it must initiate Section 7 consultation with the Fish and Wildlife Service to ensure that the proposed action will not jeopardize the continued existence of the species. 50 C.F.R. § 402. 14(a). The Service issues a Biological Opinion to determine whether jeopardy will occur. /d. § 402.14(g). The Service may take into consideration any conservation measures or other agreements between the action agency and the project proponent, including commitments to mitigate and minimize impacts. See Selkirk Conservation Alliance v. Forsgren, 336 F.3d 944, 956 (9th Cir. 2003). Thus, in both the Section 10 and Section 7 context, there is no absolute prohibition on activities that might "take" species. Rather,	All	Both	emc0277GB, emc0112RM

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	project approval is based on whether, after applying the mitigation measures proposed by the applicant, the action will appreciably reduce the likelihood of the survival or recovery of the species, or result in jeopardy, respectively. The ESA permitting processes encourage cooperation between the Service and the applicant to find solutions that both allow the applicant's project to move forward while conserving the species. The mineral industry is familiar with ESA processes and has worked successfully with the Fish and Wildlife Service over several decades to ensure mining operations do not place listed species such as the Lahontan cutthroat trout in jeopardy. Whatever conservation measures the agencies ultimately implement in its various RMPs, they should encourage similar collaboration for species conservation and avoid industrystifling blanket prohibitions that fail to take into consideration individual project proposals and site-specific circumstances. Barrick encourages the agencies to consider, and incorporate in their management plan revisions, alternatives that provide flexibility to the agencies to work with industry toward effective conservation while permitting multiple uses of the public lands.			
977.	iii. Alternatives should be technically and economically feasible The range of alternatives must be technically or economically feasible. NEPA requires the agencies to "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources." 42 U.S.c. § 4332(2)(E). The agencies should emphasize what is "reasonable" and include only alternatives that are "practical or feasible from the technical and economic standpoint." BLM NEPA Handbook at 50; see also N. Alaska Envtl. Ctr. v. Kempthorne, 457 F.3d 969, 978 (9th Cir. 2006) (agency need not discuss alternatives "which are infeasible, ineffective, or inconsistent with the basic policy objectives for the management of the area"); 40 C.F.R. § 1508.25(a). In determining what is "technically or economically" feasible, the agencies should consider whether implementation is likely given past and current practice. BLM NEP A Handbook at 52. As an initial matter, the agencies cannot implement an alternative that manages solely for sage-grouse conservation, as it would violate FLPMA, NMFA, and MUSYA statutory mandates to manage the public lands for multiple uses. Further, as a practical matter, rigid surface occupancy restrictions possibly would not be technically or economically feasible. The Technical Team's 3% priority habitat disturbance measure does not address habitat recovery timelines. Restoration of degraded habitats below the threshold could take several years to a decade or more. This would be an unacceptable delay to new mining projects and expansions at existing mines. Even with the extremely long permitting times to get a plan of operations deemed complete, baseline data collection, and NEPA analysis, which is a 4 to 6 year process, there could be a delay if the restoration is not approved as sufficient or successful. These types of unknown delays in permitting are not technically or economically feasible for large-scale mining operations.	All	Both	emc0277GB, emc0112RM
978.	iv. Design features and mitigation measures BLM and the Forest Service should consider alternatives that incorporate design features and mitigation measures other than the measures in the Technical Report to reduce or avoid impacts to biological, physical, or socioeconomic resources. See BLM NEPA Handbook at 61; 40 C.F.R. § 1508.20 (NEPA regulation defining mitigation). Possible design features and mitigation measures include, but are not limited to: • Alternatives that recognize the efforts of local, regional, and statewide conservation initiatives.	All	Both	emc0277GB, emc0112RM
979.	iv. Design features and mitigation measures BLM and the Forest Service should consider alternatives that incorporate design features and mitigation measures other than the measures in the Technical Report to reduce or avoid impacts to biological, physical, or socioeconomic resources. See BLM NEPA Handbook at 61; 40 C.F.R. § 1508.20 (NEPA regulation	All	Both	emc0277GB, emc0112RM

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	defining mitigation). Possible design features and mitigation measures include, but are not limited to: • Alternatives that provide for compensatory on-site or off-site mitigation to offset activities in sage-grouse habitat that might otherwise be closed under disturbance caps.			
980.	The BLM's interim management policies and procedures were impermissible rulemaking and should not be considered during the revision process BLM's adoption of the interim management policies and procedures in Instruction Memoranda No. 2012-043 constituted an impermissible rulemaking. It is a wellestablished doctrine of administrative law that an agency must comply with the procedures in the Administrative Procedure Act ("APA") if it intends to formulate, amend, or repeal a rule. 5 U.S.C. §§ 551(4),553. Under the APA, rules include "the whole or part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency." [d. § 551(4); Appalachian Power Co. v. EPA, 208 F.3d 1015, 1021 n.II (D.C. Cir. 2000). Among the procedures that an agency must follow to properly promulgate a substantive rule are: (1) notifying the public through publication in the Federal Register that an agency is proposing to issue a rule; (2) providing the public an opportunity to submit written comments on the proposed rule; and (3) publishing the rule in the Federal Register at least 30 days prior to its effective date. 5 U.S.C. § 553(b)-(d). Moreover, the procedural requirements of the APA apply not only to those rules which an agency denominates as such, but also to "an agency's other pronouncements [which] can, as a practical matter, have a binding effect." Appalachian Power, 208 F.3d at 1021. In determining whether an agency guidance document, memorandum, policy statement, or other such document constitutes a binding, legislative rule, courts have recognized that: If an agency acts as if a document issued at headquarters is controlling in the field, if it treats the document in the same manner as it treats a legislative rule, if it bases enforcement actions on the policies or interpretations formulated in the document, if it leads private parties or State permitting authorities to believe that it will declare permits invalid unless they comply with the terms of the documents, then the agency's document is for all practical purposes 'binding.' [d. (quoting Robert A. Anthony, Interpretive Rules, Policy Statements, Guidances, Manuals, and the Like-Should Federal Agencies Use Them to Bind the Public?, 41 Duke LJ. 1311, 1328-29 (1992»; see also Defenders of Wildlife v. EPA, 415 F.3d 1121, 1127 (10th Cir. 2005) (agency may not "escape the notice and comment requirements … by labeling a major substantive legal addition to a rule a mere interpretation") (internal citations omitted); Nat 'I Mining Ass'n v. Jackson, 768 F. Supp. 2d 34 (D.D.C. 2011) ("despite the EPA's assertions that the Guidance Memorandum is only an interim document, the Guidance Memorandum is being treated and applied in practice as if it were final"). Regardless of what name an agency gives to a document, if it has the practical effect of binding the public to a particular standard or course of conduct, the agency's decision constitutes a legislative rule and such rule is valid only if it is the product of the rulemaking procedures of the APA. Appalachian Power, 208 F.3d at 1021; General Elec. Co. v. EPA, 290 F.3d 377, 383 (D.C. Cir. 2002). Here, the BLM field offices must adhere to the interim conservation policies and procedures in Instruction Memorandum No. 2012-043. The memorandum states that it is intended to "ensure" the interim conservation policies and procedures are implemented by the field offices in authorizing and carrying out activities on public land. Those measures are more than "guidance" or "considerations," but rather, they may have substantive impacts on projects. For example, the travel management prohibition against route category changes (Le., road, primitive road, or trail) possibly would apply to all improvements, including those currently before the agencies. For all practical purposes, the interim measures are "binding"	All	Both	emc0277GB, emc0112RM

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	on BLM. See General Elec. Co., 290 F.3d at 383 (citing McLouth Steel Prods. Corp. v. Thomas, 838 F.2d 1317, 1321 (D.C. Cir. 1988» (stating that an agency pronouncement will be considered binding if it "is applied by the agency in a way that indicates it is binding"). Because BLM's interim conservation policies and procedures were an impermissible rulemaking, those measures should not be considered during the revision process.			
981.	B. BLM violated NEPA by not taking a hard look at the environmental consequences of its interim management guidelines before taking action In its haste to issue the interim management guidelines, BLM short-circuited the required NEPA review process. Specifically, BLM violated NEPA by failing to consider the environmental consequences of the interim measures and by failing to enable meaningful and informed public involvement. This disregard for NEPA's procedural requirements undermines the guidelines and renders them arbitrary, capricious, and otherwise not in accordance with law.	All	Both	emc0277GB, emc0112RM
982.	B. BLM violated NEPA by not taking a hard look at the environmental consequences of its interim management guidelines before taking action i. BLM was required to prepare an environmental impact statement before issuing the interim policies based on the potential significant effects on the human environment NEP A requires an agency to take a "hard look" at the environmental consequences of its projects before decisions are made and before action is taken. 42 U.S.c. § 4332(C); 40 C.F.R. § 1500.1; Marsh v. Or. Natural Res. CounciL, 490 U.S. 360, 374 (1989). To that end, an agency must prepare an environmental impact statement for all "major Federal actions significantly affecting the quality of the human environment." 42 U.S.C. § 4332(2)(C). An agency may first prepare an environmental assessment to determine whether the effects are significant. If the EA establishes that the action may have significant environmental impacts, the agency must prepare an EIS. If the agency makes a finding that the action will have no significant impact, no EIS is required. See 40 C.F.R. § 1501.4. If "substantial questions whether a project may have a significant effect" are raised, "an EIS must be prepared." Cal. Wilderness Coal. v. U.S. Dep't of Energy, 631 F.3d 1072, 1097 (9th Cir. 2011). The courts have stated that "[t]his is a low standard." KLamath Siskiyou Wildlands Ctr. v. Boody, 468 F.3d (9th Cir. 2006). BLM's interim guidelines authorized significant changes to the human environment without any NEPA analysis. See 40 C.F.R. § 1508.14 ("human environment" includes "the natural and physical environment and the relationship of people with that environment"). BLM will impose new restrictions and requirements on activities that will change the natural and physical environment by "enhancing" and "restoring" sage-grouse habitat. For example, future leasable mineral developments in areas where sage-grouse populations have diminished will be required to promote "restoration" of habitat when development activities cease. BLM also will put a high priority on "closing and reclaiming" unauthorized motor vehicle routes. These and other directives in the guidelines will have the effect of changing the physical environment to suit the sage-grouse. Even if BLM believes that the conservation policies may only have a significant beneficial effect on the environment, an EIS can still be required. Humane Soc'y v. Locke, 626 F.3d 1040, 1056 n.9 (9th Cir. 2010) (requiring an EIS for significant beneficial effects "is consistent with the weight of circuit authority and has the virtue of reflecting the plain language of the statute"); Kootenai Tribe of Idaho v. Veneman, 313 F.3d 1094, 11 15 (9th Cir. 2002) (holding that implementation of Roadless Rule that would close forests to human intervention "does alter the environmental status quo" and requires NEPA review); 40 C.F.R. § 1508.27(b)(1) ("A significant effect may exist even if the agency believes that on balance the effect will be beneficial."). Among other things, Barrick believes that BLM likely has not adequately considered social and economic values nor the reclamation undertakings by Barrick and others that have improved the quality of sage grouse habitat in Northern Nevada, as described above.	All	Both	emc0277GB, emc0112RM

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983.	B. BLM violated NEPA by not taking a hard look at the environmental consequences of its interim management guidelines before taking action ii. The effects of the BLM's sage-grouse policies are highly controversial and highly uncertain BLM also should have prepared an EIS before adopting sage-grouse conservation policies because of the high level of scientific uncertainty and controversy regarding the effects of its action. See 40 C.F.R. § 1S08.27(b)(4)-(S). In determining whether an action significantly affects "the quality of the human environment," an agency must consider both "context" and "intensity." . § IS08.27. One of the "intensity" factors under the regulations states that preparation of an EIS may be required where "the effects on the quality of the human environment are likely to be highly controversial." [d. § 1S08.27(b)(4). The term "controversy" does not refer to whether the action is unpopUlar; rather, it means a substantial dispute about the size, extent, nature or effect of the federal action. Humane Soc'y of the U.S. v. Locke, 626 F.3d 1040, IOS7 (9th Cir. 2010) (citation omitted). Another "intensity" factor directs the agency to prepare an EIS where "effects on the human environment are highly uncertain or involve unique or unknown risks." 40 C.F.R. § 1S08.27(b)(S). BLM's decision to prepare EISs for the management plan revisions casts serious doubt on the reasonableness of the agency's decision to bypass NEPA when it issued conservation policies in the interim. BLM conducted over 40 scoping meetings throughout the western states to gather information and comments on the nature and scope of incorporating sage-grouse conservation measures into the agency's management scheme. The agency's conduct recognizes that sage-grouse conservation is controversial and uncertain. The same rationale applies to the interim conservation policies, but the agency has provided no reasoned explanation for its earlier decision to forego NEP A. See Nat'/ Parks & Conservation Ass'n v. Babbitt, 241 F.3d 722, 736 (9th Cir. 2001) (the burden is on the agency to come forward with a well-reasoned explanation demonstrating why controvertible evidence does not suffice to create a public controversy based on potential environmental consequences) (citations omitted), abrogated on other grounds by Monsanto Co. v. Geertson Seed Farms, 130 S. Ct. 2743, 27S7 (2010).	All	Both	emc0277GB, emc0112RM
984.	B. BLM violated NEPA by not taking a hard look at the environmental consequences of its interim management guidelines before taking action iii. The BLM failed to provide an opportunity for public review and comment on the interim policies The interim management guidelines were deficient for NEPA's purposes of facilitating informed agency decisionmaking and public comment. See Robertson v. Methow Valley Citizens Council, 490 U.S. 332, 349-S0 (1989) (defining one ofNEPA's goals as "ensur[ing] that the agency, in reaching its decision, will have available, and will carefully consider, detailed information concerning significant environmental impacts"). The guidelines were issued without any public notice or comment opportunity. The scoping meetings for the management plan revision EISs occurred after the interim guidelines came out. The public was not allowed to offer scientific evidence, alternatives, or input of any kind. By imposing these new restrictions and policies without any public scrutiny of any kind, BLM violated NEPA. See 40 C.F.R. § lSOO.l (b) ("Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA."). The agency's current NEPA analysis does not remedy this error. NEPA requires the agency take a "hard look" at environmental consequences before it acts. See 42 U.S.C. § 4332(C); 40 C.F.R. § 1500.1; Marsh v. Or. Natural Res. Council, 490 U.S. 360, 374 (1989). Under CEQ regulations, actions may be authorized during the pendency of the preparation of an EIS only if the interim action will not have any significant environmental impacts on the human environment or limit the range of alternatives. 40 c.F.R. § 1506.1. These regulations generally apply only where the agencies have prepared, and allowed for comment participation in, an environmental assessment and finding of no significant impact. See Intertribal Bison Coop. v.	All	Both	emc0277GB, emc0112RM

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	Babbitt, 25 F. Supp. 2d 1135 (D. Mont. 1998) (upholding an interim bison management plan prepared by the National Park Service while the Service was developing a long-term bison management plan and associated EIS where the Service had prepared an EA and FONSI for the interim plan); Nat'l Wildlife Fed'n, et al., 169 IBLA 146 (2006) (The Interior Board of Land Appeals upheld interim exploratory drilling plans in the Atlantic Rim area during the pendency of a area-wide EIS where BLM had prepared an EA and FONSI). BLM prepared neither an EIS nor an EA when it issued its interim policies despite the adverse environmental impacts. Accordingly, BLM failed to comply with NEPA and the interim policies should not be considered during the management plan EIS process.			
985.	c. BLM was required to prepare a Regulatory Flexibility Act analysis By issuing the interim management guidelines without notice and comment, BLM is avoiding its obligation to examine the effect of its rules on the small businesses and governments that are crucial to the local economy.34 The Regulatory Flexibility Act requires an agency, concurrent with proposing a new rule, to prepare an initial regulatory flexibility analysis describing the impact of the proposed rule on small businesses and discussing "significant alternatives" that accomplish the regulatory objectives while "minimiz[ing] any significant economic impact of the proposed rule on small entities." 5 U.S.c. §§ 603(a), (c). The Act also requires the agency to make an extra effort to collect the input of small entities on the impact of the proposed rule by conducting open hearings, directly notifying small entities of the proposed rules, or publishing notice in trade publications. Id. § 609. The final analysis must discuss, among other things, the reasons why the agency adopted the alternatives it did. Id. § 604(a). In this case, the BLM did not comply with the Regulatory Flexibility Act when it adopted the guidelines without any public notice, comment, or flexibility analysis. BLM's failure is not harmless error. The flexibility analysis offers the public an important way to participate in the rulemaking process, and for the agency to consider the negative impacts of the proposed measures on crucial sectors of the economy and determine how they can be avoided or mitigated. Id. §§ 603,604,609. Failing to conduct this kind of analysis for measures that will have a significant economic impact on small entities is a breach of the agency's legal responsibilities. See S.Offshore Fishing Ass'n v. Daley, 995 F. Supp. 1411, 1434-36 (M.D. Fla. 1998) (holding that NMFS should have prepared an initial regulatory flexibility analysis for certain fishery quota reductions). Implementation of the interim guidelines and policies possibly will have substantial impacts on small businesses and communities affected by the new measures. For instance, businesses and communities possibly could lose access to BLM roads within priority habitat, if the agency determines that "continued use would result in habitat alterations or other physical disturbances that impair life history functions of the Greater Sage-Grouse, such as breeding, brood-rearing, migration patterns, or winter survival, as appropriate." See Interim Guidelines. Recreation industries and communities also possibly could lose access to BLM recreation sites. See Interim Guidelines ("Consider closing recreational sites either seasonally or permanently and restricting traffic to avoid or minimize effects of habitat alterations or other physical disturbances to Greater Sage-Grouse (e.g., breeding, brood-rearing, migration patterns, or winter survival)."). BLM's failure to analyze how to accomplish the interim guidelines' regulatory objectives and to minimize any significant economic impact of the proposed rule on small entities violates the Regulatory Flexibility Act and renders reliance on those conservation policies and procedures arbitrary and capricious and without observance of procedure required by law. 5 U.S.C. § 706(2)(A), (D).	All	Both	emc0277GB, emc0112RM
986.	D. The National Technical Team report should not be considered because the BLM failed to comply with FACA Under federal law, the BLM must establish and utilize advisory committees according to the provisions of Federal Advisory	All	Both	emc0277GB, emc0112RM

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	Committee Act ("FACA"). Because BLM failed to comply with the Act in establishing the National Technical Team, the agencies should not use the team's findings and conclusions during the revision process.			
987.	D. The National Technical Team report should not be considered because the BLM failed to comply with FACA i. The National Technical Team was an "advisory committee" subject to FACA FACA prohibits the establishment of "advisory committees" without adherence to the requirements for establishing and managing such committees. See 5 U.S.c. App. 2, § 9. Through the passage of FACA, "Congress sought to recognize the importance of having advisory committees to the Executive Branch be completely open to public observation and comment." Alabama-Tombigbee Rivers Coal. v. Dep't of Interior, 26 F.3d 1103, 1106 (11 th Cir. 1994). Congress intended to counter the fear that committees would be dominated by groups seeking to advance their own agendas, and to ensure the public could remain appraised of the existence, activities, and cost of advisory committees. See Pub. Citizen v. U.S. Dep't of Justice, 491 U.S. 440,446 (1989) (citing 5 U.S.c. App. II § 2(b». Here, the National Technical Team was an advisory committee that was "established" by BLM. Factors used to determine if a committee was established under FACA include whether the agency conceived of the committee or selected the membership for the committee. See Miccosukee Tribe of Indians of Fla. v. United States, 420 F.Supp.2d 1324, 1342 (S.D.Fla. 2006). Or, whether the committee was funded or managed by the agency. See Sw. Ctr.for Biological Diversity v. Klasse, 1999 WL 34689321, at *12 (E.D.Cal. 1999)(citingAluminum Co. of A mer. v. Nat'/ Marine Fisheries Serv., 92 F.3d 902, 906 (9th Cir. 1996». BLM established the Technical Team for the specific purpose of providing advice and recommendations for BLM on the conservation measures and management approaches for the management of Greater sagegrouse. BLM conceived of the team, selected the membership of the team, and managed the team. Therefore, the team was "established" by BLM as an advisory committee subject to FACA. Alternatively, even if the team was not deemed established by BLM, it was nonetheless "utilized" by BLM. See 5 U.S.c. App. 2, § 3(2)(C) (defining "advisory committee" as any group which is "established or utilized by one or more agencies"). An advisory committee is utilized if it is amenable to strict management by agency officials. Pub. Citizen, 491 U.S. at 457-58; see also Aluminum Co. of Amer., 92 F.3d at 905. Factors include whether the agency exerted control over or actually managed the committee, or whether the agency is the recipient of information from the committee or the committee was acting as an agent of the agency. Miccosukee Tribe of Indians, 420 F.Supp.2d at 1342. With regard to the Technical Team, BLM both managed and received the information produced by the team. The BLM Nevada Deputy State Director of Resources was the team leader. And BLM both received and implemented the team's recommendations in the December 27, 2011 instruction memoranda. Thus, the team was "utilized" by BLM for FACA purposes. See California Forestry Ass'n v. U.S. Forest Serv., 102 F.3d 609, 610-12 (D.C. Cir. 1996) (finding that a scientific panel comprised of a mix of individuals from federal agencies, state universities, and a private university to conduct a scientific review of old growth forests was subject to FACA because: (1) the science panel's report was intended to serve as an element of the Forest Service's plan for ecosystem management; (2) the science panel viewed the Forest Service as the user of its report; and (3) the Forest Service used the report in developing a draft environmental impact statement); Nw. Forest Res. Council v. Espy, 846 F.Supp. 1009 (D.D.C. 1994) (applying FACA to advisory committee that rendered advice and recommendations on forest management policy); Heartwood, 431 F.Supp.2d at 35 (committee held to be subject to FACA because it was assembled for purpose of informing Forest Service's policy-making). The National Technical Team includes five non-federal members drawn from state wildlife agencies. The Unfunded Mandates Reform Act of 1995	All	Both	emc0277GB, emc0112RM

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	("UMRA"), 2 U.S.c. § 1534, did not exempt the team from FACA simply because the team consisted of federal and state employees only. In contravention of FACA and the UMRA amendment, the team's meetings were not held between federal officials and "elected officers of State ... governments ... or their designated employees with authority to act on their behalf." Id. § 1534(a). While "resource specialists and scientists" from the state fish and wildlife agencies were in attendance, there is no indication those state officials were "elected officers" or "designated employees." See Wyoming Sawmills, 179 F.Supp.2d at 1305 (indicating that state and tribal attendees must be "designated" and citing to specific letter of designation for such attendees); see also Idaho Wool Growers Assoc. v. Shafer, 637 F.Supp.2d 868, 876 (D. Idaho 2009) (without more than the Forest Service's conclusory statements to the contrary, "it cannot be said that the state officials in attendance during the Committees' meetings were either elected officials themselves, or designated to act on elected officials' behalf' as required by the UMRA).			
988.	D. The National Technical Team report should not be considered because the BLM failed to comply with FACA ii. BLM violated FACA in establishing and conducting the Technical Team FACA imposes a number of requirements on advisory committees that BLM violated with establishment and conduct of the Technical Team. See 5 U.S.c. App. 2 §§ 2, 9-14. For example, based on our review of the Federal Register, BLM did not establish the team following a determination as a matter of formal record in the Federal Register. See 5 U.S.c. App. 2, § 9(a)(2). BLM also did not provide Federal Register notice of its meetings. See Id. App. 2, § 1O(a)(2). Without notice, interested persons were deprived of the opportunity to attend, appear before, and file statements with the team. See Id. App. 2, § 1O(a)(3). Further, BLM failed to require that team membership was fairly balanced in terms of representing the points of view of non-governmental interests. Agency heads or other federal officials creating an advisory committee shall "require the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee." Id. App. 2, § 5(b)(2), (c). An advisory "committee must ... 'not be inappropriately influenced by the appointing authority or by any special interest. '" In re Cheney, 406 F.3d 723, 727 (D.C. Cir. 2005) (quoting 5 U.S.c. app. II §§ 5(b)(2), (3) and (c». Here, not a single member of team was a representative of the mining, grazing, or other non-wildlife industries that would be affected by the team's findings and conclusions and that are also engaged in sciencebased sage-grouse conservation. Thus, BLM violated FACA in establishing and conducting the Technical Team.	All	Both	emc0277GB, emc0112RM
989.	D. The National Technical Team report should not be considered because the BLM failed to comply with FACA iii. The Technical Team's findings and conclusions should not be used during the revision process Because BLM did not comply with the procedural mandates of FACA, the Technical Team's findings and conclusions cannot be used in any future agency decisionmaking. In Idaho Wool Growers Assoc. v. Shafer, 637 F.Supp.2d 868, 880 (D. Idaho 2009), the court found that the Forest Service violated FACA when it established two committees to study the risk of disease transmission from domestic sheep to bighorn sheep. The court held that the proper remedy was to prohibit the Service from relying on the findings and conclusions in the committees' reports with respect to any future agency decisions. Id. at 880; see also Alabama-Tombigbee Rivers, 26 F.3d at 1107 ("to allow the government to use the product of a tainted procedure would circumvent the very policy that serves as the foundation of [FACA],,). Due to BLM's violation of FACA, the Technical Report cannot be used during the revision process.	All	Both	emc0277GB, emc0112RM
990.	Barrick is concerned about, among other things, the practical, on-the-ground implications of the agencies' proposed	All	Both	emc0277GB,

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	conservation measures. The proposed EISs should clarify that the measures will recognize the principles of multiple use and sustained yield. Also, the proposal should allow flexibili ty for the agencies to develop conservation measures in cooperation with the regulated community that include a strong but pragmatic mitigation program while simultaneously allowing continued economic development.			emc0112RM
991.	The potential for cumulative impacts from the numerous threats described above is great and may exacerbate impacts to an already declining sage-grouse population. By themselves, the threats described above may have an impact that is difficult to quantify, but as a group they may have cumulative impacts that can significantly impact sage-grouse persistence. Cumulative impacts are often difficult to assess but their assessment is critical in understanding the canopy of threats affecting this species.	All	Both	emc0276GB
992.	One of the overarching issues with current agency policies is that they vary from forest to forest and from one RMP to another. Thus, sage-grouse might be better protected during the spring, but once they move to their wintering habitat to a different land management area, protection may be weakened or lost. This approach of variable management is inadequate to ensure the conservation and persistence of sage-grouse on public lands. Rather, all Forest Plans and RMPs should contain consistent conservation standards that direct activities within priority sage-grouse habitat, within currently occupied sage-grouse habitat, and within habitat capable of supporting sage-grouse. These directives must not only be consistent across landscapes, but they must be mandatory, binding, enforceable standards. Guidance and policies that are discretionary or unenforceable have led to the current dire situation of the sage-grouse, and thus do not constitute adequate regulatory mechanisms to protect the species. Similarly, implementing exceptions for otherwise mandatory standards can destroy the binding and non-discretionary nature of the directive, thus leading to inconsistent management and inadequate regulatory mechanism. Such weak management will fail to protect sage-grouse and will likely lead to the listing of the sage-grouse under the Endangered Species Act. In short, the BLM and Forest Service must include enforceable, binding standards that are consistent in all RMPs and Forest Plans. These standards must direct what activities can be undertaken in sage-grouse habitat, how and when those activities can be undertaken in relation to sage-grouse habitat, including leks, nesting grounds, brood rearing habitat, and wintering habitat, and a clear statement that these standards are not guidelines that are suggestive in nature, but rather are requirements that are mandatory in nature. The agencies must not formulate exceptions or waivers for any activity that may harm sage-grouse or sage-grouse habitat, for doing so leads to inconsistent management and will lead to listing of the sage-grouse, at which time all activities that harm sage-grouse will be forced to cease.	All	Both	emc0276GB
993.	4. The BLM and Forest Service Should Identify, Prioritize, and Facilitate Needed Research to Develop Information for Sage-grouse and Sagebrush Habitat Conservation in Coordination with the States and WAFWA. Although there has been an ever-increasing amount of research on sage-grouse and sagebrush habitat in recent decades, there are still many questions with regard to the decreasing populations of sage-grouse. For example, the effects of OHV use on sage-grouse or sagebrush habitats are relatively unknown, although experts have surmised about the potential effects. Additionally, although many experts believe that a buffer between leks and harmful activities may increase sage-grouse survival rates, it is unclear for which activities a buffer should be implemented, or how large that buffer should be based on scientific evidence. To gather answers to these important questions that will offer more insight on how to manage for healthy sage-grouse populations across the West, the BLM and Forest Service should identify, prioritize, and facilitate research opportunities with the States	All	Both	emc0276GB

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	and with the Western Association of Fish and Wildlife Agencies. This should consist of range-wide cooperation and collaboration efforts. The agencies must also work to ensure that annual funding is available for such research and all completed studies should be published, made easily accessible to the public, and peer-reviewed where necessary to affirm scientific accuracy.			
994.	Nothing in this determination should be based upon political endeavors or other agency priorities. When determining unoccupied but suitable sage-grouse habitat, the public should be given an opportunity to weigh in and final determinations should be based upon the biological and scientific information demonstrating the capability of the area to support sage-grouse. To this end, the agencies must complete, maintain, and update eco-regional assessments of sagebrush and sage-grouse habitats across the sagebrush biome prior to the initiation of any new projects. In concert with these identification efforts, the agencies must provide the public with highquality user-friendly maps. These maps should be included within each RMP and Forest Plan, and should document priority sage-grouse habitat, currently occupied sage-grouse habitat, and unoccupied but suitable sage-grouse habitat. Maps should be provided showing occupied habitat during each season and stage of a sage-grouse's life, including lekking areas, nesting habitat, brood rearing habitat, and wintering habitat. Areas capable of supporting sage-grouse during any one of these stages should be considered suitable habitat, even if unoccupied. Each RMP and Forest Plan should additionally include a map showing historic versus current range of the species.	All	Both	emc0276GB
995.	7. The BLM and Forest Service Should Manage Activities in a Manner to Protect Sage-Grouse to the Greatest Extent Possible in Occupied or Suitable Habitat. The National Technical Team mainly addresses priority habitat, and thus only addresses broad objectives in other sage-grouse habitat that also must be protected through this process.37 In areas that are occupied by sage-grouse but not determined to be priority habitat, or in areas unoccupied but suitable for sage-grouse, the agencies must implement standards to ensure that all activities and projects proceed in a manner aimed to protect sage-grouse to the greatest extent possible. Energy development, grazing, and other projects described above should be able to proceed in these areas as long as they can conform to standards set forth in the RMPs and Forest Plans. These standards must be stringent in order to protect suitable habitat, as the Technical Team Report noted that sage-grouse "may avoid otherwise suitable habitat as the density of roads, power lines, or energy development increases."38 Furthermore, "avoidance is likely to result in true population declines if density dependence, competition, or displacement of birds into poorer-quality adjacent habitats lowers survival or reproduction."39 Thus, density limits on infrastructure should be set in areas of suitable habitat that is outside of the priority habitat areas. An example of another standard would be setting reasonable buffers for all disturbing activities from leks and nesting grounds based on current science. Additionally, the agencies should require a "no net loss" of sagebrush habitat or sage-grouse populations at appropriate spatial and temporal scales when providing for non-renewable resource development and utilization or renewable energy development. The agencies should further develop and implement technologies and practices that offset, reduce and/or minimize disturbance to sage-grouse and their habitat associated with nonrenewable resource recovery activities. In areas where dispersed recreation is permitted, it should be managed in a way to avoid, reduce, and where possible eliminate, displacement of sage-grouse or negative impacts to sage-grouse habitat. Along those lines, we support the Technical Team Report's measure to only allow special recreation permits that have neutral or beneficial affects to priority habitat areas.	All	Both	emc0276GB

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996.	In addition to ensuring compliance with land management plan standards, early project planning should consider not only the amount of habitat affected, but changes to habitat quality, resulting fragmentation, impacts to seasonal habitats and migratory pathways, effects of human presence and structures, noise levels, and other relevant considerations. Every effort must be made to design the project so as to minimize impacts to the species and its habitat. Once designed, these project specifications must be enforced. Similarly, relevant leases and permits should contain stipulations to ensure that sage-grouse will be protected throughout the life of the project or activity. Strategies for addressing potential effects of all these activities must be developed at the regional, state, and local levels.	All	Both	emc0276GB
997.	9. BLM Must Ensure that All Agency Actions are Consistent with the Conservation Needs of Sage-Grouse as a Special Status Species. The goal of the BLM's Special Status Species policy is to improve conditions of the species habitat and increase population levels so that listing under the Endangered Species Act is unnecessary. In order to accomplish this goal, BLM requires that all actions it authorizes are managed in a manner that promotes the conservation of the species. Thus, the BLM must minimize or eliminate threats affecting sage-grouse and aim to recover struggling populations of the species. The suggestions above that would require elimination of major threats in sagegrouse priority habitat would comply with this policy. To further the ultimate goal of recovering populations and avoiding the need for listing under the Endangered Species Act, all land use plans must discuss management objectives, treatments, and means for assessing accomplishment in sufficient detail.	All	Both	emc0276GB
998.	10. BLM and Forest Service Should Not Rely on Adaptive Management, Mitigation, or Restoration to Permit Projects That May Harm Sage-Grouse. The Technical Team Report often references reliance upon adaptive management, mitigation measures, or restoration to protect sage-grouse and sage-grouse habitat.41 While the BLM and the Forest Service have often relied upon adaptive management, mitigation measures, or restoration promises to allow projects harmful to resources to proceed on public lands, sagegrouse and sagebrush habitat presents a unique situation, especially in terms of restoration. Restoration efforts on sagebrush land are often ineffective, and in limited instances where success may be achieved, restoration is expensive and can take decades or even centuries before the land is truly recovered. The Fish and Wildlife Service has warned: Restoration of sagebrush habitat is challenging, and restoring habitat function may not be possible because alteration of vegetation, nutrient cycles, topsoil, and cryptobiotic crusts have exceeded recovery thresholds. Even if possible, restoration will require decades and will be cost-prohibitive. 75 Fed. Reg. at 13975. The Technical Team Report suggests several measures for restoration of habitats, all of which we support providing that the promise of restoration is not used to permit otherwise harmful projects but rather are stand-alone projects to restore sage-grouse habitat.42 Adaptive management, while also generally adopted under good intentions, has proven difficult in many instances largely because funding is generally unavailable to complete steps necessary to truly understand the appropriate role of adaptive management. Without a stable source of funding, adaptive management practices cannot be used to conserve sage-grouse. Additionally, because there is so much scientific research necessary to understand how sage-grouse react to certain threats and how to best conserve the species and their habitat, using limited funds to focus on adaptive management methods does not seem like the best course of action at this time. If used, adaptive management must include triggers that require more protection for sage-grouse and sage-grouse habitat if monitoring indicates that project activities are harming sage-grouse or sage-grouse habitat. GYC generally supports mitigation efforts aimed at protecting	All	Both	emc0276GB

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	sage-grouse, although we believe that mitigation should be a last resort when considering new proposals, especially when aimed at habitat restoration or enhancement given the experimental and unproven nature of restoration activities. For example, while the Technical Team Report proposes a limit of new small project proposal to a total of 3% disturbance within priority sage-grouse habitat, the report allows for disturbance exceeding 3% for some infrastructure if "additional effective mitigation" is used to "offset the resulting loss of sage-grouse."43 Whether mitigation will actually be effective in offsetting the loss of sage-grouse, however, is only projection and should not substitute for more protective prohibitions of priority sage-grouse habitat. In limited instances where mitigation is approved, GYC suggests the following. Mitigation required for projects outside of priority sage-grouse habitat should be limited to on-site mitigation to reduce the impacts of the harmful project or activity itself. If and where off-site mitigation is approved, it should focus on improving existing sage-grouse habitat, and not simply protecting existing refugia. Only when the affected land area has been reclaimed to the point of supporting all seasonal needs of the local sage-grouse population may additional lands in the area be developed. At the very least, off-site mitigation efforts should occur within the same population area and within the same province or state as the impact due to the difficulty of reestablishing self-sustaining populations once they are extirpated and for ease of compliance with provincial and state wildlife conservation laws and policies. Where adequate habitat cannot be mitigated within an existing sage-grouse population area, then mitigation should occur within the same Management Zone in which the effected population occurs. In this situation, mitigation should occur either based on geographical need if the success of the population reestablishment is the greatest and genetics are not an issue, or based on genetic needs if that is an important issue.			
999.	11. All RMPs and Forest Plans within the Ten Western States Identified in the Federal Register Notice Must Implement These Standards. The BLM has indicated that some RMPs currently undergoing revisions may not be amended to include the final sage-grouse directives because they are currently incorporating sage-grouse management initiatives. Even though these RMPs may provide protective standards for sagegrouse, it is impossible to know at this point if those standards will be as protective as the final standards that come out of this process. It is important that all management directives are consistent across the sage-grouse's range, and thus even RMPs currently under revision that contain protective measures must be amended if measures more protective for sage-grouse come out of this process.	All	Both	emc0276GB
1000.	In researching this issue, I have seen the proposed withdrawal maps and am astounded by the huge areas deemed "critical". I have seen numerous comments criticizing and opposing the antiquated data used in preparation of the habitat maps. I have also seen comments criticizing and opposing the inappropriate methods of data use. I have also seen comments that the BLM appears to have ignored the impacts of extensive fires, wild horses and hunting which have taken more Sage Grouse habitat than all other uses combined. All the opposition comments I've seen are from authoritative sources.	All	Both	emc0282GB emc0115rm
1001.	I believe the proposed withdrawal ignores hunters, fires and the impacts on Sage Grouse habitat by wild horses. Further, the State of Nevada currently allows hunting of Sage Grouse. I am in favor of reasonable protective measures based on solid science and surveys; which is already being done by the BLM on a case by case basis. Has the BLM given the slightest consideration to the loss of its own present mining claim revenue stream, let alone the loss of Nevada jobs and related economic impacts? I have personally discussed this proposed protective withdrawal with a major northern Nevada rancher who has very long term and intimate knowledge of his ranch terrain. He is outraged by this proposed withdrawal. He is	All	Both	emc0282GB emc0115rm

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	convinced that the main problem is fires, wild horses and hunting. The wild horse population problem is mentioned above. Nevada has a large Chukkar Partridge population. Those birds usually inhabit the same areas as Sage Grouse. Chukkar are very difficult to shoot – thus hunters will take Sage Grouse in lieu of Chukkar. We are convinced that the solution to the Sage Grouse problem is to directly protect them from hunting; and for the BLM to do a better job in wild horse and wildfire management. If the BLM wants to protect these birds, the solution is obvious - protect them from hunting, wild fires and wild horses.			
1002.	By state Executive Order, the state of Idaho is currently in the process of developing a state sage grouse conservation strategy which should be completed in June. Because this is being developed by a broadbased group of Idaho citizens who have local knowledge of sage grouse populations and the effects thereon, this plan will contain the most effective tools for managing the land and conserving sage grouse in Idaho. BLM/FS should defer to the Idaho plan and utilize it, where applicable, as the preferred alternative for BLM/FS lands within the state.	All	Both	emc0284GB
1003.	Any management changes that the agencies undertake must be linked to the population status of the bird and this must be conducted on a site-specific basis. If sage grouse populations are stable, there should be no need to trigger additional management measures. If management changes are deemed necessary, those changes need to reflect the import of the habitat and account for the primary threats first.	All	Both	emc0284GB
1004.	There are inherent disadvantages of inflexible, "one-size-fits-all" standards. An adaptive, case-by-case approach will ensure that efforts and resources expended in the name of greater sage-grouse conservation are well spent	All	Both	emc0284GB
1005.	It is our belief that local citizens working together to resolve local issues offers the best chance of success. Federal agencies should defer to those local working groups that are on the path toward achieving results, and should not interfere with or conflict with the work of such groups.	All	Both	emc0284GB
1006.	Regarding adequate residual plant cover, the regulations should reiterate that ecosystems, occupied habitat and greater sage-grouse population is varied and should not be managed by a "one-size-fitsall" approach, but rather by an approach that allows land managers, local working groups, and grazing permittees to collaborate on management practices that benefit the resources affecting individual populations in small areas—not over the entire west-wide greater sage-grouse range.	All	Both	emc0284GB
1007.	On December 21, 2011, the Sage-grouse National Technical Team (NTT) issued a report titled, "A Report on National Greater Sage- Grouse Conservation Measures." We are concerned that the NTT report did not include input from any affected stakeholders or interdisciplinary experts aside from state and federal scientists and specialists; ignores regional variances in greater sage-grouse needs; is not a comprehensive representation of the literature and research surrounding livestock grazing; and has not been scientifically peer reviewed for accuracy. As such, we do not believe it should be considered as an alternative in EISs and SEISs in its current form.	All	Both	emc0284GB
1008.	Ranchers' ability to graze livestock on BLM and FS managed lands is critical to many of our western counties and rural economies. Thus, local and county governments should play an active role in land use planning. Local, state, and tribal governments should be granted full cooperating agency status when requested, and that the federal agencies should coordinate [when requested] with all existing local plans, as required by NEPA and other federal statutes	All	Both	emc0284GB
1009.	The state of Idaho, as well as the rest of the Western US that run cattle on public land is necessary for people, the land, and	All	Both	emc0285GB

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	the economy. By removing cattle, fires will be inevitable, destroying sage grouse habitat as well as other wildlife.			
1010.	I urge you to protect the Greater Sage Grouse habitat. I believe we need to carefully consider what we do in terms of how it affects wildlife. This consideration does not always appear to be made when decisions regarding vegetation adversely affect wildlife. Often oil and gas drilling has decimated Sage Grouse habitat. Additionally, grazing can have an adverse effect. It is easy to avoid vegetation treatments in these areas. We need to have healthy productive sage for the Sage Grouse to flourish, and this can be done by planning how much grazing can occur and where it will occur. Unfortunately, the expansion of activity at the Alton mine is less a compromise measure. This expansion will lead to the decimation of much of our wildlife in the area.	All	Both	emc0288GB emc0118rm
1011.	1. page 4, Introduction, paragraph!. SRCA questions the references used by the Sage-grouse National Technical Team and disagrees with the statement that, "Sage-grouse populations now occupy approximately one-half of their pre-European settlement distribution." Sightings of sage-grouse in Nevada's early history are almost non-existent. The sage-grouse wasn't even a staple of the Native American diet. This brings into question the entire need for the rest of this report and the objectives and goals listed. Could it be that sage-grouse are currently returning to "natural" population levels? (Hansen, 2011)	All	Both	emc0289GB
1012.	page 4, Introduction, paragraph 2. The National Policy and Direction will be based upon the "best available science." What is the best available science? Current research and technical bulletins contain conflicting data as to the ideal percentage of vegetation coverage necessary for nest site selection and successful nesting. Vegetation measurements in support of minimum vegetation cover requirements or successful nesting guidelines should not be the only attribute or monitoring criteria for adjusting other land uses such as livestock grazing in nesting areas. (Schultz, 201 I) Much of the existing research comes from Wyoming, Colorado and Eastern California. Is the "best available science" corning from Nevada-specifically within the Great Basin? Ideally, it should come from Nevada, not extrapolated from existing research in other states. There exist a lot of variables within sagebrush habitats across the west, within Nevada, Elko County and even Northeast Elko County. If and when realistic, defensible guidelines are established and more importantly agreed upon, they must remain dynamic and flexible to ensure modification and consideration for local conditions.	All	Both	emc0289GB
1013.	8. page 14, Range Management, bullet point 1). The Shoshone Basin Sage-Grouse Coalition (working group) has been in place since 1994. This groups' area of consideration isjust north of the Nevada State Line. Nevada should look into the operating principals of this group, as the nesting success and increased numbers are very impressive! This is an excellent example oflivestock and wildlife benefiting from proper land use practices.	All	Both	emc0289GB
1014.	Most ranchers are good stewards and take care of their allotments because their livelihood depends on it. If these public lands are taken care of properly, there shouldn't be any impact on the sage-grouse population due to the balance of nature. Sometimes changes take place in an ecosystem, so animals have to adapt by relocating. In most instances, this relocation isn't very far away, and within a certain time frame, the animal may move back to the original location. We feel the government really needs to stop meddling in some of these nature issues that just need to be left alone to run their course.	All	Both	emc0290GB
1015.	Suggest that -The 3% surface area disruption be eliminated from all text and add in 20% and ratcheted down to 3% in 2% increments per year until habitat and population objectives are met. Thus, giving all land owners a chance to communicate	All	Both	emc0291GB, emc0055RM,

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	and cooperate together to achieve an accepted goal for habitat and population of the priority habitat areas.			emc0119RM
1016.	Suggest that –on page 7 bullet #4 omit the language "regardless of ownership" this will help to not discourage private land owners and volunteer groups from participating in the conservation measures suggested.	All	Both	emc0291GB, emc0055RM, emc0119RM
1017.	Suggest that –on page 9, #3 Omit "40 acre off-site mitigation", and input "implement a habitat improvement project adjacent to the disturbed area of not less that the amount of area being disturbed". Further more, move the last paragraph "evaluation on a case- by case" to the end of the first paragraph. This adds sensible communication and workable language which will encourage cooperation between all parties involved.	All	Both	emc0291GB, emc0055RM, emc0119RM
1018.	Suggest that –on page 9 bullet #3. Edit language "and provide connectivity between priority areas" and add "where feasibility is dictated by common sense" Again this adds sensible communication and workable language which will encourage cooperation between all parties involved.	All	Both	emc0291GB, emc0055RM, emc0119RM
1019.	Suggest that – on Page 11 bullet #3. "Complete activity level plans within five years of the record of decision. During activity level planning, where appropriate, designate routes with current administrative/agency purpose or need to administrative access only." omit this statement as it leaves volunteer habitat conservationist with the impression that their work and efforts are unimportant and avoidable.	All	Both	emc0291GB, emc0055RM, emc0119RM
1020.	Suggest that –on Page 11 bullet #5. Omit the last sentence "if that disturbance exceeds 3% for that area, then make additional, effective mitigation necessary to offset the resulting loss of sage-grouse habitat."	All	Both	emc0291GB, emc0055RM, emc0119RM
1021.	Suggest that –Page 23 dark round bullets #8 omit "Base the reclamation cost on the assumption that contractors for the BLM will perform the work". This statement eliminates the ability of local working groups and committees to pursue and conduct reclamation activities in a free market system.	All	Both	emc0291GB, emc0055RM, emc0119RM
1022.	It is clear that more work needs to be done by federal land managers and private land owners to conserve and restore, in some cases, the habitat of the greater sage-grouse. However, there needs to be a cooperative effort between these two entities, and where regulations may me required, both entities must set down at the table to work trough the issues before further regulations are imposed by the federal land managers. Regulations of the regulations will only create an adversarial relationship ending in total disregard for the initial goal. Pleas be advised as you work on the Environmental Impact Statements (EIS's) and Supplemental Environmental Impact Statements (SEIS's), you need to include livestock producers in your efforts.	All	Both	emc0291GB, emc0055RM, emc0119RM
1023.	In order to see the sage grouse thrive we need to have laws in place that see to it that predators are dealt with. As ranchers of sheep (one of the most defenseless animals) we can assure you that predators should be our main concern in protecting the sage grouse. Our sheep sometimes share the same habitat as the sage grouse. And the things that do the most damage to our business is not the weather. Not hunters. Not illnesses. Not mining. Not pollution. But the leading cause of death loss to our flocks are the predators. They cost us many untold dollars a year.	All	Both	emc0293GB
1024.	The next war that needs to be waged is against predators. Not ranchers or hunters. Documentation of early explorers of the west tell us that before the ranchers where here natives ate bugs much more often then sage grouse (not due to personal	All	Both	emc0293GB

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	preference, we are sure!). Now that the ranchers are here people hunt sage grouse for sport. And studies show that as the number of livestock on the range decrease so goes the sage grouse. Why is that? We are sure you've already heard the theories.			
1025.	I am writing to support the Sage Grouse Recovery Alternative submitted by the conservation community. This recovery alternative would require the Bureau of Land Management (BLM) and U.S. Forest Service to identify priority sage grouse habitat that includes breeding, brooding, and winter habitats necessary to support and expand the sage grouse population; measures that truly meet the agencies' stated goals.	All	Both	emc0297GB, em0120RM, emc0123RM
1026.	Implement the recommendations of the Sage-grouse National Technical Team: The management recommendations outlined in the Report on National Greater Sage-Grouse Conservation Measures are an important starting point for achieving effective conservation, and the BLM should strive to implement them to the fullest extent possible as range-wide standards incorporated into each RMP, while also refining them further to better address specific issues, such as vegetation management and energy development.	All	Both	emc0297GB, em0120RM, emc0123RM
1027.	Mitigation must generate net conservation benefits: Mitigation requirements should emphasize avoidance and minimization of impacts. Actions to offset unavoidable impacts should generate net conservation benefits for sage grouse populations and habitats consistent with the conservation purposes and principles of the National Sage-grouse Planning Strategy.	All	Both	emc0297GB, em0120RM, emc0123RM
1028.	Apply these measures for all sage grouse populations on public lands including Mono Basin populations in the California-Nevada bi-state area and the Washington state populations.	All	Both	emc0297GB, em0120RM, emc0123RM
1029.	Sage-grouse occur on a complex sagebrush-dominated landscape with tremendous variability locally and range wide. It is ecologically impossible to regulate for improved sage-grouse performance with a "one-size-fits-all" set of regulatory measures. For the National Sage-Grouse Strategy to be successful, it is essential that it allow for regional and site-specific approaches to conserving sage-grouse and habitat, incorporating expertise of local land-users and experts such as ranchers and locally knowledgeable range scientists.	All	Both	emc0315GB
1030.	To shut down the natural raw industries, whether it be mining, subsurface extraction of either oil & gas or geothermal, surface use of ranching and farming, seems to me that you are cutting future revenue for your own existence as an agency to manage the Public Lands as well as that of the State of Nevada, along with the other Western States for generations to come.	All	Both	emc0320GB
1031.	I have some concerns with the maps that will be used to determine Priority Habitat and General Habitat. These maps were made available in Nevada on or about March 16, 2012 - just one week prior to the deadline for comments. This was not sufficient time to allow me to review the maps and identify any need for corrections. Given the reliance of the implementation of the sage-grouse conservation measures on the location of Priority and General Habitats, I believe these maps should be labeled as "DRAFT' at this time and there should be opportunity to modify the maps as information is checked.	All	Both	emc0322GB
1032.	The National Technical Team (NTT) report (NTT 2011) places great emphasis on the maps which identify Priority Habitat and General Habitat, and I am not aware of any public input into these maps. Therefore, the I request that an opportunity must be reserved at the activity-authorization level for affected parties to confirm the maps proposed for use in the EIS.	All	Both	emc0322GB

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1033.	I believe that the best way to provide for protection of the sage-grouse, while simultaneously allowing continued economic development, is for BLM to develop conservation measures in cooperation with the regulated community that include a strong but pragmatic mitigation program.	All	BLM	emc0322GB
1034.	I was pleased to see the mention and use of Ecological Site Descriptions and State and Transition Models to identify seasonal habitats, guide habitat management, and influence fire rehabilit2tion efforts. This information is science-based and provides insight on how the habitats can be managed for long-term sustainability.	All	Both	emc0322GB
1035.	Overall, I find the conservation measures to be very negative and very restrictive.	All	Both	emc0322GB
1036.	There is no attempt to identify positive conservation measures that improve habitat; although the goal is to "Maintain and/or increase sage-grouse abundance and distribution by conserving, enhancing, or restoring the sagebrush ecosystem." There should be some room in this goal for including conservation measures that actively improve habitat quality.	All	Both	emc0322GB
1037.	The goal of the conservation measures as indicated on page 6 of the NTT report is to "Maintain and/or increase sage-grouse abundance and distribution by conserving, enhancing, or restoring the sagebrush ecosystem upon which populations depend in cooperation with other conservation partners." There are a lot of concepts included in this goal that need clarification. For example, to increase sage-grouse abundance and distribution implies that other resource uses will be diminished and how will that decision be made? The sagebrush ecosystem is a disturbance based system in Nevada, where fire, floods, insect outbreaks, and drought have removed sagebrush from areas of the landscape for periods of time and perennial grasses and forbs dominate after the disturbance. This is followed by a period of time when grasses, forbs, and young shrubs are present, and as the shrubs increase in stature and abundance, the grasses and forbs decline until there is a sagebrush-dominated plant community, ready for the next disturbance. If "conserving, enhancing, or restoring the sagebrush ecosystem" means maintaining these various phases of the sagebrush community on the landscape, then many land uses can be accommodated. However, the report implies that only the sagebrush-dominated phase is important. I disagree and believe that a healthy ecosystem is one with many phases of the sagebrush ecosystem present on the landscape. This concept is much more in concert with the Ecological Site Descriptions and the State and Transition Models being developed by Natural Resource Conservation Service.	All	Both	emc0322GB
1038.	I as a guide operate under the conditions provided in their Special Recreation Pennits (SRPs) and I would like to be included in any decisions that determine which SRPs have neutral or beneficial affects to priority habitat areas. Most of our activity is focused on summer and fall recreation; therefore, it does not occur during breeding or nesting periods.	All	Both	emc0322GB
1039.	I support the use of Ecological Site Descriptions (ESDs) for conducting range health assessments as the ESD concept includes the use of State and Transition Models that document the various community phases for each ecological site, as well as the thresholds that require management actions to avoid crossing the thresholds. These concepts are important in maintaining the integrity of ecological sites, sustainability of range resources, "and maintaining "intact sagebrush" (as defined by including all the community phases of an ecological site, including grass-dominated conditions following disturbance).	All	Both	emc0322GB
1040.	In closing, I support the concept of enhancing sage-grouse populations and habitat. But the conservation measures in the NTT report create real concerns that socio-economic and ecological impacts will occur by implementing these conservation measures, but very few gains in sage-grouse populations or habitat will be realized by implementing these conservation	All	Both	emc0322GB

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	measures.			
1041.	I encourage the BLM and USFS to conduct a full, thorough, and objective analysis of these conservation measures. We also request that the BLM and USFS consider an alternative that allows for energy and mineral development and sustained livestock management, and includes the opportunity to mitigate the impacts that these activities may cause. Simply not continuing multiple-use activities on public land is not the answer to the sage-grouse listing issue.	All	Both	emc0322GB
1042.	I am concerned about, among other things, the practical, on-the-ground implications of the agencies' proposed conservation measures. The proposed EIS should clarify that the measures will recognize the principles of multiple use and sustained yield.	All	Both	emc0322GB
1043.	I look forward to working with the BLM and USFS to achieve a Record of Decision that promotes multiple-use principles, enhances conditions for sage-grouse, and has limited socio-economic impacts for our community. I believe that such an outcome is possible, but not by implementing these very restrictive conservation measures.	All	Both	emc0322GB
1044.	We are concerned that BLM not develop a 'one size fits all' GSG management strategy. We have experience with GSG range-wide, from the uplands of Nevada through the northern and central Rocky Mountains of Montana, Wyoming, Utah and Colorado and into the northern Great Plains of eastern Wyoming and Montana. The weather, soils, vegetation and ecology of these areas varies across the range. Acceptable practices in one location may be detrimental in another. We encourage the BLM to consider the differences within the range and not make broad sweeping regulations that over-reach in one location, but might be reasonable in another.	All	BLM	emc0303GB
1045.	Having spent the past 6 or more years working with Local Sage Grouse Working groups across the range, We have been impressed with the dedication, knowledge, insight and creativity expressed by the people who know these areas - their ability to identify stressors, threats and solutions to maintain or enhance GSG in their area. These local Working Groups included BLM biologists and range conservationists. The quickest way to lose the support of these hundreds of dedicated people is to disregard the hard work and existing GSG Local Working Group Conservation Plans already done. It is absolutely essential that BLM management henceforth recognizes and incorporates the work of the local working groups throughout the range of the GSG and maintains their adaptive management approach.	All	Both	emc0303GB
1046.	Monitoring-We encourage BLM to seek landowner comments on how monitoring for GSG will be done and how the data obtained is interpreted.	All	BLM	emc0303GB
1047.	IM should be adaptive and dynamic. IM should be responsive to new information, research, technology, knowledge, and environmental conditions.	All	Both	emc0303GB
1048.	Incorporate information from BLM REA's.	All	BLM	emc0305GB
1049.	Establish partnerships at local (local working groups) and regional (LCCs and climate science centers) scales for sage grouse conservation strategies.	All	Both	emc0305GB
1050.	Consider opportunities to use "citizen science data" in monitoring and other data gathering efforts.	All	Both	emc0305GB
1051.	NEI respectfully asks BLM to adopt a balanced approach to sage grouse conservation that is consistent with BLM's statutory mandate for multiple uses of public lands and avoids or minimizes adverse social and economic impacts.	All	BLM	emc0306GB rmc0124rm
1052.	NEI recommends that sage grouse habitat be accurately mapped through sound environmental assessment and that more	All	Both	emc0306GB

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	focus be given to proven threats to sage grouse viability, such as invasive species and fires.			
1053.	NEI respectfully asks BLM to adopt a balanced approach to sage grouse conservation that is consistent with BLM's statutory mandate for multiple uses of public lands and avoids or minimizes adverse social and economic impacts.	All	BLM	emc0306GB
1054.	NEI endorses the comment letter of the National Mining Association regarding BLM's Notice of Intent to prepare an EIS on incorporation of conservation measures to protect the greater sage grouse.	All	Both	emc0306GB
1055.	Sage grouse habitat categorization maps are now available to guide conservation and land use planning efforts at the landscape scale. These maps are useful but planning efforts must provide for coordinated and collaborative efforts that involve all interests (especially grazing permittees) in site specific decision making for land specific use actions which might involve sage grouse. We know already of unnecessary restrictions imposed on mineral and energy exploration proposals because potential sage grouse habitat "could be" compromised. We fear that unnecessary limitations could also affect habitat actions involving fire rehab and improvements for livestock and other wildlife.	All	Both	emc0307GB
1056.	Land Use Plan revisions must allow for different resource conditions and capabilities across the region with provision for involvement by local planning groups. It is essential that they include state agencies, local government entities such as-counties, cities, conservation districts, and state grazing boards as well as representatives of non government organizations. Those with regulatory authority must be involved. Our board has been quite involved with the California/Nevada Bi-State Group where the Mono Sage Grouse Distinct Population Segment exists. This is a good example of cooperation with full consideration for resource capabilities and private/public land inter-relationships.	All	Both	emc0307GB
1057.	Land Use Plan revisions need to allow for review and special attention to existing work, such as allotment management plans and government land use plans. This review may find that only small or no changes are needed to better recognize sage grouse needs rather than drastic revisions.	All	Both	emc0307GB
1058.	Sage grouse presence and habitats in relation to other uses, explorations and developments need to be recognized. These include wind, geothermal, solar, oil/gas, mining, urban and suburban influences, and recreation activities.	All	Both	emc0307GB
1059.	The N3 Grazing Board strongly questions the need and even the legality of incorporating additional sage grouse conservation measures into land use plans to "avoid a potential listing under the Endangered Species Act". The 5000 mature bird minimum population determined by the Fish and Wildlife Service to protect the species from the long term risk of extinction is exceeded many times in the Greater Sage Grouse population. It is a well documented fact that sage grouse populations were very limited in the nineteenth century when explorers and emigrants first traveled the American West.	All	Both	emc0307GB
1060.	As part of its conservation work, the Sagebrush Fund is interested in protecting listed or candidate sensitive, threatened or endangered native species, including the Greater Sage Grouse. Working cooperatively with the BLM and other agencies to voluntarily implement conservation on both public and private lands is also a focus for the Sagebrush Fund. As the BLM has already recognized, a variety of disturbances, such as roads, invasive weeds, energy, agricultural or residential development, livestock grazing and fire, pose threats to sage grouse.	All	BLM	emc0308GB
1061.	Threats to sage-grouse, including livestock grazing, fences, water developments, energy infrastructure and transmission, road building and maintenance, prescribed fire, and vegetative seedings and treatments, should be managed in priority and general habitat to enhance sage-grouse populations.	All	BLM	emc0308GB

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1062.	Existing developments should be removed where possible, and any proposed developments should be co-located and close to existing disturbance or infrastructure to eliminate further disturbance and fragmentation of sage-grouse habitat.	All	BLM	emc0308GB
1063.	The BLM should develop and implement restoration plans in priority sage grouse habitat, to include removal of fencing, water developments and other potential threats to sage grouse.	All	BLM	emc0308GB
1064.	Western Energy Alliance and its member companies have a vested interest in the decisions made by the BLM regarding management of GSG and its habitat that affect existing and future leases, and exploration and development activities in the West. We support the development of management policies that will prevent the species from being listed under the Endangered Species Act (ESA), but are concerned that the recommended protection measures in the National Technical Team's Report on National Greater Sage-Grouse Conservation Measures (the "Report") are excessively restrictive.	All	BLM	emc0312GB, emc0126RM
1065.	To ensure the planning process is fully informed by those who will be impacted by future GSG management restrictions, we recommend that BLM form a collaborative technical stakeholder team consisting of agencies, oil and gas industry, mining, conservation groups, ranchers and others to develop a strategy to clearly define and implement priority habitat selection criteria along with disturbance calculation criteria before September 2014. For similar efforts such as the Wyoming Sage Grouse Core Area Executive Order, Dunes Sagebrush Lizard Conservation Plan, and other species conservation plans, several years were needed to finalize a properly vetted strategy agreed to by many of the stakeholders involved. In addition, it will be up to state wildlife agencies, the oil and gas industry, and other stakeholders to implement monitoring strategies.	All	BLM	emc0312GB, emc0126RM
1066.	Methods to incentivize habitat enhancement, conservation easements, and other measures on private lands should also be considered in BLM's planning effort. We support the development of a framework that encourages oil and gas operators, private landowners, state and federal agencies, and others to develop collaborative efforts that mitigate impacts to local sage grouse populations and protect and enhance priority and other habitat.	All	BLM	emc0312GB, emc0126RM
1067.	We appreciate BLM's decision to allow state GSG management strategies to supersede the Interim Management IM after approval by the USFWS and adoption by BLM in a statespecific IM, as done in Wyoming. Rather than top-down, federal directives, GSG conservation should be guided by initiatives developed at the state and local levels. Accordingly, Western Energy Alliance supports western states in their efforts to develop common-sense and consistent management practices for GSG.	All	BLM	emc0312GB, emc0126RM
1068.	However, we believe BLM's needs to explicitly state that once a state plan is adopted, it supersedes BLM's conservation measures. BLM should not be able to selectively choose whether to use its plan or the state plan on an arbitrary case-by-case basis. If BLM issues a state-level IM that supersedes the Interim Guidance IM, only the state plan should be used to guide management decisions, rather than a combination of state and federal plans. In addition, for those states with management plans for GSG that have been approved by USFWS and adopted by BLM through the issuance of a state-level IM, the RMPs in that state should be amended to incorporate the state's policy, not the recommended conservation measures in the NTT's Report.	All	BLM	emc0312GB, emc0126RM
1069.	BLM must consider and analyze the conservation measures from the Report in at least one alternative in each of the EISs or SEISs. The conservation measures that could ultimately be incorporated into RMPs may be inconsistent with existing statute or regulations, and are onerous to the point of driving out investment, conflicting with federally issued leases and job	All	BLM	emc0312GB, emc0126RM

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	creation activities.			
1070.	We are particularly concerned that BLM may incorporate into the RMPs certain conservation measures outlined in the Report, including a four-mile NSO buffer around leks and 3% surface disturbance limitation for leases entirely within priority habitat. These restrictions are not supported by science and are much more onerous than even the most restrictive management strategies used across the range of the species. Applying a NSO restriction of four miles around leks will prevent new oil and gas development and may ultimately result in the infringement of valid existing rights (see 'Valid Existing Lease Rights' below).	All	BLM	emc0312GB, emc0126RM
1071.	We also urge BLM to incorporate conservation measures and best management practices into RMPs that recognize the local working group efforts, surveys, and credible information about the status of GSG and its habitat within the planning area covered by that RMP. Broadly applying the conservation measures in the Report without a thorough examination of the condition of the species in a specific area could result in unjustified and unreasonable restrictions on multiple-use development under the amended RMP.	All	BLM	emc0312GB, emc0126RM
1072.	Conservation and mitigation measures should be developed on a case-by-case basis and must be informed by local conditions and other information. Numerous conservation measures and programs have already been implemented across the range of GSG through the Western Association of Fish and Wildlife Agencies (WAFWA). These efforts take into account site-specific conditions to ensure their effectiveness.	All	BLM	emc0312GB, emc0126RM
1073.	We request that BLM acknowledge and incorporate recent studies regarding the impact of oil and gas activities on GSG viability into the EISs and SEISs. Copies of these studies have been attached to these scoping comments as Attachments B and C.1 Attachment B, "Thresholds of Energy Development and Greater Sage-Grouse Populations," was conducted in Wyoming to show the actual impacts of energy development on GSG using the most current publicly available data on lek attendance in areas with full-field development. Attachment C, "Oil and Gas Development and Greater Sage Grouse (Centrocercus urophasianus): A Review of Threats and Mitigation Measures," is a detailed technical review of previous research regarding general threats of oil and gas development to sage grouse and examines the reliability of various mitigation measures. We also recommend that BLM consider two new studies on predation of sage-grouse in the analysis. Copies of these studies have been attached to these scoping comments as Attachments D and E.2	All	BLM	emc0312GB, emc0126RM
1074.	These studies have been subjected to formal peer review by highly-respected wildlife journals and should be utilized in the BLM's planning effort to address GSG. The analysis in the EISs or SEISs must consider all credible and recent scientific information in the alternatives for each of the EISs and not to rely solely upon the conservation measures outlined in the Report.	All	BLM	emc0312GB, emc0126RM
1075.	In the Report, the BLM NTT's stated objective for this planning strategy effort was "to…conserve and restore the greater sage-grouse and its habitat on BLM-administered lands on a range-wide basis over the long term."3 [Emphasis added] We object to this statement because restoring sage grouse numbers falls under the purview of the USFWS, not BLM. Further, the conservation measures identified in the Report, which have been crafted to meet this objective, are extremely restrictive and go far beyond what is necessary to protect a non-listed species. We recommend that BLM clarify that restoring the species and its habitat is not part of this planning effort.	All	BLM	emc0312GB, emc0126RM

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1076.	Through this process, BLM should not amend any aspects of the RMPs except those related to GSG management. Doing so would be out of the scope of this planning effort and will drastically extend the amount of time needed for the already herculean task of updating 68 RMPs.	All	BLM	emc0312GB, emc0126RM
1077.	The conservation measures ultimately imposed by BLM may result in the violation of valid existing lease rights that could lead to legal actions taken by leaseholders to protect those rights. While the Interim Guidance IM includes some language regarding the application of restrictions that are consistent with valid existing lease terms, we are concerned that subsequent actions made by BLM under the IM could prevent operators from developing their valid existing lease rights. BLM should respect valid existing rights and provide ample flexibility during the planning process to enable projects that adequately mitigate and minimize adverse impacts to GSG. Further, BLM should not impose conservation measures or restrictions that would provide the same or greater restrictions on activities that would be applied under the Endangered Species Act, at the expense of valid existing lease rights.	All	BLM	emc0312GB, emc0126RM
1078.	For example, BLM may try to impose NSO restrictions on active leases or require certain Best Management Practices (BMPs) as Conditions of Approval (COAs) for permits within priority habitats. BLM cannot legally impose new NSO stipulations or COAs on existing lease rights that differ from those entered under the original contractual terms.	All	BLM	emc0312GB, emc0126RM
1079.	Pursuant to FLPMA, all BLM actions, such as authorization of Resource Management Plans, are "subject to valid existing rights." 43 U.S.C. § 1701 note (h); see also 43 C.F.R. § 1610.5- 3(b) (BLM is required to recognize valid existing lease rights). Thus, pursuant to federal statute, the BLM cannot terminate, modify, or alter any valid or existing property rights through a RMP amendment.	All	BLM	emc0312GB, emc0126RM
1080.	Federal agencies cannot impose stipulations or conditions of approval that make development on existing leases either uneconomic or unprofitable contrary to "valid existing rights." See Utah v. Andrus, 486 F. Supp. 995, 1011 (D. Utah 1979). BLM cannot prohibit lessees from developing their leases and any RMP amendment must specifically make this declaration in support of valid existing rights. See, e.g. National Wildlife Federation, 150 IBLA 385, 403 (1999). Based upon the above legal requirements of FLPMA, BLM cannot approve management prescriptions that may impair, block access to, or render uneconomic existing federal oil and gas leases.	All	BLM	emc0312GB, emc0126RM
1081.	The Report recommends that BLM close priority sage-grouse habitats to future leasing, except in areas that are not entirely federally owned. A decision to discontinue leasing in all PPH areas that are not entirely federally owned would unreasonably block access to significant energy resources on thousands of acres of public lands and deprive state and federal coffers of significant revenue from leasing and the subsequent development of those leases. Moreover, operators may be forced to abandon projects outside of PPH areas if they are unable to lease adjacent or nearby parcels within those areas. Closing all leasing in a large area for one species clearly does not balance wildlife protection with economic, job and energy security concerns.	All	BLM	emc0312GB, emc0126RM
1082.	Through the Interim Guidance IM, proposed leasing decisions may be forwarded to the appropriate State Director, NTT, or even the BLM Director in Washington. We are concerned that future leasing in and around GSG habitat could be unreasonably delayed, or not occur at all, due to the bureaucratic decision-making process laid out in the IM.	All	BLM	emc0312GB, emc0126RM
1083.	We are very concerned about the limited timeframe of this planning effort and feel that BLM may not be able to complete	All	BLM	emc0312GB,

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	the efforts outlined in the Planning Direction IM by the end of FY 2014. BLM struggles to meet existing obligations such as monitoring, inspection & enforcement, project NEPA processing, and permitting at current staffing levels, yet must now rededicate significant resources to updating 68 RMPs by September 2014. Normally, updating even a single RMP takes several years.			emc0126RM
1084.	BLM field offices may also need additional resources to institute the management policies set forth in the Interim Guidance IM and the RMP amendments. Specifically, BLM field offices may require additional staff with relevant expertise to administer new GSG management requirements for individual projects, such as calculating density disturbances within priority habitat areas. Additionally, BLM must ensure that the preparation of the EIS and subsequent RMP amendments does not prevent BLM field office employees from regularly processing NEPA documents, Applications for Permits to Drill (APD), and sundry notices in a timely manner. The administrative efficiency of BLM field offices is directly related to industry's ability to provide affordable energy resources from public lands across the West.	All	BLM	emc0312GB, emc0126RM
1085.	At this time, it is very unclear how an analysis will be performed to determine priority habitat requirements and boundaries within federal management units. We request that BLM clarify how these boundaries will be drawn in accordance with state wildlife agencies and what criteria will be used to draw boundaries between priority, general, and associated habitat.	All	BLM	emc0312GB, emc0126RM
1086.	Western Energy Alliance recommends that BLM incorporate Adaptive Management (AM) in this planning effort. AM allows project proponents to adjust approaches for GSG management based on new data acquired through monitoring. AM also allows BLM the necessary flexibility to modify management policies and decisions based on what is actually happening on the ground.	All	BLM	emc0312GB, emc0126RM
1087.	Further, the revised RMPs should allow the BLM to critically assess information about habitat on a local or regional basis when it considers GSG stipulations on individual projects. Efforts of local working groups, including site-specific research, must be identified and incorporated into the planning process when applicable.	All	Both	emc0312GB, emc0126RM
1088.	Based on the restrictions outlined in the Interim Guidance IM and the Report, we are concerned that BLM may ultimately violate Section 363 of the Energy Policy Act of 2005, which requires federal land management agencies to ensure that the least restrictive stipulations are utilized to protect resource values. Accordingly, we recommend that BLM adhere to the law and apply the least restrictive stipulation from the alternatives in the EISs and SEISs.	All	BLM	emc0312GB, emc0126RM
1089.	Given the limited timeframe of this planning effort, we request that BLM tier to existing RFDs that were completed for RMPs that were recently updated or are in the process of being updated. This will allow BLM to utilize local information and expertise rather than attempting to prepare an additional regional RFD.	All	BLM	emc0312GB, emc0126RM
1090.	Balancing the development of natural gas and oil resources with the protection of local populations of greater sage-grouse and their habitat in the planning areas will provide significant benefits to local communities, the state, and the nation. Western Energy Alliance and its members look forward to continue working cooperatively with the BLM and other stakeholders in this planning effort to ensure the balanced use of the resources across the West.	All	BLM	emc0312GB, emc0126RM
1091.	The AMA and its members have concerns with the NO! regarding BLMs sage grouse conservation measures for the following reasons: 1) over simplification of management issues; 2) difference between highways, roads and trails on wildlife; 3) maps lack specificity; and, 4) management plans be less prescriptive.	All	BLM	emc0313GB, emc0127RM

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1092.	Most researchers have come to the undeniable conclusion that sage grouse management is a multifaceted complex issue. It involves adequate cover, proper forage area, weather issues, animal predators, birds of prey, adequate water sources, and issues such as the types of roads, and the timing as well as the length of the hunting seasons. The human disturbance etiology by itself is an over simplification of the problem that will cause dramatic damage to small local economies with little impact on species survival.	All	Both	emc0313GB, emc0127RM
1093.	In viewing the maps that try to define Preliminary Priority Habitat and Preliminary General Habitat, there is a lack of specificity. This raises the concern about closing nearly all sage brush covered area to any access. We urge state BLM directors quickly draw up maps with more detail that defines the problems more clearly.	All	BLM	emc0313GB, emc0127RM
1094.	We urge the management plans be less prescriptive so that management plans can be tailored to the specific areas. We recommend that more effort be used to delineate vital narrow areas of concern that does not have such far reaching consequences. Finally, we recommend that terms in common usage be used to inform the public about conservation efforts and avoid terms such as anthropogenic meaning "human-related." The BLM should use layman terms in dealing with the general population.	All	BLM	emc0313GB, emc0127RM
1095.	There are several protection measures available for lessening a potential listing impact on all rangelands. Candidate Species Conservation Agreements, with Assurances (CCAA's) are a permit agreement between landowners/managers and the US Fish and Wildlife Service, that can include other public lands except federally owned. Candidate Conservation Agreements (CCA's) are generally the highest level of agreement that can be applied to Federal lands. There has been suggestion of connectivity between a CCAA for a private landowner, and a CCA for that landowner's grazing allotment on Federal lands, but so far there has not a fail-safe guarantee of such connectivity. CCAA's can be permits just with individual landowners, an umbrella permit between each landowner, a coordinating group for a number of permits, or a "programmatic" CCAA, in which the permit is between USF&WS and a third party with agreements between the third party and voluntary landowner signatories. Another protection measure, proven by precedent on large landscape habitat protection, and involving private, and adjacent Federal lands is also available for implementation. That measure is the Coordinated Resource Management Plan (CRMP) exclusive to SWCD's, and NRCS. It is a planning process, and involves strategies and agreements between cooperating landowners for specific purposes. It could serve as a protection tool in sage grouse habitat/ecosystems, so long as it contained all the required language in the USF&WS permit requirements. It might be a means to overcome the non-guarantee status of the CCAA/CCA situation.	All	Both	emc0314GB
1096.	Use all-lands strategies for ecosystem management, at large landscape scales.	All	Both	emc0314GB
1097.	Provide the connectivity ability within CCAA/CCA/CRMP agreements.	All	Both	emc0314GB
1098.	Protect landscapes from further fragmentation of habitat/ecosystems for sage grouse and associated species	All	Both	emc0314GB
1099.	We are in support of the comments submitted by several Nevada Counties including Elko, Eureka, Humboldt and Nye. Additionally, as a member the Western Counties Alliance we support the comments submitted by that association. We urge you to give their comments, and ours, significant consideration as your agency moves forward.	All	Both	emc0318GB
1100.	Nevada's Counties are host to the largest amount of federally managed public lands of any state. As such they are more impacted by the policies and practices employed by the federal land management agencies. NACO has long supported the	All	Both	emc0318GB

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	multiple use of the public lands within the state. Many of our rural communities and counties depend on the continued multiple use of these lands for the quality of life they enjoy and for the economic sustainability of their communities. Restrictions on what activities are allowed to take place on the lands our counties host can have serious negative impacts on the counties and the people that live in them and should only be imposed as a last resort. We are concerned that some of the management practices proposed in the NOI will harm Nevada's counties. Additionally, we believe that some of the proposed actions will have the opposite effect as their stated goals and will result in further reduction of sage-grouse population and habitat.			
1101.	We disagree with the Fish and Wildlife Service's finding that "the inadequacy of regulatory mechanisms to conserve the greater sage-grouse and its habitat is a significant threat" to preventing the bird from being listed as a threatened or endangered species. The federal land management agencies currently have in place numerous regulatory mechanisms regarding activities on the public lands. It could be argued that there are in fact too many and in some cases overlapping and contradictory regulations and that the misapplication or overzealous enforcement of these existing regulations have contributed to the perceived decline in the populations and habitat of the greater sage-grouse.	All	Both	emc0318GB
1102.	NACO encourages the counties to work closely with the federal land management agencies. We have long worked to help build relationships between the entities. It is our position that federal laws, including FLPMA and NEPA, require this coordination and that the federal agencies must consider the counties' land use plans in developing their management plans. Sadly, we do not believe that the federal agencies have fully embraced this concept. Any changes to federal management regulations and practices, including the Environmental Impact Statements and Supplemental Environmental Impact Statements as referenced in the December 9, 2001 NOI, should only be adopted or implemented after meaningful coordination with the counties.	All	Both	emc0318GB
1103.	We are concerned that the proposed changes to management of what has been identified as "Preliminary Priority Habitat" and "Preliminary General Habitat" appear to contain a bias against other uses of the public lands including livestock grazing. We encourage the federal agencies to undertake a thorough review of historical data regarding the reported population of the sage-grouse, the number of AUMs authorized across the state and the number of acres burnt by wildfires. We believe that there is ample anecdotal evidence that illustrates that the reduction of livestock grazing has a correlation to the decrease in sage-grouse populations and the dramatic increase in the number of acres consumed by wildfire to require an in-depth analysis to determine if there is a connection. It is ironic that historical stewardship by livestock grazers and other users of the public lands is now being couched in terms like "alternative management" or "adaptive management" in order to get the federal land management agencies to consider their value in managing and conserving the public lands. Additionally, it is not clear that the federal agencies complied with the Administrative Procedures Act in the designation of these preliminary habitats as there appears to not have been any public notice or input during the process.	All	Both	emc0318GB
1104.	NACO believes that a listing of the greater sage-grouse at this time is not warranted. Further, we believe that adapting management plans in a manner that would restrict other historic uses of the public lands to prevent a potential listing is not justified and could quite possibly be detrimental to the sage-grouse and the public lands themselves. We urge the land management agencies to continue to work with the counties and the local users of the public lands to utilize time-tested resource management strategies including the use of managed livestock grazing to reduce the hazardous fuel loads and	All	Both	emc0318GB

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	improve sage-grouse habitat.			
1105.	About the limited timeframe of this planning effort and feel that this effort to fast-track the completion of this project is not realistic, overly-ambitious and that BLM may not be able to complete the efforts outlined in the Planning Direction IM by the end of FY 2014.	All	Both	emc0319GB
1106.	Balancing the development of business resources with the protection of local populations of greater sagegrouse and their habitat in the planning areas will provide significant benefits to our local communities, the state, and the nation. The Grand Junction Area Chamber looks forward to continuing to work cooperatively with the BLM and other stakeholders in this planning effort to ensure the balanced use of the resources across the West.	All	Both	emc0319GB
1107.	NWMA supports taking measures to avoid an ESA listing for the greater sage-grouse, but the conservation measures proposed by the Sage-grouse National Technical Team (NTT) in a report entitled "A Report on National Greater Sage-Grouse Conservation Measures" (December 21, 2011), are draconian and will have severe negative impacts on NWMA members, other multipleusers of federal lands, and numerous resource-dependent communities in the ten state area covered by this NOI.	All	Both	emc0321GB
1108.	The proposed conservation measures are in direct conflict with the multiple-use mandates for the BLM in the Federal Land Policy and Management Act of 1976 (FLPMA), the USFS in the National Forest Management Act of 1976 (NFMA) and the Multiple-Use and Sustained-Yield Act of 1960 (MUSYA), and exceed the agencies' authority under the ESA. In addition, the proposed conservation measures are inconsistent with the BLM's land use planning regulations, and inappropriately discard its existing management policies pertaining to candidate species.	All	Both	emc0321GB
1109.	It is essential the BLM and USFS develop a balanced approach to greater sage-grouse conservation that will avoid the negative effects such measures will have on multiple-use project proponents and local communities.	All	Both	emc0321GB
1110.	Overwhelmingly, the conservation measures identified in the NTT report focus on limiting or restricting the use of federal public lands. The agencies should focus on active management of habitats in a manner that will allow for other land uses. It is well-known that fire, not resource development, poses the greatest threat to sage-grouse habitat. BLM Director Robert Abbey admitted same in testimony before the House Energy and Mineral Resources Subcommittee on March 201, 2012. Therefore, fire suppression efforts throughout the habitat range should receive the highest priority. In addition, agencies should focus their efforts on supporting what is currently working on the ground rather than solely on "regulatory mechanisms."	All	Both	emc0321GB
1111.	We also have concerns about the impact of the proposed conservation measures on our members with mineral resources or projects on private lands. BLM's materials state the conservation measures would be applied regardless of surface ownership (emphasis added). For example, see the 12/27/11 press release: human-caused disturbance in priority habitat would be limited to less than 2.5% of the species' total habitat, regardless of surface ownership. It is essential BLM and USFS carefully consider the impacts of potential conservation measures on mining and grazing activities, and that both agencies develop a balanced approach that will avoid or minimize the socio-economic effects such measures will have on mining, grazing, other multiple-use activities and local communities.	All	Both	emc0321GB
1112.	The EIS should include a detailed consideration of the impacts associated with the No Action Alternative. The No Action	All	Both	emc0321GB

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	Alternative analysis must be substantive and not the typical pro forma discussion. BLM already has extensive policy guidelines pertaining to the management of listed and special status species. These guidelines are set forth in detail in BLM Manual 6840, Special Status Species Management, which was last updated in December 2008. Manual 6840 "establishes policy for management of species which are listed or proposed for listing pursuant to the Endangered Species Act." The manual also provides guidance for BLM "special status species," a designation that includes candidate species like the greater sage-grouse. A No Action Alternative must thoroughly evaluate the existing protections provided from implementing the BLM's guidance found in Manual 6840.			
1113.	In this case it appears the agencies are assuming the No Action Alternative may lead to the U.S. Fish and Wildlife Service (USFWS) making a decision to list the greater sage-grouse as a threatened or endangered species. The environmental and socioeconomic impacts of that listing must be evaluated and contrasted with the socioeconomic impacts that would occur from implementing BLM's conservation measures (e.g., withdrawing lands with high-priority sagegrouse habitat from mineral entry or other uses). A listing would have project-specific impacts, but it would not withdraw lands from mineral entry or prohibit mining and other land uses in areas with high-priority habitat. Instead, a listing may require formal consultation under section 7 of the ESA, but the consultation would allow for and focus more on conservation measures or mitigation of project-specific impacts to ensure a no jeopardy finding.	All	Both	emc0321GB
1114.	There are a number of current federal, state, and local management and conservation measures to improve and protect sage-grouse habitat. Many of these have been in effect for a decade or more. The ongoing implementation of these measures should be evaluated in the No Action Alternative to provide the baseline against which all other alternatives are compared and measured. The EIS documents prepared for each sub-region must include a substantive and detailed analysis of the Continuation of Existing Conservation Measures/No Action Alternative. Specifically, this analysis should examine, in addition to complete or better implementation of Manual 6840, the following potential outcomes that would result from the Continuation of Existing Conservation Measures/No Action Alternative: ☐ Analyze the future, long-term habitat improvements that could occur with ongoing implementation of the existing greater sage-grouse habitat conservation measures in Nevada and elsewhere. o For example, data presented by the Nevada Department of Conservation at Governor Sandoval's January 18th Stakeholder Update Meeting showed that the fall estimated population has been increasing since 2007, suggesting that the existing conservation measures are successfully improving sage grouse habitat. o This analysis must be reasonably specific on a regional, sub-regional, and even a local scale. The impacts of the No Action Alternative " and all other alternatives to be evaluated " may differ from state to state and between each BLM field area and/or district office and in each National Forest.	All	Both	emc0321GB
1115.	There are a number of current federal, state, and local management and conservation measures to improve and protect sage-grouse habitat. Many of these have been in effect for a decade or more. The ongoing implementation of these measures should be evaluated in the No Action Alternative to provide the baseline against which all other alternatives are compared and measured. The EIS documents prepared for each sub-region must include a substantive and detailed analysis of the Continuation of Existing Conservation Measures/No Action Alternative. Specifically, this analysis should examine, in addition to complete or better implementation of Manual 6840, the following potential outcomes that would result from the Continuation of Existing Conservation Measures/No Action Alternative: Evaluate the No Action Alternative in the context	All	Both	emc0321GB

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	of Section 4(b) of the Endangered Species Act which requires the Secretary to:"... tak[e] into account those efforts, if any, being made by any State or foreign nations, or any political subdivision of a State or foreign nation, to protect such species, whether by predator control, protection of habitat and food supply, or other conservation practices, within any area under its jurisdiction in his decision whether to list a species.			
1116.	There are a number of current federal, state, and local management and conservation measures to improve and protect sage-grouse habitat. Many of these have been in effect for a decade or more. The ongoing implementation of these measures should be evaluated in the No Action Alternative to provide the baseline against which all other alternatives are compared and measured. The EIS documents prepared for each sub-region must include a substantive and detailed analysis of the Continuation of Existing Conservation Measures/No Action Alternative. Specifically, this analysis should examine, in addition to complete or better implementation of Manual 6840, the following potential outcomes that would result from the Continuation of Existing Conservation Measures/No Action Alternative: ☐ Evaluate the impacts that would occur if the USFWS determines to maintain the status quo and either decides to continue the "warranted but precluded" status for the greater sagegrouse because there are other higher priority species that need to be listed by 2015, or determines that listing is not warranted because the existing conservation measures are having sufficient success to make listing unnecessary.	All	Both	emc0321GB
1117.	Data from the western states indicates greater sage-grouse populations have stabilized or increased. As an example, data from a Nevada Department of Wildlife (NDOW) presentation indicates the greater sage-grouse population in Nevada has been increasing in the last three years. According to NDOW, the 2010 fall population estimate increased about 18% compared to the 2009 estimate, and the population has been increasing since 2008. Clearly, BLM's and NDOW's existing land management/sage-grouse conservation measures - including those outlined in Governor Guinn's Sage Grouse Conservation Plan, are having demonstrated success in restoring sage-grouse habitat, resulting in the observed population increase. Therefore, the National Technical Team's proposed draconian land use restrictions are not warranted in light of the increasing population trend and the apparent success of the conservation measures currently in place. The No Action Alternative must consider and analyze these and other state and local land management/sage-grouse conservation measures and determine whether such locally managed efforts are best suited to preserve and protect the sage-grouse and its habitat.	All	Both	emc0321GB
1118.	II. The EIS Needs to Incorporate the Continuation of Existing Federal, State and Local Management and Conservation Measures into the No Action Alternative The ESA provides several examples of the Federal government's affirmative obligation to partner with states in conserving species and their habitat. Section 6(a) states, "[i]n carrying out the program authorized by this chapter, the Secretary shall cooperate to the maximum extent practicable with the States. 16 U.S.C. § 1535(a). Section 4(i) also requires the Secretary to "submit to the State agency a written justification for his failure to adopt regulations consistent with the agency's [state] comments or petition." 16 U.S.C. § 1533(i). Through these provisions, the ESA embodies a policy of collaboration with the States in efforts to protect and conserve species. Section 4(b) of the ESA requires the Secretary to consider state and local conservation efforts in making the decision whether to list a species: The Secretary shall make determinations required by subsection (a)(1) solely on the basis of the best scientific and commercial data available to him after conducting a review of the status of the species and after taking into account those efforts, if any, being made by any State or foreign nation, or any political subdivision of a State or foreign nation, to protect such species, whether by predator control, protection of habitat and food supply, or other conservation practices, within	All	Both	emc0321GB

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	any area under its jurisdiction, or on the high seas. 16 U.S.C. § 1533(b)(1)(A). The Section 4(b) Determination Factors define the issues the Secretary may consider in making the decision whether to list a species as threatened or endangered. Because the ESA does not include any different directives concerning candidate species, the Section 4(b) Determination Factors also should apply to the Secretary's management policies for candidate species. The Act's requirement that the Secretary must account for non-Federal conservation activities as a prerequisite to a listing decision is directed at advancing the laudable public policy of rewarding robust efforts at species conservation and collaboration. Thus, in the case of the greater sage-grouse, a candidate species, BLM's and USFS' conservation measures and regulatory mechanisms cannot be more restrictive than what would be authorized if the species were later listed as threatened or endangered. It also follows that in determining appropriate conservation measures for the sage-grouse - or any candidate species - BLM and USFS must use the best scientific and commercial data available and must fully consider existing state and local conservation measures.			
1119.	Regrettably, the recommendations in the NTT Report do not fully consider the abundant data that suggest the existing conservation measures are having significant success in protecting sagegrouse habitat. The 2011 Candidate Notice of Review (CNOR) prepared by the USFWS acknowledges this progress: ...many of these habitat impacts are being actively addressed through conservation actions taken by local working groups, and State and Federal agencies. Notably, the National Resource Conservation Service has committed significant financial and technical resources to address threats to this species on private lands through their Sage-grouse Initiative. These efforts, when fully implemented, will potentially provide important conservation benefits to the greater sage-grouse and its habitats. (FR v.76, no. 207, page 66393) The recommendations in the NTT Report that are the basis for BLM's and USFS' Proposed Action as described in IM 2012-044 must be consistent with the Section 4(b) Determination Factors in the ESA. Consequently, the EIS documents must include a thorough discussion of how the NTT Report conservation measures are based on: 1) the best available scientific and commercial data; and 2) take into account the existing state and local conservation measures.	All	Both	emc0321GB
1120.	The Preferred Action that BLM and USFS ultimately selects as a result of this EIS process cannot exceed the Secretary's authority and impose policies that are much more restrictive for a candidate species than policies that would be authorized under the ESA for a listed species (emphasis added). Unfortunately, the significant land use restrictions, prohibitions, and withdrawals recommended in the NTT Report go far beyond the management policies for listed species. As discussed below, BLM Manual 6840 already establishes detailed and effective policies that protect both listed and candidate species consistent with the Secretary's authority under the ESA and balance competing resource values as required by FLPMA. For example, Section 1(3) of Manual 6840 pertaining to the administration of listed species authorizes BLM State Directors to exclude core habitat areas with resource conflicts from being designated as critical habitat: Where the State Director determines that adequate conservation measures are in place, and that the benefits, including economic benefits, of excluding BLM lands from critical habitat designation exceed the benefits of inclusion of BLM lands, the State Director shall request exclusion of BLM lands from the critical habitat designation pursuant to Section 4(b)(2) and/or Section 3(5)A of the ESA. For proposals across multiple States, the Director will coordinate with the States and submit such information. (BLM Manual 6840, Section 1(3)) This authority is especially important where habitat is co-located with resources that are geographically fixed and cannot be moved, such as mineral deposits. It truly is ironic that the NTT Report proposes land use restrictions, prohibitions, and withdrawals for a candidate species that are much more restrictive than BLM's policies for listed species	All	Both	emc0321GB

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	(emphasis added). At the very least, BLM's proposed conservation measures for the sage-grouse should provide a similar level of discretion to exempt mineralized areas from the proposed land use restrictions. Moreover, the proposal to withdraw lands with high-priority habitat from mineral entry is not supported by any authority under the ESA or FLPMA and should not be included as part of BLM's Preferred Alternative.			
1121.	Additionally, in the case of a listed species, BLM Manual 6840 Chapter 1(5)(c) requires BLM to identify reasonable and prudent alternatives "...that can be implemented in a manner consistent with the intended purpose of the action, can be implemented consistent with the scope of the agency's legal authority and jurisdiction, that are economically and technically feasible, and would avoid the likelihood of jeopardizing the continued existence of listed species or resulting in the destruction or adverse modification of designated critical habitat" (emphasis added). This same directive should apply to the greater sage-grouse and other candidate species. BLM's sagegrouse conservation measures must accommodate a project proponent's intended purpose and objectives.	All	Both	emc0321GB
1122.	A. Making State-Led Conservation Measures Mandatory and Enforceable Alternative One of BLM's justifications for the recommendations in the NTT Report is that existing regulatory measures to protect and enhance sage-grouse habitat are inadequate. However, there is ample evidence to suggest that the myriad federal, state, and local conservation measures in place today are having a significant and measurable success in preserving and protecting sagegrouse habitat. Failure to accurately credit these state and local conservation efforts will raise the specter pointed to by the U.S. Supreme Court in Bennett v. Spear: the obvious purpose of the requirement that each agency "use the best scientific and commercial data available" is to ensure that the ESA not be implemented haphazardly, on the basis of speculation or surmise. While this no doubt serves to advance the ESA's overall goal of species preservation, we think it readily apparent that another objective (if not indeed the primary one) is to avoid needless economic dislocation produced by agency officials zealously but unintelligently pursuing their environmental objectives. 520 U.S. 154, 176-77 (1997) (emphasis added). Accordingly, in light of this success, BLM should evaluate an alternative to consider some of the existing state- and local-conservation measures "adequate regulatory measures" by encouraging states and local entities to make them enforceable and measureable.	All	Both	emc0321GB
1123.	III. BLM's and USFS' Proposed Action Must be Custom-Tailored for Each Region and Sub-Regions It appears from IM 2012-044 that the conservation measures outlined in the NTT Report will form the basis for BLM's and USFS' Proposed Action. NWMA is concerned the conservation measures and regulatory mechanisms recommended in the NTT Report have been developed mainly in response to studies performed in Wyoming and the effects of oil and gas development on sage-grouse habitat in that state. It is well documented that the threats to sage-grouse habitat differ from area to area. Habitat fragmentation due to energy development projects appears to be the largest factor in Wyoming and in other portions of the Rocky Mountain region. In contrast, there is comparatively little energy development in Nevada and other Great Basin region states where habitat fragmentation is mainly due to wildfires and invasive species.	All	Both	emc0321GB
1124.	It is inappropriate to export conservation measures and regulatory mechanisms developed to mitigate impacts due to oil and gas development in Wyoming to other states and regions where oil and gas development are not occurring on a broad scale. Therefore, BLM's Proposed Action in the EIS documents must include conservation measures and regulatory mechanisms customtailored for the conditions in each region and sub-region. BLM must not propose a one-size-fitsall set of conservation measures and regulatory mechanisms that may be suitable in one area of the western U.S., but that will be ineffective and	All	Both	emc0321GB

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	inappropriate elsewhere. The EIS must therefore evaluate the appropriateness and likely effectiveness of each conservation measure and regulatory mechanism in each region and sub-region.			
1125.	IV. The EIS Needs to Include a Full Range of Alternatives In light of the different reasons for sage-grouse habitat decline from region to region, and the fact there remains significant sagebrush habitat throughout the west, the regional EIS documents should carefully evaluate a reasonable range of alternatives to the conservation measures and regulatory mechanisms proposed in the NTT Report. Some of the measures recommended in the NTT Report may not be universally necessary or achieve optimal results in different states, subregions, and regions. Therefore, each regional EIS document should evaluate alternatives that could be implemented in specific sub-regions to address specific issues in each region and that have the highest likelihood of success in preserving and enhancing sage-grouse habitat in each region. Examples of such alternatives include, but are not limited, to the following: A. The Better Implementation of BLM Manual 6840 Alternative BLM already has extensive policy guidelines pertaining to the management of listed and special status species. These guidelines are set forth in detail in BLM Manual 6840, Special Status Species Management. Manual 6840 "establishes policy for management of species which are listed or proposed for listing pursuant to the Endangered Species Act." The manual also provides guidance for BLM "special status species," a designation that includes candidate species like the greater-sage grouse. Despite the existence of Manual 6840, it appears that in developing the NTT Report, BLM has completely overlooked the policies that are already in place as described in Manual 6840. The NTT Report does not contain a single reference to Manual 6840 (emphasis added). Before BLM adopts the conservation measures proposed in the NTT Report, including the draconian land use restrictions, prohibitions, and withdrawals, it must perform a thorough analysis of the regulatory tools and policies it already has to protect special status species. This evaluation should document the effectiveness of the existing policies described in Manual 6840. BLM should also perform a gap analysis to determine if any of the policies outlined in Manual 6840 are insufficient to provide the desired level of protection and what adjustments would be necessary to fill any identified gaps. Given the fact BLM already has detailed guidance regarding how special status species are to be protected, the following are some alternatives BLM should analyze in the EIS to focus on complete or better implementation of the existing regulatory tools and policies contained in Manual 6840: „h The Offsite Mitigation Alternative: Pursuant to Section 2(C)(8) of Manual 6840 (See Page 38 of the Manual pdf), evaluate an alternative to use offsite mitigation rather than prohibit development in habitat areas where alternative project locations do not exist, such as mineral resources that cannot be moved and can only be developed where they are located, or resources for which there is no practical or economically feasible alternative. „h A Maximum Cooperation with States and Memoranda of Understanding Alternative: Pursuant to BLM Manual 6480 Section 1(D) on Page 12 of the pdf and Section 2(D) on Page 38 of the pdf, cooperate ¡§to the maximum extent practicable with States, including entering into management agreements and cooperative agreements for the conservation of threatened and endangered species. The BLM should implement this section through a State level memorandum of understanding¡K¡¨ (Manual 6840, Page 12 of pdf). „h Alternatives to implement more fully and capitalize upon the authorities and directives in Section 1 of Manual 6840 entitled ¡§Administration of ESA¡¨ that provide guidance pertaining to listed species but that could have applicability to candidate species including but not limited to the following: o A Habitat Exclusion Alternative: Pursuant to BLM Manual 6840, Section 1(3), implement the State Directors¡¦ exclusion prerogative for core habitat areas with resource conflicts where such habitat is co-located with resources that are	All	Both	emc0321GB

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	geographically fixed and cannot be moved such as mineral deposits: Where the State Director determines that adequate conservation measures are in place, and that the benefits, including economic benefits, of excluding BLM lands from critical habitat designation exceed the benefits of inclusion of BLM lands, the State Director shall request exclusion of BLM lands from the critical habitat designation pursuant to Section 4(b)(2) and/or Section 3(5)A of the ESA. For proposals across multiple States, the Director will coordinate with the States and submit such information. o A Reasonable and Prudent Alternatives Alternative: Pursuant to Section 1 (5)(c) (on Page 22 of the Manual pdf), identify reasonable and prudent alternatives ¡§... that can be implemented in a manner consistent with the intended purpose of the action, can be implemented consistent with the scope of the agency¡¦s legal authority and jurisdiction, that are economically and technically feasible, and would avoid the likelihood of jeopardizing the continued existence of listed species or resulting in the destruction or adverse modification of designated critical habitat." (Page 22 of pdf) B. Candidate Conservation Agreement with Assurances (CCAA) Alternative C. The No Net Loss of Sage-Grouse Habitat Alternative The EIS documents should evaluate a "No Net Loss of Habitat" alternative that allows impacts in high-priority sage-grouse habitat areas so long as the project proponent mitigates these impacts through onsite or offsite habitat enhancement measures. D. The Better Predator Control Alternative For regions and sub-regions where predation is a major factor affecting sage-grouse populations, the EIS should evaluate a Better Predator Control Alternative to assess the impacts that would be associated with implementing more effective predator control measures. E. The Accelerated Fire Restoration Alternative Wildfire and non-native invasive species are the primary threats to sage-grouse habitat. BLM and USFS efforts should focus on addressing these causes of habitat diminution. The agencies must analyze the need for more aggressive fire suppression and invasive species elimination policies on maintaining and improving sage-grouse habitat. For regions and sub-regions where recent fires have compromised sage-grouse habitat, the EIS should evaluate an Accelerated Fire Restoration Alternative that assesses the impacts associated with implementing better-funded and more effective fire restoration measures. F. The Improved Fuels Management and Fire Suppression Alternative The EIS should evaluate the impacts associated with more effective and better-funded fuels management measures and fire suppression measures when wild fires do occur. G. The Better Non-Native and Invasive Species Eradication and Control Alternative The EIS should evaluate the impacts associated with better funded and more effective programs to eradicate and control the growth of invasive and non-native species that impede the reestablishment and growth of sagebrush vegetation ecosystems that provide sage-grouse habitat. H. The Private-Sector Conservation Incentives Alternative The EIS should evaluate ways to create incentives for more private-sector investment in sagegrouse habitat conservation measures. This alternative could include the establishment of a Greater-Sage Grouse Mitigation Grant Program that encourages project proponents, conservationists, and other stakeholders to make financial contributions that can be distributed to local communities and federal, state, and local agencies to implement qualified habitat restoration and enhancement plans. I. The Fire Suppression and Locatable Minerals Best Management Practices (BMP's) Alternative The EIS should consider and analyze the locatable minerals and fire suppression BMP's listed in Appendix E and Appendix F, respectively, of the NTT report within the context of the existing regulatory framework. J. All of the alternatives, including those listed above, in the EIS must: • Allow for habitat mitigation, including concurrent post project habitat mitigation; • Evaluate the cumulative socioeconomic impacts of all alternatives; • Evaluate the ability to construct and operate on permanent and temporary roads; • Evaluate travel restrictions in habitat			

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	areas; • Address mining claims and mineral leases in all types of habitat; • Evaluate impacts of fences; • Address the impact of surface and ground water use and development; • Address ponds, impoundments and pit lakes in all habitat types; • Address electrical transmission lines in all habitat types; • Address pipelines both above and below the ground; • Address drill pads in all habitat types; • Analyze the cost of validity exams and the cost of regulatory takings if lands are withdrawn from mineral entry; • Analyze the role diseases, parasites and predators play in maintaining viable sage-grouse populations • Carefully structure use of seasonal restrictions. • Provide the greatest degree of flexibility.			
1126.	V. The limit in the NTT report on the percent of land that can be disturbed is unsupported, arbitrary and will have a dramatic adverse impact on multiple-use activities. In that context, questions that must be addressed in the EIS include: • Who is defining disturbance, and how is disturbance defined? Agencies must fully explain, document and support how percentage of disturbance limitations were determined. • How is habitat defined? • How are populations defined? Furthermore, every effort should be made to ensure activities such as mining and grazing can coexist with the sage-grouse, versus total exclusion.	All	Both	emc0321GB
1127.	VII. The EIS Must Analyze Impacts to Interference with Expectation-Backed Investments Many NWMA members have made substantial investments in developing their patented claims, unpatented claims, fee lands, and associated ROW grant applications for existing and proposed exploration and mining projects throughout the west. These investments have been made in reliance upon the multiple-use principles mandated in FLPMA and on the land uses authorized in current LUPs/Resource Management Plans (RMP's) and Forest Land Management Plans (LMP's). Many of the conservation measures and regulatory mechanisms recommended in the NTT Report could substantially interfere with these investments. In light of the potential for this interference, the EIS must: • Quantify how these measures could interfere with expectation-backed investments; • Evaluate ways to minimize interference with the investment-backed expectations of project proponents; and • Discuss and quantify the potential impact to U.S. taxpayers as a result of the regulatory takings claims that could arise in response to implementing the land use restrictions and withdrawals recommended in the NTT Report at projects where these measures interfere with substantial investments.	All	Both	emc0321GB
1128.	All alternatives must acknowledge that RMP's and LMP's cannot legally effect a mineral withdrawal. Only Congress or the Secretary of Interior pursuant to FLPMA §204 may withdraw lands from mineral entry. The BLM and the USFS have numerous tools in their respective "tool boxes" to protect the environment, prevent unnecessary or undue degradation, minimize or mitigate adverse environmental impacts, address cultural resource and threatened and endangered species issues and ensure compliance with all applicable Federal and state environmental laws and regulations. While a mineral withdrawal is one of those tools, it is, or at least should be, the tool of last resort. A mineral withdrawal is an extreme action and should be considered and used only when all other tools have failed (emphasis added). In light of the numerous sage-grouse conservation measures currently in place in the western states, we submit a mineral withdrawal is wholly unnecessary.	All	Both	emc0321GB
1129.	IX. The Proposed Amendment of the RMPs Solely for the Purpose of Incorporating the Proposed Sage-Grouse Conservation Measures/Land Use Restrictions Do Not Comply with BLM's Land Use Planning Regulation Regulation and are Based on Instruction Memoranda that Essentially Function as Rules not Promulgated Pursuant to the Administrative Procedure Act. As stated in Section 1601.0-2 (Objectives) of the BLM's planning regulations: The objective of resource management planning by the Bureau of Land Management is to maximize resource values for the public through a rational,	All	Both	emc0321GB

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	consistently applied set of regulations and procedures which promote the concept of multiple use management and ensure participation by the public, state and local governments, Indian tribes and appropriate Federal agencies. Resource management plans are designed to guide and control future management actions and the development of subsequent, more detailed and limited scope plans for resources and uses. Furthermore, in Section 1601.0-8 (Principles), the regulations state: The development, approval, maintenance, amendment and revision of resource management plans will provide for public involvement and shall be consistent with the principles described in section 202 of the Federal Land Policy and Management Act of 1976. Additionally, the impact on local economies and uses of adjacent or nearby non-Federal lands and on non-public land surface over federally-owned mineral interests shall be considered (emphasis added). Consequently, in accordance with their planning regulations, the BLM should not be amending RMP's solely for the purpose of incorporating sage-grouse conservation measures and, when they do, they must consider the impact on local economies. Additionally, it is not clear that directives to the RMP amendment process can be lawfully driven under the Administrative Procedure Act (APA). Instruction Memorandum No. 2012-044 declares that "The conservation measures developed by the NTT …must be considered and analyzed, as appropriate, through the land use planning process by all BLM State and Field Offices that contain occupied Greater Sage-Grouse habitat." Under the APA, an agency that intends to promulgate a legislative rule must first provide the public with notice of, and an opportunity to comment upon, a proposed version of the rule. 5 U.S.C. § 553. Congress, however, created exemptions to these notice-and-comment requirements for "interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice." Id. § 553(b)(A). The APA also relieves agencies of the obligation to provide for notice and comment "when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest." Id. § 553(b)(B). Courts in numerous circuits have consistently instructed that these exemptions to the APA's notice-and-comment requirements are to be "narrowly construed." See, e.g., Flagstaff Med. Ctr., Inc. v. Sullivan, 962 F.2d 879, 885-86 (9th Cir. 1992); N. Am. Coal Corp. v. Dir., Office of Workers' Comp. Programs, 854 F.2d 386, 388 (10th Cir. 1988); N. Mariana Islands v. United States, 686 F. Supp. 2d 7, 14-15 (D.D.C. 2009). The Instruction Memoranda may be justified as simple policy statements and hence, able to avoid the APA's notice-and-comment requirements in issuing it. See 5 U.S.C. § 553(b)(A). The critical factor to determine whether a directive announcing a new policy constitutes a rule or a general statement of policy is the extent to which the challenged directive leaves the agency, or its implementing official, free to exercise discretion to follow, or not to follow, the announced policy in an individual case. Mada-Luna v. Fitzpatrick, 813 F.2d 1006, 1013 (9th Cir. 1987). The clear directional mandates set forth in Instruction Memorandum No. 2012-044 to utilize the NTT conservation measures in the RMP process do not provide a level of decision making discretion that would lend a clear justification of the IM as mere policy. Accordingly, the legitimacy of the IM as a cornerstone of agency land use planning in this instance it is not readily apparent.			
1130.	X. The EIS Needs to Present a Comprehensive Population Trend Analysis for the Greater Sage-Grouse and a Habitat Model that Evaluates the Existing Condition, Quality, and Quantity of Available Habitat Many efforts to identify sage-grouse habitat have incorporated "broad brush" analyses that do not appear to include adequate site-specific field verification. For example, the mere presence of intact sagebrush-dominated vegetation alone is not a sufficient indicator of sage-grouse habitat. Moreover, historic range is not an appropriate measure for identifying current sage-grouse habitat or distribution.	All	Both	emc0321GB

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	BLM and USFS must provide a definitive range-wide assessment of sagegrouse populations and habitats.			
1131.	XI. The EIS Needs to Fully Disclose the Nature and Evaluate the Adequacy of the Baseline Data Used to Support the Analysis in the EIS Is the baseline data used to develop alternatives adequate? EIS's should include an analysis of the baseline data to support each alternative.	All	Both	emc0321GB
1132.	B. Regional and Sub-regional Baseline Data • Sage-grouse populations are not static and the dataset proposed to be used to support the EIS's represents a snapshot in time and does not account for natural population fluctuations. The Proposed Action or conservation measures developed should include adaptive management tools to be able to adjust according to population and habitat variations over time. • It appears that the baseline data collection methodology used to characterize sage-grouse habitat within the various states and even within different districts within individual states are variable. This creates an inaccurate dataset that skews habitat quality classifications across the range of the sage-grouse. For example, an area classified as high quality habitat in Idaho when compared to an area classified as high quality habitat in Nevada would not have the same functionality. Therefore, it would be inappropriate to apply broad-scale habitat conservation measures that do not take into consideration the variability of the dataset being used. It is recommended that conservation measures proposed take into consideration the statistical discrepancies resulting from the data collection methodology.	All	Both	emc0321GB
1133.	XII. The EIS Needs to Clearly Describe Greater Sage-Grouse Habitat Characterization and Analyze how the existing and proposed Long-term Conservation Measures Relate to Existing Habitat and Future Habitat Models	All	Both	emc0321GB
1134.	XIII. The Agencies Need to Evaluate NEPA Documents Completed in the Past Five Years to Document What is Already Being Required as Sage-Grouse Conservation Measures	All	Both	emc0321GB
1135.	XIV. The Development of the Sage-Grouse National Technical Team Report is Inconsistent with the Provisions of the Federal Advisory Committee Act (FACA) and Places into Question its Role in Policymaking and this EIS Process. It is unclear of the role of the findings and report of the NTT in the NEPA process. The EIS should address the report and detail its role in the development of the BLM's Instructional Memoranda as well as the overall NEPA process and RMP/LMP modifications for sage-grouse. The scientific basis for the report and management policies should be provided and made publicly available including methodologies used and scientific literature considered. Many of the potential conservation measures contained in the report do not provide viable, defensible or even legal means of protecting sage-grouse habitat and will have dramatic adverse effects on multiple use activities on public and National Forest System lands. The conservation measures must focus on management, which will continue to allow existing land uses along with new uses.	All	Both	emc0321GB
1136.	XV. Mitigation Measures in the EIS A. The EIS should include preliminary mitigation measures that could be put in place to prevent the listing of the greater sage-grouse, including the development of a Candidate Conservation Agreement with Assurances (CCAA). Mining companies already incorporate mitigation measures into their plans of operation to minimize and avoid impacts to greater sage-grouse. These mitigation measures illustrate the extent and effectiveness of the agencies' existing regulatory tools to compel project proponents to design their projects to avoid or mitigate impacts to greater sage-grouse wherever possible. Examples of mitigation measures include: Burying transmission lines and water pipelines. Installation of anti-perching devices. Low-profile design and location of permanent equipment. Installation of noise-reducing enclosures or sound barrier walls near active leks. Minimization of surface disturbance. Seasonal	All	Both	emc0321GB

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	restrictions from March 1 – May 31. B. A variety of onsite and offsite mitigation options should be considered, including: Vegetation planting, vegetation rehabilitation and thinning to provide for ecologically diverse habitat with an appropriate mix of successional types based on the Ecological Site Descriptions (ESD's) prepared by the USDA Natural Resource conservation Service; Rehabilitation of areas impacted by fire, non-native invasive species or other disturbance to establish appropriate successional species, such as perennial grasses and forbs, and eventually big sagebrush communities; Enhancement of existing sage-grouse habitat to provide an appropriate mix of vegetation types to support the life history needs of sage-grouse; Use of conservation easements or other land-use covenants to provide habitat protection; and Use of "mitigation funds" or "mitigation banks" that would provide for pooling of mitigation monies to implement larger habitat protection and improvement measures. Such funds could be managed by appropriate wildlife agencies or third parties. Such approaches must be provided in an appropriate alternative and/or as components of alternatives considered in the EIS's. In addition, EIS's must take into consideration the lack of suitable private lands for mitigation purposes, especially in high percentage public land/National Forest states like Nevada and Idaho.			
1137.	XVI. BLM and USFS Must Analyze Each Alternative for its Impacts on Small Businesses and Small Governmental Entities as Required by the Regulatory Flexibility Act as amended by the Small Business Regulatory Fairness Act (SBREFA).	All	Both	emc0321GB
1138.	Summary of NWMA Scoping Comments Thoroughly Evaluate the No Action Alternative The EIS should include a detailed consideration of the impacts associated with the No Action Alternative. The ongoing implementation of current federal, state and local conservation measures should be evaluated as the No Action Alternative to provide the baseline against which all other alternatives are compared and measured. The ESA Requires Consideration of State and Local Conservation Efforts in Making a Listing Decision. The EIS must include a thorough discussion of how the NTT Report conservation measures are based on 1) the best available scientific and commercial data and 2) take into account the existing state and local conservation measures Proposed Action Must be Custom-Tailored for Each Region and Sub-Regions The Proposed Action must include conservation measures and regulatory mechanisms custom-tailored for the conditions in each region and sub-region. The agencies must not propose a one-size-fits-all set of conservation measures. The EIS Needs to Include a Full Range of Alternatives The EIS should carefully evaluate a reasonable range of alternatives to the conservation measures and regulatory mechanisms proposed in the NTT Report Better Implementation of BLM Manual 6840 ☐ BLM already has extensive policy guidelines pertaining to the management of listed and special status species. There is an implementation issue – not an absence of adequate or appropriate regulatory mechanisms. Minimize Adversely Affecting Private Property Rights The EIS must evaluate ways to minimize interfering with private property rights – including the rights associated with owning patented mining claims and fee mineral estates. Minimize Interference with Expectation-Backed Investments The EIS must quantify how the proposed conservation measures could interfere with expectation-backed investments and evaluate ways to minimize impacts to project proponents. All alternatives also must acknowledge that RMP's and LMP's cannot legally effect a mineral withdrawal Conservation Measures and Regulatory Mechanisms Must be Consistent with FLPMA. FLPMA is premised on the overarching principle to use a balanced approach in managing the public lands. The EIS must evaluate whether and how the conservation measures and regulatory mechanisms recommended in the NTT Report achieve the required balance. BLM Must Comply with Land Use Planning Regulations In accordance with their planning regulations, BLM should not amend RMP's solely for the purpose of incorporating	All	Both	emc0321GB

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	sage-grouse conservation measures. When they amend RMP's, the BLM must consider the impact on local economies. Fully Disclose the Nature and Evaluate the Adequacy of the Baseline Data Is the baseline data used to develop alternatives adequate? The EIS should include an analysis of the baseline date to support each alternative. Mitigation Measures Must be Considered and Analyzed The EIS should include preliminary mitigation measures that could be put in place to prevent the listing of the sage-grouse. A variety of onsite and offsite mitigation options should be considered. All Alternatives Must be Analyzed for their Small Business Impacts Each alternative must be analyzed for its impacts on small businesses and small governmental entities as required by the Regulatory Flexibility Act			
1139.	NWMA supports taking measures to avoid an ESA listing for the greater sage-grouse, but the conservation measures proposed by the Sage-grouse National Technical Team are draconian and will have severe negative impacts on NWMA members, other multiple-users of federal lands, and numerous resource-dependent communities in the western United States. The BLM and Forest Service must develop a balanced approach that will avoid or minimize the socio-economic effects of such measures. We urge the agencies to give full consideration to existing federal, state and local conservation measures, analyze a full range of alternatives in the EIS and develop a proposed action that is custom-tailored for each region and sub-region. Finally, in providing these comments, we wish to incorporate the comments of the National Mining Association and the Nevada Mining Association as if they were fully set forth herein.	All	Both	emc0321GB
1140.	It is vital to continue existing land-use, levels of use, and ongoing management and put the burden of proof on specialists or outside agencies or advocates proposing changes to ongoing management or use to have site-specific information on problems or threats to sage-grouse populations, use patterns, migration, or habitat that is very specific, substantial and objective. Subjective judgments should be secondary to ongoing activities and management and should only trigger evaluations concerning site-specific monitoring.	All	Both	emc0323GB
1141.	Any EIS or SEIS developed must also recognize and incorporate the extensive documentation that has already been conducted by NRCS and ecological research by the Agricultural Research Service on the complimentary relationship between sage-grouse conservation and grazing.	All	Both	emc0323GB
1142.	On March 9,2012, just 14 days before the March 23,2012 deadline for submitting these comments, BLM and USFS finally made a new sage-grouse habitat map for Nevada available to the public. The map entitled "Nevada BLM and USFS Greater Sage-Grouse Preliminary Habitat Map" shows extensive areas in magenta that are labeled "Preliminary Priority Habitat" and other areas in blue-green labeled "Preliminary General Habitat." This map is based on a map that the Nevada Department of Wildlife ("NDOW") prepared and recently released entitled, "Nevada Department of Wildlife Greater Sage-Grouse Habitat Categorization Map." BLM's press release announcing the availability of the BLM - USFS map states that the map will be used to ". . . provide infonnation for the Greater Sage-Grouse Planning Strategy ... [and] ... Used in the development of alternatives to be considered in the CaliforniaNevada Environmental Impact Study process to amend the BLM Resource Management Plans and USFS plans." Based on our members' extensive experience in making maps using GIS data and interpreting and using satellite imagery data, NVMRA fmds that the data that NDOW used to make the maps are completely inadequate for developing a map upon which important policy decisions will be based. NVMRA members are concerned that BLM and USFS will ultimately be using this map to make critically important decisions about how public lands in Nevada will be managed that will affect individual, specific projects. The data used to develop this map must be appropriate for the	All	Both	emc0327GB

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	scale of land use decisions that will be made in the amendments to the RMPs.			
1143.	We appreciate the opportunity to provide scoping comments on the issues to be addressed in the National Greater Sage-Grouse Planning Strategy Environmental Impact Statements (EIS). Our primary recommendation is that the agencies designate large, contiguous tracts of prime sage-grouse habitat that are set aside from development or protected via stringent management protections that meet the goal of maintaining and enhancing populations in these areas.	All	Both	emc0329GB
1144.	Greater sage-grouse are dependent on large areas of contiguous sagebrush, and large-scale characteristics within surrounding landscapes influence sage-grouse habitat selection.3 As such, the key to meeting the goals of the National Greater Sage-Grouse Planning Strategy is preserving large tracts of habitat in a condition ideal for sage-grouse survival and proliferation. The agencies should inventory all sage-grouse habitat, identify the most important habitat areas, and impose varying levels of protection for these habitats, depending on their classification.	All	Both	emc0329GB
1145.	To achieve the goal of maintaining and increasing sage-grouse abundance and distribution, all aspects of the National Greater Sage-Grouse Planning Policy must be supported by the most recent compilation of scientific information and management recommendations. The following reports and documents provide a solid, scientific background on the current status of the greater sage-grouse and important biologically-based guidance on sage-grouse management. The agencies should incorporate the information and recommendations from these reports wherever possible. U.S. Fish & Wildlife Service, Endangered and Threatened Wildlife and Plants; 12-Month Findings for Petitions to List the Greater Sage-Grouse (Centrocercus urophasianus) as Threatened or Endangered, 75 FR 13910 (Mar. 23, 2010) BLM Sage-grouse National Technical Team, A Report on National Greater Sage-Grouse Conservation Measures (Dec. 21, 2011) USGS-sponsored Greater Sage-Grouse: ecology and conservation of a landscape species and its habitats, published as a scientific monograph in the series Studies in Avian Biology Wyoming Sage-Grouse Core Areas Strategy. See Wyoming Executive Order 2008-2 (Aug. 1, 2008); BLM IM 2010-012 (Jan. 4, 2010); Wyoming Executive Order 2011-5 (June 2, 2011).	All	Both	emc0329GB
1146.	The BLM and FS should prepare a comprehensive inventory of sage-grouse habitat and existing sagegrouse populations using the most current data available. The agencies should make certain that the full suite of habitat requirements is incorporated into this habitat inventory. At the largest scale, the habitat inventory should identify and map all lands currently used by greater sage-grouse at all life stages and throughout the year, including transitional habitats. The population inventory should verify the number of remaining sage-grouse and determine sustainable population levels, and should identify areas occupied by high concentrations of sage-grouse, which will assist the agencies in delineating high-value habitats. The BLM and FS should build upon existing state-level inventory and mapping data. Many state mapping efforts are works-in-progress and will require the agencies to work collaboratively with state agencies. For example, many mapping models focus breeding habitat to delineate core habitat because lek data is more available than nesting or corridor information. Lek data is collected through sampling that is prone to variability, and only identifies habitat use during a short period of the year. Furthermore, there is great need for more research to adequately identify and delineate transitional habitats. Regional maps should include the most recent information from local working groups, telemetry studies, and state agency modeling of seasonal habitat and movement corridors. Any mapping method must be supported by the current best available science, combined with scientifically defensible research and methods to estimate population density. We encourage BLM's continued involvement	All	Both	emc0329GB

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	in order to expedite the process to complete work on mapping and other conservation tools, while ensuring that maps are scientifically defensible. The sage-grouse habitat inventory should include at least two categories of habitat: priority habitat and general habitat. The BLM-fs National Technical Team (NTT) has defined priority habitat as -gareas thathave the highest conservation value to maintaining or increasing sage-grouse populations. These priority areas should include breeding, late brood-rearing, winter concentration areas, and migration or connectivity corridors. The remaining sage-grouse habitat, or general sage-grouse habitat, includes occupied seasonal or year-round habitat outside of priority habitat. Priority habitat should be set-aside from development or protected via stringent management protections that meet the goal of maintaining and enhancing populations in these areas. These protected areas should be large enough to stabilize populations in the short term and enhance populations over the long term.6 Priority habitat should also include small or isolated populations, such as those along the periphery of the greater sage-grouse's range.			
1147.	Sage-grouse conservation guidance from BLM should reflect the most current science on sage-grouse transitional habitat, such as migration or connectivity corridors necessary for sage-grouse to travel through the landscape to vital seasonal habitat. Sage-grouse movement patterns are poorly understood,7 and, as such, transitional habitat is not adequately recognized and incorporated into current sagegrouse conservation and management. For instance, the interim guidance released by BLM in December 20118 does little to provide guidelines for the preservation or inventory of important sagegrouse transition habitat and many state-level planning efforts have not adequately incorporated transitional habitat into conservation efforts. But it is clear that migration corridors and habitat connectivity (including movement across jurisdictional boundaries) will play an essential role in successful conservation strategies. The agencies should create management policies that will protect areas that may likely serve as transitional habitat due to the proximity of these areas to highly productive habitat and lek sites.	All	Both	emc0329GB
1148.	The BLM and FS should strongly consider closing large areas in important sage-grouse habitat to anthropogenic disturbance. In the event that development occurs in sage-grouse habitat, the agencies are legally required to apply mitigation to lessen impacts on the species.	All	Both	emc0329GB
1149.	The BLM and FS should establish baseline protections for priority and general habitat and these measures should be incorporated into each alternative (except the no action alternative) considered in the Regional EISs. These protections will differ based upon the local sage-grouse populations and the cumulative threats on the landscape. The NTT's recommendations should be used as a starting point for achieving effective conservation in priority habitats. The agencies should strive to implement them to the fullest extent possible as range-wide standards in each RMP and LMP, while refining them further to better address specific issues consistent with the most recent science. As the agencies establish management guidelines for sage-grouse habitat, they should apply the BLM's habitat mitigation policy, codified at 43 C.F.R. § 1508.20. This policy lists habitat mitigation actions in descending order of preference: avoidance, minimization, rectification, reduction, and compensation. As the agencies engage in the difficult act of balancing development with conservation of sage-grouse and other sagebrush obligate species, they must keep in mind this mitigation hierarchy and consider "avoidance" the foremost objective, especially in sage-grouse priority habitat.	All	Both	emc0329GB
1150.	Our recommendations for management policies in sage-grouse habitat follow. Implement range management practices outlined by the NTT, with improvements, including avoiding new range and water developments that negatively impact	All	Both	emc0329GB

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	sage-grouse and applying the 3% disturbance cap to certain range developments.			
1151.	Our recommendations for management policies in sage-grouse habitat follow. Ensure disturbance or uses permitted adjacent to priority habitat don't negatively impact sagegrouse populations in priority habitat,9 thus negating the value of designated priority habitats. Require off-site mitigation for impacts that cannot be mitigated on-site, or where landscape approaches to mitigation offer opportunities to address conservation needs on a larger scale while generating net conservation benefits for sage-grouse. Off-site mitigation should be required to take place in the same eco-region as the project site. Land uses, habitat treatments, and anthropogenic disturbances will need to be managed below thresholds necessary to conserve not only local sage-grouse populations, but also sagebrush communities and landscapes.	All	Both	emc0329GB
1152.	Wherever possible, priority habitat should be set-aside from development or protected via stringent management protocols, especially where it is not subject to valid existing rights. Both the BLM and the FS have existing mechanisms for designating lands like sage-grouse priority habitat that have biologically valuable characteristics and are in need of special management attention. By identifying priority sage-grouse habitats and developing prescriptions for their maintenance and improvement, the agencies will have taken a critical step forward as a means of achieving the goal of maintaining and enhancing greater sage-grouse populations.	All	Both	emc0329GB
1153.	We recommend the following criteria be used to identify and designate priority habitats for the purpose of conserving greater sage-grouse. Areas of high biological value, with respect to meeting all seasonal habitat needs, should be identified and considered for priority habitat designation. To inform this effort, the agencies should refer to on-going state efforts to identify important sage-grouse habitat (such as Wyoming's Core Areas approach), as well as data provided in the BLM report Mapping breeding densities of greater sage-grouse: A tool for range-wide conservation planning.10 Prioritize habitat conservation in relatively large contiguous areas that are: 1) within areas of high biological value; 2) currently undeveloped; and 3) unencumbered by valid existing rights, and/or have low potential for development (e.g., low wind or oil and gas potential).11 These areas, where high biological value intersects with low energy development potential, are low conflict area sage-grouse habitat conservation. Consider priority habitat designation in high biological value areas that, although encumbered by valid existing rights, are not yet developed. This may be particularly feasible where actual development potential is low despite the existence of valid existing rights (e.g., due to speculative leasing in areas of low energy potential). It may also be feasible in areas where other constraints (e.g., lack of infrastructure, other resource conflicts) will make development relatively difficult and costly. Management in such areas could include aggressive pursuit of available tools to increase the amount of protected habitat, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts. Including these areas as priority habitats is vital because 44% of areas with high biological value are at risk for energy development, and one-third of the 25% core areas have been leased for oil and gas development.12 Consider prioritizing areas that meet the previous criteria and are near high biological value areas that are likely to be developed in order to promote resilience of populations disturbed by development. Consider including relatively large contiguous areas of lower biological value areas that currently are undeveloped, are unencumbered by valid existing rights, or have low potential for development. This may be important when such areas increase the size and continuity of the areas described above, or where there are limited areas that meet the previous criteria.13 Once the above areas have been mapped, work to maximize the spatial continuity and size of	All	Both	emc0329GB

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	designated priority habitats. BLM should consider for designation areas that have already been proposed for sage-grouse conservation and are under consideration as part of RMP revision.14			
1154.	Sage-grouse populations are dependent upon healthy sagebrush ecosystems. Reclaiming or recovering sagebrush habitats is extremely challenging. The BLM and FS should direct efforts toward improving our ability to effectively reclaim degraded habitat, which requires gathering site-specific baseline (pretreatment) data to adequately evaluate success. Reclamation should be a mandatory stipulation for all development in sage-grouse habitat and managers must recognize that methods for achieving success vary by region and are site-specific. Reclamation efforts should be monitored and results maintained in a single database to improve public understanding and effectiveness of efforts. The agencies should establish a process to identify and address failed reclamation projects.	All	Both	emc0329GB
1155.	Implementation of an effective monitoring and adaptive management process with performance based standards for each RMP and LMP is critical to the success of this national sage-grouse planning strategy. In addition to developing management prescriptions for sage-grouse, plans should establish triggers and thresholds for adaptive management throughout the range. Consequences that will result if triggers or thresholds are reached must be clearly outlined. Triggers could include sage-grouse population target ranges, target levels of survival and recruitment in particular areas, measures of the cumulative level of surface disturbance, and well densities in core areas. Consequences that would result if triggers are reached would include increases in protective measures. Monitoring should be required and adequately funded.	All	Both	emc0329GB
1156.	BLM and FS leadership, in committing to range-wide planning based on sound science, is greatly appreciated. While federal land managers are central to the greater sage-grouse conservation effort, the success of efforts to sustain and increase sage-grouse populations will also depend on management strategies and conservation efforts on state and private lands within the bird's range. In addition, protecting migration corridors and maintaining habitat connectivity across jurisdictional boundaries will play an essential role in successful conservation strategies. As such, the BLM and FS will need the support of many other agencies and stakeholders to achieve success. These include USFWS, state fish and game agencies, tribes, conservation and wildlife groups, private landowners, industry partners and federal permittees, and elected officials at all levels across the region. We are committed to working constructively with responsible officials towards policies designed to maximize the chances for successful long-term conservation of the species and its habitat. State fish and game agencies are already developing policies to conserve remaining sage-grouse habitat, protect existing populations, obtain crucial scientific information, and develop maps to inform protective policies. Wyoming Game & Fish Department has exhibited leadership in the development of Wyoming's Core Areas Strategy and associated sage-grouse distribution and habitat maps. State wildlife areas will play an important role in sage-grouse conservation, and management of these areas must be integrated with policies on adjacent federal or private lands. We urge the BLM and FS to work with the state wildlife agencies to develop common understanding and nomenclature for sage-grouse habitats so that state and federal wildlife managers and the public are describing the same habitats using the same terms.	All	Both	emc0329GB
1157.	As the BLM and FS proceed with regional conservation efforts, an open and transparent process is fundamentally important. The agencies should maintain a publicly available consolidated clearinghouse of essential data and information, including all state-level priority and general habitat data and maps, as well as any other high-level mapping and modeling information that facilitates public involvement in these planning processes and allows stakeholders to evaluate proposed conservation	All	Both	emc0329GB

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	measures. Failure to make such information publicly available undermines the National Environmental Policy Act (NEPA),15 and failure to address this issue could undercut the National Greater Sage-Grouse Planning Strategy by preventing stakeholders from constructively engaging in this process.			
1158.	Finally, the BLM and FS should ensure that all geospatial data and modeling information used to develop sage-grouse conservation measures be made publicly available. Such information includes, but is not limited to: Seasonal habitats beyond breeding areas (i.e., winter concentration areas); Complimentary delineations of priority habitats across state borders; Important corridors and transition habitat, including those that might not be identified on state maps; Valid existing federal mineral lease rights, including oil and gas, other leasable minerals, and locatable minerals; and Other valid existing rights (e.g., rights-of-way)	All	Both	emc0329GB
1159.	For nearly a decade, concerns about dwindling numbers of sage grouse and erosion of its habitat have driven significant conservation efforts across the Western United States. Federal agencies, states, localities, industry, landowners, community groups and others have invested substantial resources in protecting sage grouse and sage grouse habitat through mandatory and voluntary programs. The common goal of these efforts is to preclude a formal listing of the bird under the Endangered Species Act (ESA). The goal is commendable since listing is accompanied by often onerous requirements and restrictions on commercial activities. NMA supports the efforts of the BLM to take measures to preclude a listing. However, as BLM moves forward with the preparation of its EIS to incorporate conservation measures into its resource management plans (RMPs) and Forest Service land and resource management plans (LMPs), the agency must be vigilant to ensure that the "cure" is not worse than the "disease." In other words, if the conservation measures adopted are so stringent, society may be better off with a listing due to the safe harbor and incidental take provisions of the ESA.	All	Both	emc0331GB
1160.	Multiple Use Mandate Both the major federal land management agencies engaged in developing the EIS, BLM and the Forest Service, have a statutory-based multiple use mandate that recognizes public lands are an important source of minerals. • BIM's Multiple Use Mandate Section 302 of the Federal land Policy and Management Act (FIPMA) provides that "[t]he Secretary shall manage the public lands under principles of multiple use and sustained yield." 42 U.S.C. § 1732(a). Furthermore, FIPMA requires management of the public lands "in a manner which recognizes the Nation's need for domestic sources of minerals." 43 U.S.C. § 1701 (11)-(12). Similarly, BIM's 2006 Energy and Non-Energy Mineral Policy highlights the importance of mining on public lands and endorses "multiple use" as a guiding principle for land use management. The policy states BIM land use planning and multiple use management decisions will recognize that, with few exceptions, mineral exploration and development can occur concurrently or sequentially with other resource uses and further indicates that the least restrictive stipulations that effectively accomplish the resource objectives or uses will be used. See BIM 2006 policy at p. 2 • Forest Service's Multiple Use Mandate Congress established the national forest system through the OrganiC Administration Act of 1897, 30 Stat. 11 (June 4, 1897). By operation of the Transfer Act of 1905, 33 Stat 628 (February 1, 1905), stewardship of the national forests was transferred from the Department of the Interior to the Department of Agriculture. There followed over the ensuing decades a series of enactments in which Congress consistently and clearly specified that stewardship over the national forests would be guided by the principles of multiple use and sustained yield, i.e., the Multiple Use Sustained Yield Act of 1960, 16 U.S.C.§§ 528-31 (MUSYA); the Forest and Rangeland Renewable Resources Planning Act of 1974,16 U.S.C. §§1600-14; and the National Forest Management Act of 1976 (NFMA), 16 U.S.C. § 1600 et	All	Both	emc0331GB

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	seq. These statutes consistently endorse multiple use and sustained yield. Specifically, section 4 of the MUYSA defines "multiple use" as: the management of all the various renewable surface resources of the national forests so that they are utilized in the combination that will best meet the needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; that some land will be used for less than all of the resources; and harmonious and coordinated management of the various resources, each with the other, without impairment of the productivity of the land, with consideration being given to the relative values of the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output. 16 U.S.C. § 531 . As appropriately concluded by the U.S. Court of Appeals for the Seventh Circuit, the Forest Service does not have the discretion to ignore that mandate to focus solely on environmental and recreational resources. That court held, "the national forests, unlike national parks, are not wholly dedicated to recreational and environmental values." Cronin v. United States Department of Agriculture, 919 F.2d 439, 444 (7th Cir. 1990).			
1161.	BlM Instruction Memoranda BlM issued two instruction memoranda (IMs) to its field offices regarding interim conservation policies and consideration of the recommendations of the Sage Grouse National Technical Team (NTT) in its "Report on National Greater Sage Grouse Conservation Measures" (Dec. 21, 2011). See IM-2012-043, BLM Greater Sage Grouse Interim Management Policies and Procedures and IM-2012-044, BLM National Greater Sage-Grouse Land Use Planning Strategy. NMA is troubled by several aspects of the IMs and has significant concerns about the legality of the NTT recommendations that BlM should consider in the development of the EIS.	All	BLM	emc0331GB
1162.	• IM 2012-043 o Designation of Preliminary Priority or Preliminary General Habitat Areas The IM defines preliminary priority habitat areas as those that have been identified as having the highest conservation value to maintaining sustainable greater sage grouse populations, and include breeding, late brood-rearing and winter concentration areas. While the 1M states that these areas have been identified by BlM in coordination with state wildlife agencies, the public has had little or no input into the process of designating such areas. Furthermore, accurate maps that identify key habitat areas have not been provided. The January 10, 2012 Western Association of Fish and Wildlife Agencies habitat map, delineating these designated habitat areas, was used during the IM roll-out meetings at BlM offices. However, subsequent discussions with state and field office staff have determined that those delineations are already being significantly modified by state wildlife agencies. It is difficult for us to determine potential impacts or issues appropriate for scoping when the extent of the area is unknown. BlM must provide better maps identifying the designations as well as ensuring that designations are based on clear criteria and sound biological data. Many efforts to identify sage grouse habitat have incorporated "broad brush" analyses that do not appear to include adequate site specific field verification. For example, the mere presence of intact sagebrush habitat alone is not a sufficient indication of sage grouse habitat. Moreover, historic range is not an appropriate measure for identifying current sage grouse habitat or distribution. Some of the area currently mapped by the Nevada Department of Wildlife is occupied by cheatgrass and other non-native invasive annual species, pinyon-juniper woodlands, and salt desert shrub vegetation. These areas do not provide suitable sage grouse habitat, and thus do not warrant habitat designation. Accordingly, it is essential that any sage grouse habitat designations be based on clear criteria and sound biological data. Broad, over-inclusive geographic designations are inappropriate and may have substantial adverse effects on multiple use	All	Both	emc0331GB

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	activities on federal lands while providing no benefits to the species. BIM should ensure that project proponents have an opportunity to confirm the habitat designations based on site specific information at the time specific actions or projects are proposed. If site specific information (Le. The best scientific information available) demonstrates that previously designated habitat does not meet the criteria for general or priority habitat, then adjustments to those habitat boundaries and/or designations are appropriate and must be made by BIM without the need for a formal IMP or RMP amendment.			
1163.	• IM-2012-044 and the NIT Recommendations IM-2012-044 provides direction to BIM offices for considering conservation measures identified in the NTT Report through the land use planning process. The IM specifically requires consideration of all applicable conservation measures when revising RMPs in sage grouse habitat. As discussed below, NMA believes some of the measures recommended by the NTT Report represent draconian methods that are oft-times contrary to existing statutes and regulations, ill-advised and unnecessary to adequately protect the sage grouse. The IM indicates that the implementation of any of the NTT conservation measures must be consistent with applicable statutes and regulations and that if inconsistencies arise, BIM should consider conservation measures to the fullest extent with such statutes and regulations. Rather than having BIM staff on the ground trying to determine the legality of the NTT recommendations, the NTT report should be thoroughly reviewed by the Interior Solicitor's Office and the Forest Service's General Counsel's office for a determination of their legality. While the NTT may have the best intentions, their recommendations cannot be allowed to trump the law.	All	BLM	emc0331GB
1164.	o Arbitrary Limits on Anthropogenic Disturbances The most objectionable recommendation in this report is the suggestion that BLM must: "Manage priority sage-grouse habitats so that discrete anthropogenic disturbances cover less than 3% of total sage-grouse habitat regardless of ownership .... [and if that threshold is exceeded then] no further anthropogenic disturbances will be permitted .. " This is not only unnecessary and unacceptable but is contrary to law. The report makes this statement under the false assumption that anthropogenic disturbances are automatically detrimental to sage grouse and their habitat. NMA also strongly disagrees with the report's statement that "surface-disturbing energy or mineral development within priority sage-grouse habitats is not consistent with a goal to maintain or increase populations or distribution." The NTT report's conclusion quoted above flies in the face of statements made by the U.S. Fish and Wildlife Service, which recognizes that there are a number of existing regulatory mechanisms designed to successfully protect and mitigate impacts to wildlife and wildlife habitat during the planning, leasing, permitting, operation, and reclamation of surface coal mining operations. When asked if permitting pursuant to the Surface Mining Control and Reclamation Act (SMCRA) is adequate to protect sage grouse in core areas in Wyoming, the FWS said: The provisions for conservation of Federal trust species, including candidates such as the Greater Sage Grouse, under SMCRA and its implementing regulations, are sufficient for conservation of the species." FWS Letter to Wyoming Governor's Office (Nov. 10, 2010) at p. 2. This sentiment was echoed by the Wyoming Game and Fish Department, which very recently observed that: "Over the last 15 years ... the average number or males at leks has increased in Wyoming indicating an increasing statewide population.,,4 Sage grouse use of reclaimed plant communities providing summer foraging and broodrearing habitat has been documented at one of Peabody Energy's Powder River Operations. Moreover, reclamation requirements include the re-establishment of sagebrush on surface coal mined lands in Wyoming.	All	BLM	emc0331GB
1165.	In 2001, Peabody Energy's Powder River Operation's North Antelope Rochelle Mine (NARM) voluntarily initiated and	All	BLM	emc0331GB

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	funded a project designed to gather data on the status of Greater Sage Grouse populations using habitat in and adjacent to the mine area. The immediate goal of this ongoing study was to identify key habitats (nesting, brooding and wintering) so that the mine could adequately plan reclamation and/or mitigation strategies for this species. Second, vegetative data was collected to evaluate the quality of the available habitat. Third, reproductive data (nest fate, clutch size, chick survival and adult survival) was collected. Fourth, use of reclaimed mine lands was monitored. (Of particular note was the documented use of reclaimed lands at the initiating mine by hens and broods. The reclamation used by these grouse supported a diverse and prominent (>25% cover) mosaic of forbs). The monitoring program initiated by this mine was expanded to neighboring mines and funded in 2003 through the Wyoming Abandoned Coal Mine Lands Research Program (ACMLRP) - (Brown and Clayton 2004). Today, NARM is continuing to manage and fund the project on a voluntary basis and has incorporated and expanded it into a broad landscape-wide sage grouse collaring and sagebrush mapping research project in partnership with the Thunder Basin Grasslands Prairie Ecosystem Association, Bureau of Land Management and U.S. Forest Service. Notable conclusions as of the 2011 report (compiled 11 years of results) include: • "Hen nest success, overall survival, and mortality sources (mainly predation) at NARM appear to be comparable to those documented in other populations (Connelly et al. 2000)." "Nest initiation rates at NARM have remained similar in the previous years, and are comparable to or greater than those reported for most other studies (63 to 93%; Connelly et al. 1991, Schroeder 1997). Likewise, overall nest success (at least 59%) from 2001 through 2008 at NARM has been well within the typical range for sage grouse (30 to 60%; Schroeder et al. 1999) and exceeded that (50%) reported by Lyon and Anderson (2003) for both disturbed and undisturbed areas." • "Lyon and Anderson (2003) also found that sage grouse nested farther from leks in areas that were affected by oil and gas development than in undisturbed areas, but that trend has not been supported in the NARM study area. Those authors reported that only 26% of nests were within 1.9 miles of a lek in disturbed areas, whereas 91 % of nests were within that distance in undisturbed areas. In contrast, the documented nest site at NARM (a 'disturbed area') in 2011 was approximately 0.3 mile from the nearest lek and 88% of the nests in the initial 3 year study were within 1.9 miles of an active lek (Brown and Clayton 2004)." These are just a few examples of why conservation measures that involve automatic prohibitions on uses of public lands are inappropriate and unjustified as applied to the mining industry.			
1166.	o Data Does Not Support NTT Recommendations Data on sage grouse populations and impacts does not support the NTT report recommendations with respect to mining. For example, the NTT report suggests that: "large scale disturbances that impact sage grouse distribution and abundance at any level will not be permitted within priority areas." Yet, BLM's own scoping materials5 (prepared by FWS) distributed in January February 2012 lists hard rock mining 16th out of 19 threats to the greater sage grouse, just above "hunting." Hunting has been found to be such an insignificant threat that it is not even recommended that it be prohibited [it is noteworthy that "climate change" is rated as an even lower threat than hunting]. BLM should focus on the largest risks to sage grouse such as invasive species and fire. Focusing on conservation measures that address these types of impacts, will provide a beneficial option whereby sage grouse habitat would be protected without substantial adverse impacts on economically productive activities.	All	BLM	emc0331GB
1167.	o Best Management Practices The NTT report contains appendices outlining best management practices (BMPs) for certain activities conducted in sage grouse habitat, including locatable mineral development. While NMA supports the use of scientifically based BMPs, they should not be "mandatory." By their very nature, BMPs should be a guide on how to best	All	Both	emc0331GB

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	protect the species and its habitat, but making them mandatory stifles innovation and is contrary to the nature and tradition of using BMPs.			
1168.	Procedural Violations Regarding the IMs and NTT Report In addition to the substantive issues with the agency's actions, there are a number of serious procedural problems with BIM's actions. First, BIM's adoption of the interim management policies and procedures constitute rulemaking that should have been subject to the procedural requirements of the Administrative Procedure Act. Under the APA, rules include "the whole or part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency." The IMs clearly fit this definition, and are clearly designed to implement policy. The IMs also use mandatory language. 1M 2012-044 states that: "The BIM must consider all applicable conservation measures ... " 1M 2012-043 also imposes mandatory substantive requirements, such as when it mandates the following: "Require that new notices and plans of operation include measures to avoid or minimize adverse effects to Greater Sage Grouse populations and its habitat." Since the IMs are rules, BIM must follow the requirements of the APA, including publication in the Federal Register and providing the public with an opportunity to submit written comments before the agency implements these new policies. BIM violated the National Environmental Policy Act (NEPA) by not taking a hard look at the environmental consequences of its IMs before implementing them.9 BIM prepared neither an environmental assessment nor an environmental impact statement to analyze the impacts of the IMs. This is despite the fact that the agency admitted in both IMs that they " ... will result in additional costs for coordination, NEPA review, planning, implementation, and monitoring." BIM also neglected to examine the effect of its policies on small businesses and governments as required by the Regulatory Flexibility Act and the Small Business Regulatory Enforcement Fairness Act. The RFA requires an agency to prepare an initial regulatory flexibility analysis (IRFA) to determine whether the agency's proposal will have a significant economic impact on a substantial number of small entities. Because the agency's new polices should have been proposed as rules under the Administrative Procedure Act, BIM should have also prepared an IRFA for this rule. The agency's omission under the RFA is not harmless error. There are many small entities in the mining industry-over 90% of mining companies are considered small entities under the RFA and its implementing regulations. In addition, since the agency's policies will result in significant restrictions (impacts) on the use of public lands, we believe that failure to perform and IRFA is reversible error on the part of the agency.1O Finally, BIM failed to comply with the Federal Advisory Committee Act (FACA) in establishing the National Technical Team. The NTT was an advisory committee that was "established" by BIM for the specific purpose of providing advice and recommendations to the agency on conservation measures and management approaches for the greater sage grouse. BIM conceived of the team, selected the membership of the team, and managed the team. Therefore, the team was "established" by BIM under the statute. Alternatively, even if the team was not deemed "established" by BIM, it was clearly "utilized" by the agency. An advisory committee is defined as any group that is "established or utilized by one or more agencies." An advisory committee is utilized if it is amenable to strict management by agency officials. FACA imposes a number of requirements on advisory committees that BIM failed to follow, including establishing the team as a matter of formal record in the Federal Register, providing a notice of its meetings, and ensuring that the advisory committee was fairly balanced in representing the viewpoints of non-governmental interests. Since BIM failed to comply with the FACA, the NTT findings and conclusions cannot be used to support agency	All	BLM	emc0331GB

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	decision-making.11			
1169.	• The BlM Conservation Measures Should Not be Stricter than the Wyoming Plan The BLM IM creates an exemption from its conservation policies for states that have developed a local regulatory mechanism for sage grouse conservation approved by FWS, including the Wyoming Governor's Executive Order 2011-5 Greater Sage Grouse Core Area Protection. Yet without explanation, the BlM's policies are much stricter than the plan in Wyoming, which is considered acceptable. For example, the Wyoming plan limits surface disturbance on up to 5% of suitable sage grouse habitat (and further allows exceptions on a case-by-case basis),12 whereas the BlM limits human disturbances to only 2.5 % of priority habitat areas 13, and even suggests that no disturbance will be allowed at all for "large scale disturbances" (which presumably would include mining).14 BlM must provide a detailed analysis and explanation as to why its proposed conservation measures are so much stricter than the ones it approves of in Wyoming. Further, there is no justification or explanation for the 3% disturbance threshold, and additionally no explanation for why BlM's press release refers to a 2.5 % disturbance threshold, which is not even mentioned in the NIT report. BlM must explain both of these thresholds, and justify why they are attempting to impose them on the public.	All	BLM	emc0331GB
1170.	• BlM Should Recognize State and Independent Grass-roots Efforts BlM needs to provide more recognition of all of the things that are being done in the Western states to conserve sage grouse and their habitat. For example, the Western Governors Association (WGA) issued a report15 in Dec. 2011 cataloging efforts that have been initiated to help conserve the greater sage grouse and its habitat. The report found eight states identified local working groups as functional conservation organizations having conservation plans in place and conducting conservation efforts. It also listed initiatives in Montana, Wyoming, Nevada, and Utah. All 11 states reported having conservation plans for the sage grouse, and the report notes that the Natural Resources Conservation Service has committed over $110 million in fiscal year 2010- 2011 for sage grouse conservation. Utah implemented a sage grouse management plan in 2009. In its report, it notes that an estimated 11 % of sage grouse are found in that state,16 and that the total number of males counted has gradually increased since 1996. The report suggests that this could either be the result of a greater effort to count, search, and incorporate more leks into the database, but also says that it is equally likely that populations are increasing due to management efforts.17 Considerable grass-roots conservation initiatives have been independently developed and/or implemented for greater sage-grouse. Some of these are part of Candidate Conservation Agreements or Candidate Conservation Agreements with Assurances that are in place or being developed. The IMs should clearly delineate that where specific conservation measures have been developed that are pertinent to greater sage-grouse that those will take precedence over any conservation measures developed as a result of these Ims.	All	BLM	emc0331GB
1171.	While NMA agrees with BlM's goal of implementing conservation measures to assist in increasing sage grouse populations and expanding their habitat, and thus avoiding listing under the ESA, the agency's proposals have gone too far. In many cases, the recommendations in the NTI report are contrary to law and regulation. In addition, they fail to adequately consider the robust existing regulatory mechanisms and conservation measures currently being implemented throughout the West. The conservation measures contained in the agency's policies are generally too restrictive, and appear to be unsupported by sound science. In addition, the agency's singular focus on protecting sage grouse and its habitat above all other considerations appears in some cases to exceed even the requirements of the ESA itself.	All	BLM	emc0331GB

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1172.	Eureka Moly is providing these comments in response to BLM's request for public comments in conjunction with the scoping process for the above referenced Notice of Intent. As described below, Eureka Moly has developed an extensive Sage-Grouse Mitigation Plan to minimize and avoid impacts to greater sage-grouse at the Mount Hope Project. As this mitigation plan demonstrates, Eureka Moly fully embraces site-specific conservation measures to protect the species and its habitat. We feel that implementation of similar conservation measures at other projects throughout the west would provide substantial protection to greater sage-grouse. The sage-grouse mitigation measures Eureka Moly is proposing for the Mount Hope Project illustrate the extent and effectiveness of BLM's existing regulatory tools to compel project proponents to design their projects to avoid impacts to greater sage-grouse wherever possible and mitigate impacts where avoidance is impractical or impossible. In light of these existing regulatory tool s, General Moly is concerned about the nature and extent of the conservation measures proposed in IM-201 2-044, "BLM National Greater Sage-Grouse Land Use Planning Strategy" and the December 2011 National Technical Team Report entitled, A Report on National Sage-Grouse Conservation Measures ("the NTT Report"). Rather than taking a projectby- project and site-specific approach to avoiding and mitigating impacts, like those planned for the Mount Hope Project, the NTT Report proposes large-scale and unprecedented land use restrictions and prohibitions - including the withdrawal of lands with high-priority sage grouse habitat from mineral entry. As described below, Eureka Moly believes this approach is unwarranted and overreaches to the extent that it exceeds BLM' s statutory authorities defined under the Federal Land Policy and Management Act of 1976. We also believe that 1M 2012-044 and the NTT Report as policy disregard BLM's existing policies to protect candidate species, including the policies mandated in BLM Manual 6840, "Special Status Species Management."	All	BLM	emc0335GB
1173.	Policy Issues that Must be Evaluated in the EIS A. The Federal Land Policy and Management Act of 1976 In enacting the Federal Land Policy and Management Act ("FLPMA"), 43 USC § 1701 et seq in 1976, Congress directed the Secretary ofthe Interior to consider a broad range of resource issues, land characteristics, and public needs and values in determining how public lands should be managed. FLPMA directs BLM to manage public lands for multiple uses and to consider a wide range of resource values - including the need to protect wildlife - in the context of the Nation's needs for minerals, energy, food, fiber, and other natural resources. FLPMA, Section 102(a)(7) establishes multiple use and sustained yield land management directives and requires the Secretary to develop: " ... goals and objectives [that are 1 established by law as guidelines for public land use planning, and that management be on the basis of multiple use and sustained yield unless otherwise specified by law" (U.S.C. 1701 (a)(7)) In defining the term "multiple use" FLPMA § 1 03(c) directs the Secretary to ensure: " ... the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources ... to conform to changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values." (43 U.S.C § 1702(c)). Therefore, under the multiple use and sustained yield requirements, BLM must strike an appropriate balance between potentially competing interests and land management objectives. This balance is to be achieved in the Section 102 land use planning process and the resulting Resource Management Plans ("RMPs"). FLPMA does not authorize the subordination of any of these uses in preference for	All	Both	emc0335GB

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	a single land use such as sage-grouse habitat conservation. The EIS must evaluate how the land use restrictions, prohibitions, and withdrawals recommended in the NTT Report achieve the required balance in managing the public lands.			
1174.	IM 2012 - 043 asserts that "Maintaining and restoring high quality habitat for the Greater SageGrouse is consistent with the BLM multiple-use and sustained-yield management direction of the Federal Land Policy and Management Act". Eureka Moly contends that the land use restrictions and prohibitions - especially the proposed withdrawal of high-priority sage-grouse habitat areas from mineral entry are not consistent with FLPMA's multiple use mandate or the specific directive pertaining to minerals in FLPMA § 102(a)(l2): " … the public lands [shall] be managed in a manner that recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands including the implementation of the Mining and Minerals Policy Act of 1970 [at] 30 U.S.C. 2la … " (43 U.S.C. 1701(a)(l2))	All	Both	emc0335GB
1175.	Eureka Moly Scoping Issue No.1: Demonstrate Compliance with FLPMA - Each EIS document should discuss how the conservation measures in the Proposed Action, each Alternative Considered in Detail, and the Agency Preferred Alternative comply with the FLPMA mandate to balance a wide range of resource values and uses of public lands and the directive in the Mining and Minerals Policy Act at 43 U.S.c. 1701(a)(12) to recognize the Nation 's need for domestic sources of minerals.	All	Both	emc0335GB
1176.	The Habitat Maps Must Meet Data Adequacy Standards that can Support a NEPA Analysis On March 9, 2012, BLM and USFS made a new set of sage-grouse habitat maps available to the public. The map entitled "Nevada BLM and USFS Greater Sage-Grouse Preliminary Habitat Map" shows extensive areas in magenta that are labeled "Preliminary Priority Habitat" and other areas in blue-green labeled "Preliminary General Habitat." The press release announcing the availability of this map states that the map will be used to " ... provide information for the Greater Sage-Grouse Planning Strategy . .. [and) .. . used in the development of alternatives to be considered in the California-Nevada Environmental Impact Study process to amend the BLM Resource Management Plans and USFS plans." The habitat map was prepared largely from old (circa 2001- 2005) satellite imagery data rather than fr0111 on-the-ground sage-grouse habitat mapping. Thus, the accuracy and adequacy of the baseline data to support the contemplated NEPA analysis seem insufficient. In any NEPA document, the reliability and completeness of the baseline data used to define the Affected Environment is a critical component of the analysis. Faulty or incomplete baseline data will undennine all other elements of an EIS - especially the Environmental Consequences analysis and the Alternatives to be considered. • Eureka Moly Scoping Issue No.3: Improve, Update, and Verify the Baseline Data Used to Prepare the Habitat Maps - BLM must use more current satellite imagery data to prepare the habitat maps and conduct field surveys to verify that the maps are accurate.	All	Both	emc0335GB
1177.	Continuation of Existing Management and Conservation Measures - (The No Action Alternative) - Must Be Thoroughly Evaluated The continuation of existing management and conservation measures and existing regulatory policies including the directives in BLM Manual 6840 define the No Action Alternative. As is the case for all NEPA documents, the No Action Alternative provides the baseline against which all other alternatives must be compared and measured. The No Action Alternative analysis in each sub-regional EIS should quantify the impacts associated with ongoing implementation of the many existing local, state, and federal conservation measures and the existing BLM and USFS policies to protect sage-grouse habitat. Some of the impacts that could result from continuation of the existing regulatory framework and conservation measures that should be evaluated in the EIS documents include the following: The impacts that would occur if the USFWS detennines to maintain the status quo and continue the Warranted but Precluded, candidate species status, or detennine	All	Both	emc0335GB

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	that the greater sage-grouse should not be listed;			
1178.	Continuation of Existing Management and Conservation Measures - (The No Action Alternative) - Must Be Thoroughly Evaluated The continuation of existing management and conservation measures and existing regulatory policies including the directives in BLM Manual 6840 define the No Action Alternative. As is the case for all NEPA documents, the No Action Alternative provides the baseline against which all other alternatives must be compared and measured. The No Action Alternative analysis in each sub-regional EIS should quantify the impacts associated with ongoing implementation of the many existing local, state, and federal conservation measures and the existing BLM and USFS policies to protect sage-grouse habitat. Some of the impacts that could result from continuation of the existing regulatory framework and conservation measures that should be evaluated in the EIS documents include the following: The possibility that the USFWS will list the greater sage-grouse despite the conservation measures that BLM and USFS develop in conjunction with this EIS process.	All	Both	emc0335GB
1179.	BLM's and USFS' Proposed Action Must be Tailored for Each Region and SubRegion Eureka Moly is concerned that the conservation measures and regulatory mechanisms recommended in the NTT Report have been developed mainly in response to studies perfonned in Wyoming and the effects of oil and gas development on sage-grouse habitat in that state. It is well documented that the threats to sage-grouse habitat differ from area to area. Habitat fragmentation due to energy development projects appears to be the largest factor in Wyoming and in other portions of the Rocky Mountain region. In contrast, there is comparatively little energy development in Nevada and other Great Basin region states where habitat fragmentation is mainly due to wildfires and invasive species. It is inappropriate to export conservation measures and regulatory mechanisms developed to mitigate impacts due to oil and gas development in Wyoming to other regions where oil and gas development are not occurring on a broad scale. Therefore, RMP revisions should include conservation measures and regulatory mechanisms that are tailored to the conditions in each region and sub-region. A one-size-fits-all set of conservation measures and regulatory mechanisms will be less effective in achieving the desired protection of the greater sage grouse. • Eureka Moly Scoping Issue No.5: Propose Conservation Measures Appropriate for Each Sub-Region - The Agency Preferred Alternative for each sub-regional EIS document must have conservation measures that are custom-tailored for each sub-region and not one-size-fits all measures that may be suitable for one sub-region but not optimal for other sub-regions.	All	Both	emc0335GB
1180.	VI. BLM and USFS Must Evaluate a Reasonable Range of Alternatives In light ofthe different reasons for sage-grouse habitat decline from region to region, and the fact that there remains significant sagebrush habitat in Wyoming and Nevada, each sub-regional EIS should carefully evaluate a reasonable range of alternatives to the conservation measures and regulatory mechanisms proposed in the NTT Report. Some of the contemplated measures may not be necessary or effective in each region or sub-region. Examples of such alternatives include, but are not limited, to the following: The Off-Site Mitigation No Net Loss of Sage-Grouse Habitat Alternative The EIS documents should evaluate an "Off-Site Mitigation/No Net Loss of Habitat Alternative" that allows impacts in high-priority sage grouse habitat areas so long as the project proponent mitigates these impacts through on-site of off-s ite habitat enhancement measures. Such an alternative is consistent with BLM Manual 6840 Chapter 2©(8) which emphasizes impact mitigation rather than prohibiting development in habitat areas. Preserving a regulatory fi'amework that emphasizes mitigation rather than prohibits project development is especially important to mineral exploration and development projects because mineral resources cannot be moved and can only be explored and	All	Both	emc0335GB

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	developed where they are located. It will be especially important to evaluate the socioeconomic impacts of an off-site mitigation alternative versus the extensive land use restrictions, prohibitions, and withdrawals recommended in the NTT Report.			
1181.	VI. BLM and USFS Must Evaluate a Reasonable Range of Alternatives In light ofthe different reasons for sage-grouse habitat decline from region to region, and the fact that there remains significant sagebrush habitat in Wyoming and Nevada, each sub-regional EIS should carefully evaluate a reasonable range of alternatives to the conservation measures and regulatory mechanisms proposed in the NTT Report. Some of the contemplated measures may not be necessary or effective in each region or sub-region. Examples of such alternatives include, but are not limited, to the following: The State Implementation Alternative The December 2011 Western Governors' Wildlife Council ("WGWC") Report to Governors entitled "Inventory of Local and State Governments' Conservation Initiatives for Sage Grouse" documents the many state- and local-level sage-grouse conservation measures in place throughout the western U.S. and offers the following observations and findings: "This inventory report provides a catalogue of management approaches implemented by state and local authorities, as well as by local prutnerships committed to on-the-ground action to conserve sage-grouse and their habitat… This inventory demonstrates that sage-grouse habitat protection is active at state, regional and county levels. The data analysis indicates that state fish and wildlife agencies are rightly viewed as the primary authority for sage-grouse conservation, yet significant efforts are also being implemented under local government land use planning authorities. Partnerships through LWGs appear to enhance awareness of activities across the range of authority - from local, state and federal governments to private landowners. These partnerships are excellent examples which demonstrate the opportunities both state and local governments have for sage grouse conservation given their management authority." (WGWC Report, page 7). As noted above, at least in Nevada, the observed increase in population levels since 2007 strongly suggests that the state and local conservation measures are having a positive impact. Consistent with the finding in the WGWC's Report that conservation measures are best implemented by state and local authorities, the EIS should evaluate an alternative wherein these prograJIIS are left intact and provided additional resources to pursue habitat conservation opportunities.	All	Both	emc0335GB
1182.	VI. BLM and USFS Must Evaluate a Reasonable Range of Alternatives In light ofthe different reasons for sage-grouse habitat decline from region to region, and the fact that there remains significant sagebrush habitat in Wyoming and Nevada, each sub-regional EIS should carefully evaluate a reasonable range of alternatives to the conservation measures and regulatory mechanisms proposed in the NTT Report. Some of the contemplated measures may not be necessary or effective in each region or sub-region. Examples of such alternatives include, but are not limited, to the following: The Plivate-Sector Conservation Incentives Altemative The EIS should evaluate impacts and effectiveness of programs that could create incentives for more private-sector investment in sage-grouse habitat conservation measures. Such programs could encourage project proponents, conservationists, and other stakeholders to make financial contributions that can be distributed to local communities, federal, state, and local agencies to implement qualified habitat restoration and enhancement plans. These incentives could comprise a viable altemative that should be analyzed.	All	Both	emc0335GB
1183.	Eureka Moly Scoping Issue No.6: Evaluate a Broad Range of Alternatives - Each sub-regional EIS document should evaluate a broad range of conservation measures and land management policies as alternatives to the land use restrictions, prohibitions,	All	Both	emc0335GB

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	and withdrawals proposed in the NTT Report.			
1184.	IX. Conclusions Eureka Moly fully supports all reasonable efforts on the federal, state, and local levels to protect and enhance greater sage-grouse habitat. The significant commitment of resources in the Mount Hope Sage-Grouse Mitigation Plan clearly indicates that Eureka Moly embraces sage-grouse habitat protection. However, the land use restrictions, prohibitions, and withdrawals in the NTT Report go too far. The NTT Report, IM 2012-043, and IM 2012-044 conflate the Secretary's withdrawal authority under FLPMA with species protection authorities under the ESA. The Secretary must not use FLPMA Section 204 withdrawal authorities to implement land use restrictions and withdrawals to achieve ESA objectives. Additionally, BLM must not use concerns that the U.S. Fish and Wildlife Service may decide in 2015 that the greater sage-grouse should be listed as a threatened or endangered species under the ESA as justification for imposing unprecedented land use restrictions that conflict with FLPMA's multiple use mandates	All	BLM	emc0335GB
1185.	Finally, the point must be made that it is essential and critical that the federal government maintain their responsibility throughout the duration of process that may well go beyond the initial EIS. Oregon's ranchers have been litigated against and had their businesses near collapse because the prospect of not being able to turn out because the federal government has neglected year after year to do the monitoring necessary to diffuse such litigation. When the federal government fails to do its job the people to suffer the consequences are the producer, their families and businesses. While the recent examples of litigation revolve around salmon there is no reasonable reason not to expect that the same wouldn't eventually with the sage-grouse.	All	Both	emc0341GB
1186.	The current conservation strategies adopted by BLM fail to account for the gaps in the science, the data deficiencies, and questions regarding the mathematical accuracy of both the estimates of historic populations and current populations of sage grouse. Any future changes need to be sufficiently flexible to adjust for better data and analysis, especially given the significant issues regarding which land uses affect sage grouse populations and other factors affecting the sage grouse populations that are omitted entirely from the U.S. Fish and Wildlife Service (USFWS) Endangered and Threatened Wildlife and Plants; 12-Month Findings for Petitions to List the Greater Sage- Grouse (Centrocercus urophasianus) as Threatened or Endangered, 75 Fed. Reg. 13910 (2010). The BLM Instruction Memorandum (IM) 2012-44 and Attachment 1, "A Report on National Greater Sage-Grouse Conservation Measures" (Dec. 21, 2011) (Technical Team Report) do not address these issues and the land use planning process must;	All	BLM	emc0371GB
1187.	BLM must coordinate with local governments on all land decisions, 43 U.S.C. §1712(a) and must ensure to the extent practicable that any land use plans do not contradict those of local governments. Id. at §1712(c)(9). CLG calls on BLM to begin this coordination. There are a number of state and local government sage grouse management initiatives. For example, Moffat County, Colorado, developed a sage grouse management plan for state, private and federal lands. Utah and its local governments were in the forefront of habitat improvements and research. These efforts are ignored in IM- 44, the Technical Team Report and the NOI. BLM is required by law to closely coordinate with state and local government agencies to ensure that the federal actions do not conflict. Notably, BLM failed to coordinate in the development of IM-2012-43, 2012-44, or the Attachments, including "A Report on National Greater Sage-Grouse Conservation Measures" (Dec. 21, 2011) (Technical Team Report). This omission is significant because many state and local governments have been very active in improving sage	All	BLM	emc0371GB

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	grouse habitat and have more direct hands on experience than many of the team members. Coordination would have improved the conservation measures, avoided errors, and restored public faith in the process. As it stands, the report appears to be a purely political exercise intended to disrupt the local economies and social structures in the Rocky Mountain and Great Basin states. For example, Utah local governments pioneered wildlife habitat work in the late 1990s, funded it and promoted habitat improvement projects. The Wyoming conservation districts have been equally active. And yet the IM and Technical Team Report ignored the work of these local agencies notwithstanding FLPMA's mandate to coordinate.			
1188.	FLPMA requires BLM to manage the public lands in accordance with the land use plans that have been properly adopted. 43 U.S.C. §1732(a). Much of IM 2012-44 and the Technical Team Report contradict the lawfully adopted RMPs. Implementation of an IM to amend an RMP is unlawful. Given both the lack of coordination and opportunity for public comment, and the scientific controversies, adoption of the IMs without following FLPMA procedures is flawed from the outset. Even interim implementation of the IM will have significant and adverse environmental, social, and economic impacts.	All	BLM	emc0371GB
1189.	The Council on Environmental Quality (CEQ) rules require federal agencies to address and document areas of scientific controversy. 40 C.F.R. §§1503.4, 1502.9(b); 1508.27. There is ample scientific dispute with respect to most aspects of the Technical Team Report and the IM, including historic range of the sage grouse, sage grouse population estimates, impacts on sage grouse numbers, including predators, hunting, and diseases, like West Nile Virus, impacts, if any, of livestock grazing, and impacts of development. These issues and others have been raised and yet BLM fails to address them or even acknowledge the scientific debates. The IMs do not acknowledge contrary viewpoints, research or data. See e.g. Thresholds of Energy Development and Greater Sage-grouse Populations, Harju, Taylor, Dzialak, Clark, Hayden-Wing, and Winstead 2010; Oil and Gas Development and Greater Sage Grouse (Centrocercus Urophasianus): a Review of Threats and Mitigation Measures, Ramey, Brown, and Blackgoat 2011. The Colorado Division of Wildlife also assessed the basis for the USFWS listing but warranted decision and prepared a detailed critical review. These reports and other works need to be considered especially since the universe of sage grouse research is very incestuous and does not meet the professional standard for peer review. Science or Advocacy? Ecology and Conservation of Greater Sage- Grouse: A Landscape Species and Its Habitats CENTER FOR ENVIRONMENTAL SCIENCE ACCURACY AND RELIABILITY (Feb. 1, 2012) (CESAR) pp. 2-7.	All	BLM	emc0371GB
1190.	CLG agrees that monitoring is an important strategy.	All	BLM	emc0371GB
1191.	There have been substantial efforts to manage for increased Greater Sage Grouse (GSG) populations in the recent past. If the purpose is to increase GSG populations, the reasonable course of action would be to adopt practices that have been shown to work. Many of the current practices appear to be ineffective according to USFWS analysis. Therefore, these practices should not be expanded, but instead replaced by practices that have been shown to increase GSG populations in the past. There are 3 issues to be addressed: • Current GSG populations meet the USFWS criteria to preclude listing. • GSG populations are not in drastic decline, but are returning to levels more in line with the long-term norm for their habitat. • Conservation measures should be in line with data. Alternatives with less drastic impact than those proposed in recent GSG conservation plans should be implemented. Action plans should be based on plans with previous success, not on plans that have been shown to be ineffective.	All	Both	emc0381GB
1192.	Data from state wildlife management agencies, state departments of agriculture, university extension services and local	All	Both	emc0376GB

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	sage-grouse working groups should be used to the greatest extent possible in this effort.			
1193.	The Uintah County general plan addresses threatened, endangered and sensitive species, recovery plans and related guidelines and protocols. Uintah County's position is that "these designations or reintroductions often grow beyond boundaries and scope, and result in detrimental effects on the area economy, life styles, culture and heritage. No such designations or reintroductions should be made until it is determined and substantiated by verified scientific data that there is a need for such action, that protections cannot be provided by other methods and the area in question is truly unique when compared to other area lands. Designation or reintroduction plans, guidelines, and protocols must not be developed or implemented without the full involvement of the County and full public disclosure. Any analysis of such proposed designations or reintroductions must be inclusive and analyze all needed actions associated with the proposal to prevent growth beyond the scope and boundaries that were analyzed in the proposal. Recovery plans must provide for indicators to track the effectiveness of the plan and identify at what point recovery is accomplished.	All	Both	emc0376GB
1194.	We request that the land use plan amendments be single-purpose; limited solely to those associated with sage-grouse habitat conservation.	All	Both	emc0376GB
1195.	Work group members request that the Draft EIS clearly define the maps as dynamic documents that allow for change as habitat and sage-grouse populations change through time.	All	Both	fxc0003RM
1196.	The Work Group also recommends that the BLM/USFS include a mechanism for local stakeholder review in determining the most important priority habitat for each individual population.	All	Both	fxc0003RM
1197.	The Work Group also requests that the draft EIS specifically allow agency staff to ground-truth project areas within PPH to insure that areas to be analyzed for sage-grouse are actually within sage-grouse habitat.	All	Both	fxc0003RM
1198.	We further request that the BLM/USFS allow for site evaluation of projects and allow agency staff to make informed decisions based on professional judgement rather than be dictated by rules from Washington, DC.	All	Both	fxc0003RM
1199.	The NESRSGWG requests that the BLM better define what eactly would be included as an anthropogenic disturbance to be included in the 3% disturbance analysis. The NTT report discusses grazing as a diffuse disturbance that can even have an effect over broad spatial and temporal scales. Will grazing disturbance be included in the 3% disturbance measurement and if so, how will it be measured? Please also define the scale at which the 3% disturbance threshold will be measured. Will it be at the field office scale or at a section scale? The report mentions both scales, which scale will take precedence? Please also specifically define when an anthropogenic disturbance will no longer be included in the 3% disturbance threshold measurement. What specific reclamation requirements must be met for an anthropogenic action to be considered suitable sage-grouse habitat and its disturbance footprint removed from the 3% disturbance measurement.	All	Both	fxc0003RM
1200.	The NESRSGWG requests that the Draft EIS clarify how consistency across the BLM Field Offices will be achieved. Will every BLM field office in sage-grouse range in Colorado be required to implement the same conservation actions for greater sage-grouse? This may be counterproductive when the primary issues affecting sage-grouse vary across sage-grouse range in Colorado. The NESRSGWG requests that the BLM recognize and analyze the variability of habitat issues across sage-grouse range in Colorado. A 'one-size-fits-all' approach may not be the most effective approach for sage-grouse conservation in Colorado.	All	Both	fxc0003RM

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1201.	We have reviewed the Preliminary Planning Criteria for the National Greater Sage-Grouse Strategy, dated January 2012 and offer the following comments: The criteria to utilize state game and fish agency data and expertise should be expanded to state that the RMP amendments will recognize the State's responsibility and authority to manage wildlife and consider adoption of the State sage-grouse plan for use on BLM and Forest lands as an alternative.	All	Both	emc0376GB
1202.	The BLM should consider the efforts of local sage-grouse working groups and site specific research in making plans for specific areas.	All	BLM	emc0376GB
1203.	The plan amendments should contain clear definitions of terms and an explanation of how preliminary priority habitat and preliminary general habitat locations were determined.	All	Both	emc0376GB
1204.	The RMP amendments should include flexibility or exemptions for emergency circumstances.	All	Both	emc0376GB
1205.	Inflexible standards should be avoided. Standards should be based on the recommendations of the local sage-grouse working groups.	All	Both	emc0376GB
1206.	The BLM should consider methods of incentivizing development outside of priority habitat areas.	All	BLM	emc0376GB
1207.	Time of day and seasonal restrictions should be based on local conditions as analyzed by local sage-grouse working groups, agriculture officials and wildlife agenctes.	All	BLM	emc0376GB
1208.	Land uses that do not conflict with sage-grouse management should not be restricted. One example is underground mining of oil shale or other natural resources.	All	Both	emc0376GB
1209.	The BLM must ensure that state fish and game agency management goals for sagegrouse should not become the sole driver for resource use allocations.	All	BLM	emc0376GB
1210.	The BLM should provide a mechanism for reporting to the public on field office projects benefitting sage-grouse and sagebrush habitat.	All	BLM	emc0376GB
1211.	The BLM should provide a mechanism and criteria for exceptions, waivers and modifications to the conservation measures when circumstances warrant.	All	BLM	emc0376GB
1212.	BRC is concerned that the agencies may impose a top-down inflexible approach to sage grouse habitat management within the individual plan amendments. Simply stated, not all sage grouse habitat is created equal. Providing flexibility to individual Field Offices and Forests will provide incentive for and assist the development of management that will more effectively enhance the sage grouse population. BRC would prefer this programmatic EIS develop general recommendations and guidance for future individual plan amendments. Our view is a large programmatic amendment process will decrease site specific analysis and preclude locally based solutions. Wile it is appropriate to provide general guidance at the regional or national level, we note that much of the materials and studies provided for public review indicates planning should focus on the needs of individual sage grouse populations. The 10 state planning area is a hugely disparate landscape and ownership pattern. The local land managers need the flexibility to adapt to circumstances, conditions and events unique to their area.	All	Both	emc0345GB
1213.	We are also concerned about a lack of public involvement in the development of the Priority and General Habitat polygons. Numerous agency planning directives mandate public involvement in and review of key planning activities, including and especially resource inventories. We strongly encourage the agencies to allow full public review and analysis of the Priority and General sage grouse habitat polygons.	All	Both	emc0345GB

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1214.	Information regarding proposed planning issues provided to the public is insufficient to make meaningful comments and recommendations regarding Alternatives. The NOI and other planning materials simply listed preliminary planning issues. None of the information contained sufficient discussion regarding how the issues relate to the purpose and need, existing conflict, the relation to sage grouse habitat management or how Alternatives might be developed in response to the issues. We strongly encourage the agencies to engage the State working groups as well as other key stakeholders in a thorough discussion of the preliminary planning issues prior to the development of Draft Alternatives.	All	Both	emc0345GB
1215.	Suggested Planning Issue: The diminished role the multiple-use sustained yield mandate in current land use plans. The agency, numerous academic studies, as well as elected representatives have documented the controversy over the agency's multiple-use sustained yield mandate and society's increasing value of conservation and preservation of public lands. Over the last two or three decades, a lot of land has been removed from multiple-use management via the Endangered Species Act, land use planning and legislation. The percentage of BLM and U.S. Forest Service lands under true multiple-use sustained yield management has been drastically reduced. Therefore, the remaining multiple use managed lands are extremely important. This concern has resulted in several proposed pieces of legislation attempting to enhance multiple use (e.g. The Grazing Improvement Act of 2012). We request "The Diminished Role of Multiple-use Sustained Yield Management" be identified as a planning issue and brought forward for analysis.	All	Both	emc0345GB
1216.	Comments concerning Alternative development We understand the December 21, 2011 report from the Sage-grouse National Technical Team "A Report on National Greater Sage-Grouse Conservation Measures" will be used to develop an alternative. The agencies must also develop a wide range of Alternatives that adequately respond to issues raised by local governments and stakeholders as well as the general public.	All	Both	emc0345GB
1217.	The agencies should develop an alternative that provides general guidance and leaves substantial amendments to individual land use plans. Such an alternative would provide better site specific analysis, more effective decisions and provide for needed flexibility at the local level	All	Both	emc0345GB
1218.	Safari Club is convinced that a significant goal of all GSG conservation efforts should be preventing the GSG from being added to the list of threatened or endangered species. Such a listing would end hunting of the GSG and would have devastating economic consequences throughout the range of the GSG. Safari Club understands that including GSG conservation in enforceable management plans for federally administered lands that encompass GSG habitat will help enable the U.S. Fish and Wildlife Service ("FWS") to determine that adequate regulatory mechanisms exist to manage and conserve the species. However, Safari Club is greatly concerned that constraints in the FWS' recent global settlement will created a situation in which, regardless of the successes that the FS, BLM, and other stakeholders achieve, those efforts will fail to prevent the FWS from proposing to list the GSG in 2015	All	Both	emc0349GB
1219.	Safari Club understands the need for the U.S. Forest Service ("FS") and BLM to coordinate conservation between federal agencies, the state management authorities and the public. Safari Club applauds BLM's decision to allow state GSG conservation policies to supersede the BLM plans after approval by the USFWS and adoption by BLM, such as the approved Wyoming plan. However, Safari Club is concerned about the application of this decision. BLM should clearly articulate that only the state plan should be used to guide management decisions, rather than a combination of state and federal plans and RMPs should be amended to incorporate only the state's policy, not the BLM conservation measures. While SCI understands	All	Both	emc0349GB

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	the need for federal/state collaboration, this should be done during the approval process for the state plan rather than by adding multiple layers of regulation later in the process.			
1220.	Safari Club has challenged the FWS's multi-species settlement agreements in court as illegal on a variety of bases, including the FWS's abandonment of its statutory "warranted but precluded" authority and its failure to include the public in the decisionmaking for the listing priorities of species such as the GSG. The FS and BLM could themselves take steps to question and/or challenge the legality of settlements that failed to include the input of federal agencies that have "on-the-ground" responsibility for the conservation of the 800+ species, including the GSG, covered by the settlements. The FS and BLM should take all steps necessary to make certain that the FWS has not illegally and/or unnecessarily abandoned its ability to recognize the fruits of the conservation labors that the FS and BLM achieve by including GSG conservation in its resource management planning.	All	Both	emc0349GB
1221.	SCI is very concerned about maintaining incentives for private conservation efforts. SCI believes that BLM may end up piling on regulatory measures that actually undermine private conservation of habitat and unnecessarily restrict economic activities across the entire range of the species. These regulations could greatly affect land access, jobs and economic development across the West. It is vital that any federal GSG conservation efforts support and complement current private efforts rather than displace current land users. Meaningful sage grouse management cannot just mean saying "no." It is vital that the current private and state sage grouse conservation efforts are maintained and expanded. Without sensible state-level management strategies that are informed by local stakeholders, we will be encumbered by federal, one-size-fits all approaches that could have lasting harmful impacts on the economic lifeblood of our region and our outdoor heritage.	All	Both	emc0349GB
1222.	Eureka County and many of our local advisory boards including our Natural Resources Advisory Commission and our Wildlife Advisory Board have been active participants for GSG and habitat conservation. Eureka County participated in the Nevada "Governor's Team" for GSG, when that effort started in 2000. We have committed ourselves, through our local advisory boards—consisting of ranchers, farmers, miners, sportsmen, businessmen, and recreationists—in local conservation planning and habitat enhancement activities. Because of this participation, we are concerned about the continual planning and wonder when enough planning will be done to satisfy the requirements to get to work on the ground. Of primary concern is that it seems that the BLM and other state/federal agencies have discarded the conservation work and partnerships at the local level instead focusing on development of a typical government top-down approach for another planning process. Approaching GSG conservation from a top-heavy, top-down approach undermines these local efforts and does little to build a spirit of collaboration with those local entities necessary if any planning effort is going to be successful in implementation of real conservation.	All	Both	emc0383GB
1223.	When outlining measures for GSG habitat conservation, the EIS must consider localized conditions and influences and be based on current understanding of rangeland health, primarily ecological site descriptions and states and transitions models that are targeted to local ecological drivers. It is a dangerous bureaucratic concept to focus on a programmatic, one-size-fits-all approach—dangerous for multiple uses and GSG themselves. Although there is mention made of incorporating conservation measures "based on the principles of Adaptive Management" it is clear that the management flexibility to meet local conditions and requirements is not going to be adequately incorporated with the current federal agency mindset that there needs to be a guarantee of consistent applications of regulatory controls that are inflexible. The	All	Both	emc0383GB

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	EIS needs to outline an Adaptive Management process to be included into the LUP revisions that focuses on and gives deference to management at the localized level. Inherent in Adaptive Management is that it recognizes progression towards ultimate resource goals through measurable objectives. Under true Adaptive Management, there is potential to actually find that the habitat is providing necessary requirements for GSG and for management to remain status quo. The bias that appears to be built in to this process through the NOI and the recent Ims is that nearly any land use or land management strategy is at odds with GSG conservation. There appears to be an underlying tone of protectionism rather than conservation through sustainable use.			
1224.	Where limitations are identified, Adaptive Management and collaborative processes should be instituted to consider possible solutions, implement on-the-ground changes/enhancement activities and monitor for results. It is imperative that these actions be taken on a local basis, involving an inclusive opportunity for all locally affected stakeholders (private sector and government).	All	Both	emc0383GB
1225.	Please consider the Eureka County Master Plan (Plan), specifically the Natural Resources & State and Federal Land Use Element of the Plan as Eureka County's primary input into the Land Use Plan (LUP) revisions to incorporate GSG conservation measures. Local land use management plans should provide for the framework regarding the ability for public involvement and participation in GSG conservation efforts. Eureka County's Plan outlines the goals, objectives, and guidance for the use of lands and resources located within Eureka County. Eureka County will not, and cannot, support any management option that is inconsistent with this Plan. The Plan also calls for federal agencies to fully comply with the intent of Congress as specified in various federal laws, including FLPMA and NEPA, by properly coordinating with Eureka County in incorporating the land use policies of Eureka County into agency documents and activities and resolving inconsistencies between federal proposals and County plans. This includes involvement in the decision making processes of the federal entity that are being taken or are being proposed to be taken regarding federal lands located within Eureka County or involve any major federal action significantly affecting the quality of the human and natural environment within the County. Coordination with local governments is mandated and guaranteed regardless of Cooperating Agency status and regardless of formal comment being submitted by a local government during the official public scoping period (see 40 CFR § 1501.6 and § 1508.5).	All	Both	emc0383GB
1226.	We have found that BLM's definition of coordination is often used synonymously with "collaboration" and "consultation." Although coordination may include collaboration and consultation, coordination by definition is not synonymous with collaboration or consultation. Only a local governmental entity, elected by the people and accountable to it, is able to incorporate and legitimize the compromises necessary for sustainable management of the lands that the community is so dependent on. Regular, principled coordination is the only way to put to rest past conflicts and allay fears about community viability threats down the road in addition to reducing the need for appeal and judicial review of federal land management decisions. In the end we believe that including and properly implementing coordination in the process will work now to build and strengthen the foundation for the long-term while making the necessary management decisions at the necessary scale—the local scale.	All	Both	emc0383GB
1227.	The issue is that all of the opportunity for public input will take place after the regulatory framework of the IM has been in effect for two years. The designation of the previously mentioned habitat maps provided no opportunity for public	All	Both	emc0383GB

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	participation or evaluation. This is extremely dangerous to uses offederally administered land given the fact that the driving force behind the decisions to be made on public lands until the LUP revisions are complete will be based on these habitat maps. Similarly, the NOI invites the public "to nominate or recommend areas on public lands for greater sagegrouse and their habitat to be considered as Areas of Critical Environmental Concern as part of this planning process." Public notice and opportunity for comment should be required before any such Areas are designated. We consider these reconstituted approaches for avoiding meaningful public involvement and coordination with local governments as a distasteful and harmful abomination of the regulatory process. Government agencies huddling behind closed doors to make their intended outcomes into "command and control" should not be tolerated. This informal rule making without adherence to established formal procedures and process is outside of government agency authority			
1228.	I am writing in support of a strong plan to protect the greater sage grouse	All	Both	rmc0008RM
1229.	Land use plans ensure that the public lands are managed in accordance with the intent of Congress as stated in FLPMA (43 U.S.C. § 1701 et seq.), under the principles of multiple use and sustained yield." See BLM Handbook H-1601-1, Land Use Planning; see also 43 U.s.c. § 1712(c)(1) (emphasis added). As required by BLM policy and the Federal Land Policy and Management Act ("FLPMA"}, public lands must be managed in a manner that: protects the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; that will provide for outdoor recreation and human occupancy and use; and that recognizes the Nation's need for domestic sources of minerals. food, timber, and fiber from the public lands by encouraging collaboration and public partiCipation throughout the planning process. Land use plans are one of the primary mechanisms for guiding BLM activities to achieve the mission and goals outlined in the Department of the Interior (001) Strategic Plan.See BLM Handbook H-1601-1, Land Use Planning (emphasis added). The purpose and need as stated in the Sage-Grouse NOI and Technical Report ignores the FLPMA and BLM requirement that land use plans must consider not merely one aspect of BLM's mUltiple-use mandate, but all aspects, including human occupancy and use and mineral development.	All	Both	rmc0021RM
1230.	With respect to NEPA, though BLM may have a preferred analysis during its NEPA review, "the comprehensive 'hard look' mandated by Congress and required by NEPA must be timely, and it must be taken objectively and in good faith, not as an exercise in form over substance, and not as a subterfuge designated to rationalize a decision already made." Forest Guardians v. U.S. Fish and Wildlife, 611 F.3d 692, 712 (10th Cir. 2010) (citing Metcalf v. Daley, 214 F.3d 1135, 1142 (9th Cir. 2000). In fact, an EIS "shall serve as the means of assessing the environmental impact of proposed agency actions, rather than justifying decisions already made." 40 C.F.R. § 1502.5. As currently proposed, BLM's Sage-Grouse NOI and the statements by BLM regarding the intended use of the Technical Report, raise significant questions about whether BLM has already irreversibly and irretrievably committed itself to a plan of action (i .e. choosing conservation of the sage-grouse and its habitat over mineral development or other anthropogenic uses of public lands) before BLM has in fact completed the environmental analysis of its preferred alternative. BLM must broaden the scope of its purpose and need, and incorporate sufficient alternatives and resource analyses, to ensure that BLM has not committed itself to conservation of the sage-grouse or sage-grouse habitat at the expense of mineral development. BLM's resource analysis must fully explore all impacts of any conservation measures or prohibitions on mineral development, including impacts to mineral development on private or	All	BLM	rmc0021rm

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	state lands that require access across federal lands managed by BLM. BLM may not contrive a purpose and need so narrow as to define competing reasonable alternatives out of consideration (and even out of existence) . See Simmons v. United States Army Corps of Eng'rs, 120 F.3d 664,669 (7th Or. 1997); see also New Mexico ex rel. Richardson v. BLM, 565 F.3d 683,708-09 (10th Cir. 2009).			
1231.	As noted above, the Technical Report explains that BLM's narrow objective in chartering the NTI was to develop new or revised regulatory mechanisms, through RMPs, to conserve and restore the greater sage-grouse and its habitat on BLM administered lands on a range-wide basis over the long term. Oxy's concerns regarding BLM's impermissibly narrow scope with respect to the Technical Report and thus the purpose and need for BLM's proposal are compounded by the fact that the Technical Report has not yet been subject to public comment. In fact, the NTI met only from August 28 through September 2, 2011, with a subset of the team meeting December 5-8, to further articulate the scientific basis for the conservation strategy. NTI at 5. The Technical Report was then completed on December 21, 2011. At no time was the public involved in an evaluation of the findings of the NTI or the recommendations in the Technical Report, nor has the public since been afforded an opportunity to comment. Despite this lack of public comment, on December 27, 2011, BLM issued Instruction Memorandum No. 2012-{)44 ("1M") to all Field Officials. The 1M provides direction to BLM for considering the greater sage-grouse conservation measures identified by NTI's Technical Report. The 1M instructs Field Officials to consider the conservation measures developed by the NTI in land use planning by all BLM State and Field Offices that contain occupied greater sage-g rouse habitat. Through the directive in this 1M, BLM has essentially adopted the recommendations made by the Technical Report without first affording interested parties an opportunity to comment on the Technical Report. Rather than unilaterally choosing to adopt the recommendations identified in the Technical Report, BLM must consider the NEPA process for the RMPs as an appropriate avenue for seeking and considering public comment on not only the recommendations in the Technical Report, but the underlying premises and assumptions contained within that Technical Report. Because the Technical Report has not yet been vetted with the public, and has not undergone the requisite NEPA analysis, BLM should not presume the incorporation of the Technical Report's recommendations. 0"" reserves its rights to comprehensively comment on the Technical Report in any future public comment proceedings, including those on the draft EIS, and BLM's use of and incorporation of the Technical Report in its NEPA analysis. BLM must maintain an open mind regarding not only appropriate methods for conserving sage-grouse habitat, but the appropriateness of conserving sage-grouse habitat in particular locations with competing land uses.	All	BLM	rmc0021RM
1232.	In general, it is important that we begin to work hard to implement local working group plans, statewide plans and the range wide plan. It is also important that best management practices for the management of all sage grouse habitat be used	All	Both	emc0338GB
1233.	All too often, we have suggested that we need more information to make better choices for sage grouse. The time to act is upon us. While there is assuredly room for more study of the species, continued emphasis on study will do little to conserve these birds.	All	Both	emc338GB
1234.	While the WACD and its members recognize that because of the Sage Grouse litigation before Judge Winmill in Idaho, the BLM has determined to prepare a SEIS for the Sage Grouse throughout its range, and then use the SEIS to determine if amendments to individual land use plans (both BLM and Forest Service) is necessary. While the BLM may prepare this programmatic document, the WACD advocates that the SEIS fully recognize that any individual determinations or strategies	All	Both	emc0342GB

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	must be done at a local level. This concern is especially important considering the BLM Technical Team report on Sage Grouse management. That report was completed without ANY input from the range science community and thus has little value in informing how habitat should be managed. Neither the Federal Land Policy and Management Act, the Taylor Grazing Act, nor the Public Rangelands Improvement Act give the BLM jurisdiction over wildlife, including the Sage Grouse. Rather BLM's mandate is limited to management and protection of habitat			
1235.	BLM must fully consider a "No Action" alternative. Existing federal, state and local management measures are in place and appear to have stabilized Greater Sage-Grouse (GSG) populations in many areas.	All	BLM	rmc0024RM
1236.	Any land use restrictions of necessity must be based on a project by project basis including future projects not yet identified.	All	Both	rmc0024RM
1237.	The proposed restriction of disturbance to 2.5% of the area is ill conceived and poorly defined. Why 2.5%? 2.5% of what?	All	Both	rmc0024RM
1238.	Alternatives considered should not impinge on private property rights without consent of the owner.	All	Both	rmc0024RM
1239.	I urge the BLM to adopt the scientifically and morally grounded Sage Grouse Recovery Alternative submitted by the conservation community. The BLM has delayed for years the necessary policies to protect the remaining Sage Grouse habitat, allowing its populations to continue their retreat before energy extraction, water mining, and cattle grazing. The Sage Grouse is out of time and out of space, and BLM must adopt the conservation alternative to prevent the functional extinction of this keystone species of western semi-arid ecosystems.	All	Both	rmc0037RM, rmc0070GB
1240.	If the BLM and Forest Service cannot or will not make the tough but necessary decisions to prioritize the survival of the Sage Grouse, then the Fish and Wildlife Service will be obligated to list this animal as Threatened or Endangered by the standing deadline of 20 15. The burden of proof and efficacy now falls upon BLM and Forest Service to fulfill their legal r esponsibilities to the Sage Grouse, or have those responsibilities stripped and delegated instead to the jurisdiction of the Endangered Species Act, which its current demographic status would already rightfully justify. The BLM and Forest Service have already been shown extraordinary generosity and patience in being allowed three more years with the Sage Grouse, and you must take this final opportunity to properly value western America's semi-arid ecosystems.	All	Both	rmc0037RM, rmc0070GB
1241.	As described below, VGC also has concerns about the map entitled "Nevada BLM and USFS Greater Sage-Grouse Preliminary Habitat Map" that BLM and the U.S. Forest Service ("USFS") recently made available to the public. We believe this landscape-scale map is inappropriate for making the kinds of land use decisions described in the NTT Report that will affect project-level activities.	All	Both	rmc0029RM, rmc0060GB
1242.	Because BLM's proposed conservation measures and regulatory mechanisms cannot conflict with FLPMA, the EIS documents must provide a detailed discussion of how the Proposed Action, Agency Preferred Alternative, and Alternatives Considered in Detail comply with the FLPMA mandate to achieve the appropriate balance between a variety of public land use objectives that include sage-grouse habitat conservation and providing a domestic source of minerals. Similarly, the EIS documents must evaluate how the proposed measures comply with the "harmonious and coordinated management of the various resources" directive in Section 531 of MUSY A. Clearly, withdrawing national forest lands from operation of the Mining Law in preference for sage grouse habitat conservation is not a "harmonious or coordinated" way in which to manage these lands. The land use restrictions, prohibitions, and withdrawals recommended in the NTT Report deem sage-grouse habitat preservation the highest and best use of the public lands and national forests. Adopting this single-use perspective would be	All	Both	rmc0029RM, rmc0060GB

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	a sea change in the way in which BLM manages public lands and USFS manages the national forests. Implementation of this radical change would conflict with the underlying multiple-use premise of both FLPMA and MUSY A.			
1243.	The 4W Ranch has a very keen interest in the National Greater Sage-Grouse Planning Strategy. Our ranching operation and our very livelihood are being put into severe jeopardy if this Planning Strategy is put into place. As this Planning Strategy is using the National Environmental Policy Act (NEPA), then NEPA shall be followed to the exact letter of the Law and the Human Environment1 must be protected. In our view this Planning Strategy is not following the NEPA Process2. We will go into further detail later in this comment document where already the BLM and the Forest Service have failed to follow and obey Federal Law.	All	Both	rmc0034RM
1244.	It is our contention that the National Environmental Policy Act is the Law of the Land. It was enacted by the Congress of the United States for the primary and specific purpose to protect the Human Environment. The Council On Environment Quality Regulation, CFR 1500 thru 1508 spell out the direction that the BLM and the U.S. Forest Service shall take in drafting this Environmental Impact Statement (EIS). It is the Constitutional duty of the BLM and the U.S. Forest Service to follow the Law as it was written. Period.	All	Both	rmc0034RM
1245.	The last item that we want to bring to your attention is the failure of the BLM and the Forest Service to physically meet with our Weston County Commissioners before the public scoping meeting was held in Newcastle, WY on 9 March 2012. Documentation and 1M's indicate that series of plans were being initiated by the BLM in mid 2011 for this Sage-Grouse Land Use Amendment. Federal Laws including NEPA require Coordination with Local Governments and Local Land Use Plans before the Scoping Process is initiated. Why did this not happen?	All	Both	rmc0034RM
1246.	Localized, adaptive, coordinated management will be essential to success in meeting Sage-grouse goals. Flexibility to modify seasons of use, amount of use and sometimes species of use based upon extreme changes in precipitation or temperature, the occurrence of range fires or rehabilitation projects will be necessary to meet sage-grouse goals on private, as well as public, lands. Range fires and range rehabilitation projects fall into the same category.	All	Both	rmc0063GB
1247.	That the BLM/FS incorporate specific language into the LUP amendments that recognizes and acknowledges the role of Utah's LWG's in sage-grouse conservation issues. This language must emphasize the importance of sustaining a working relationship with LWGs to accomplish the species and community conservation strategies contained within the local LWG plans.	All	Both	rmc0066GB
1248.	We recommend that these LUPs contain specific language that they are adaptive and dynamic plans and thus responsive to new information, research, technology, knowledge, and/or changing environmental conditions. As new sage-grouse or sagebrush best management practices are developed, the LUPs are and can be adaptive as well.	All	Both	rmc0066GB
1249.	We recommend that the final LUPs be flexible enough to ensure avoidance of a 'one size shoe fits all' approach by the BLM/FS. Based on research conducted by Utah State University it is clear that some LWGs areas may never achieve published recommended sage-grouse habitat guidelines. Yet, these populations continue to thrive. Thus, regulatory and management decisions should not be based on unachievable standards but rather embrace local sage-grouse population needs as identified by the LWG and the LWG plans. The LUPs should be local in nature and not based on national LUPs. We recognize the BLM/FS plans must ensure sage-grouse and their habitats are protected, they must also incorporate local differences in habitat and populations.	All	Both	rmc0066GB

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1250.	We strongly support the off-site mitigation language and encourage BLM/FS to work within the LWGs to identify project areas that would be best suited for any off site mitigation.	All	Both	rmc0066GB
1251.	Mapping of habitat- It is not enough to only map habitat. What surrounds borders or impacts that habitat can be the controlling factor. A small area of sage grouse habitat on public land surrounded by private land with a growing human population that exerts increased pressure on a small remnant Sage grouse population can make that habitat a moot issue. The future for maintaining even a small population under these conditions is bleak.	All	Both	rmc0057GB
1252.	We strongly oppose components of the 2010 Conservation Measures that lack the flexibility to adapt to local management issues. The plan amendments should avoid inflexible management standards. Rather than impose a inflexible, broad-brush management prescription for the Grouse, we suggest the BLM adopts a "landscape specific" approach to minimize the impacts on both the Grouse and the recreating public.	All	Both	rmc0061GB, rmc0035RM
1253.	For example, we oppose the provision mandating that any "anthropogenic disturbances" cover less than 3% of the total sage grouse habitat. Without any flexibility, the implementation of this standard on the ground will be extremely difficult. Indeed, the agencies may be forced to restrict activities that have been found to have little to no impact on the grouse.	All	Both	rmc0061GB, rmc0035RM
1254.	All management planning activities within the range of sage grouse must take into account all recommendations developed by the NTT, including recommendations outlined in the Report on National Greater Sage Grouse Conservation Measures. The recommendations from the NTT should be a minimum standard by which sage grouse management and prescriptions proceed.	All	Both	emc0380GB
1255.	Priority and general habitat, as recommended by the NTT, must be diligently designated to ensure that all key habitat areas are considered in management planning processes. Priority habitat should include all winter range, breeding habitat and migration corridors for sage grouse and policies on disturbances should be based on peerreviewed science and technical reports from federal agencies and NGO's.	All	Both	emc0180GB
1256.	It is important that the BLM take these factors into consideration as you work to develop sciencebased approach to sage grouse management. It is also important that coordination between the BLM and other land-management agencies, such as state fish and wildlife agencies and the United States Fish and Wildlife Service, is developed so that consistent measures are implemented for the continued sustainability of sage grouse throughout its range. We also recommend that the BLM take into consideration the formal comments of our partner organizations, who are also submitting in depth comments.	All	BLM	emc0380GB
1257.	In preparing and evaluating the consideration process to implement the massive changes in local land use management plans, we believe that it should be essential to document, within the "No Change" alternative, the shortcomings of the current National Environmental Protection Act (NEPA) process. Using existing Environmental Impact Statement analysis and operating under the current set of manuals for species protections, which cover species in the same status as Sage-Grouse, we want it spelled out clearly the lack of protection afforded.	All	Both	rmc0058GB
1258.	The draft EIS should include demonstrated evidence of what will be allowed for Sage-Grouse and sagebrush habitat conservation that might pass as recognizing Adaptive Management. It seems that the objective is to make all land use plans fit a consistent model without dealing with the actual risks of a specific area. Requiring a one-size-fits-alliand use plan seems to run counter to an Adaptive Management System which recognizes the potential for changes to fit real world scenarios.	All	Both	rmc0058GB

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1259.	Depending on the manner in which the "Report on National Greater Sage Grouse Conservation Measures" produced in December of 2011 by an all government "Technical Team" we could likely anticipate multiple-non-use as the outcome for prescribed solution. How does "Adaptive Management" with this predestined course fit?	All	Both	rmc0058GB
1260.	The report states: "Land uses, habitat treatments and human-caused disturbances need to be managed below thresholds necessary to conserve not only sage-grouse populations but sagebrush communities and landscapes as well. "We expect that the draft EIS documentation will clearly define what "thresholds" will be applied and the degree to which these "thresholds" will be universally applied.	All	Both	rmc0058GB
1261.	Further, we read: "Management priorities will need to be shifted and balanced to maximize benefits to Sage-Grouse habitat and populations in priority habitats. " We would maintain that clearly defined "shifts and balanced management priorities" will be explained, offering the details of how on-the-ground management actions are to be carried out.	All	Both	rmc0058GB
1262.	Where limitations are identified in resource conditions, adaptive management and collaborative processes should be instituted to consider possible solutions. The initial consideration should be given to which type of habitat enhancement can be conducted to proactively seek to institute improvement. This could take the form of habitat restoration that includes seeding or other forms of intervention alternatives that don't automatically assume limiting use. In cases where habitat restoration is implemented or when adjustments to use activities are implemented, monitoring activities should monitor for results with local consideration and evaluation of circumstances contemplating where and how resources are responding. These actions should be taken on a local basis, involving an inclusive opportunity for all stakeholders (private sector and government).	All	Both	rmc0058GB
1263.	Local land use management plans should provide for the framework regarding the ability for public involvement and participation in sage-grouse conservation efforts. These activities should include (but not be limited to) determinations of where there are specific local needs of specific populations of Sage-Grouse and how those needs can be addressed with on-the-ground management activities	All	Both	rmc0058GB
1264.	Instead of the offered concept of top-down planning, which requires national guidelines to be infiltrated into local land use plans, we maintain that a "conservationlhabitat enhancement option" needs to be considered which works from the ground-up for evaluating and enhancing Sage-Grouse habitat. Building on the previous section for local planning, we expect an alternative option EIS consideration for land use decisions to be dealt with on the basis of NEPA evaluation of proposed projects and the emphasis of mitigation actions which seek to enhance essential Sage-Grouse habitat, based on the specific requirements that address needs of specific populations. As example, if on-the-ground assessment determines that a critical component of Sage-Grouse habitat needs involves improved nesting habitat, conservation measures which stem from mitigation activities would feature enhancement of nesting habitat. Measurement and monitoring would be required to assure that actions taken are having positive effects. Likewise, another area may require improved brood-rearing habitat improvements and actions taken for mitigation would feature related enhancement that address these needs.	All	Both	rmc0058GB
1265.	Experience indicates that this approach will focus on applying restrictive "thou shalt not" measures instead of implementing specific proactive on-the-ground management for specific areas. The section within the "Report on National Greater Sage-Grouse Conservation Measures" pertaining to restricting anthropogenic disturbances to three-percent or less within established "Preliminary Priority Habitat" demonstrates the bias for non-use as the standard management approach.	All	Both	rmc0058GB

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1266.	With the bias against anthropogenic disturbance, the draft EIS should describe whether rehabilitation activities, carried out by man, are subject to "disturbance" limitations. We also want a definitive classification of what are "distinct" and "diffuse" anthropogenic disturbances and whether they will be treated equally in the limitations of disturbances which are allowed.	All	Both	rmc0058GB
1267.	As a great deal of Nevada's "Preliminary Priority Habitat" is connected across the landscape, does the limitations in the calculation of less than three-percent disturbance apply to an immediate area or to the connected "Preliminary Priority Habitat" as a whole?	All	Both	rmc0058GB
1268.	In this same context of attempting to understand the variety of new management dictates for the consequences of implementing Instruction Memorandum No. 2012-43 and the potential use L~e of "Report on National Greater Sage-Grouse Conservation Measures", we believe that it is necessary to provide background documentation in non-government speak to understand how whatever techniques will be integrated into implementation of management plans. While expert input and technical advice should playa key role in shaping considered actions, we also need to understand how these prescribed concepts will translate into actual on-the-ground management decisions and practices.	All	Both	rmc0058GB
1269.	Having arrived at the point, with the March 9th release of the Nevada BLMIU.S. Forest Service map, where the areas have been designated, we wish to express our strongest degree of frustration over the manner in which the agencies avoided NEPA compliance in not providing for public input into these designations, BEFORE the action was taken. We submit that the Administrative Procedures Act requires that public notice and opportunity for public comment should have been provided BEFORE special protection areas can be designated on federal lands. With the designations completed the Instruction Memorandum No. 2012-043 took effect (also without providing for prior public comment and input). Although the draft EIS process "invites" comments for the designations and provisions of the Instruction Memorandum No. 2012-043, the opportunity to comment comes AFTER the implementation of the land management actions have gotten underway. The news release manner for making the "official designation" decision also avoids the NEPA process since the decision for action lacks a decision available for appeal.	All	Both	rmc0058GB
1270.	The draft EIS should present a strong argument for the legitimacy of not following the agencies' authority and requirements for complying with NEP A. These arguments and background information should also highlight the specific shortcomings in following existing NEPA requirements for making land use decisions outside of the Instruction Memorandum No. 2012-043. • We would like to know why the existing agency manuals (which are identified as not being changed by the Instruction Memorandum No. 2012-043) are not used in this case. • We would like to know why the existing system for project level NEPA analysis is not used in regard to land management use decisions relating to Sage-Grouse. The draft EIS should also present the differentiation on how land use amendments (post-completion of the integration process) will provide for a NEPA process which doesn't have a pre-determined outcome for designated areas. NEPA evaluation is supposed to be a process to be used in an analysis which evaluates alternatives to arrive at the best outcome. Based on the structure taking shape in Sage-Grouse designated areas, the apparent outcomes for decisions are already made and the process will be structured to arrive at that determination.	All	Both	rmc0058GB
1271.	We find it troubling that the strategy employed for the planning process which provided the public involvement at informational meetings used a different set of classification "Core Habitat" for something that isn't being used in Nevada. The March 9, 2012 news release, which served as the "official notice" of the habitat categorization map to be used, came long	All	Both	rmc0058GB

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	after the public scoping meetings had been completed and thus avoided the public scrutiny which could have come from dealing with actual information that would be used. We are concerned that the designation of these habitats and the regulatory application of conservation measures could be arbitrary without actual land-based conditions to justify the designation as well as the required regulatory burden. At a meeting of the "Governor's Sage Grouse Team" held in Sparks, NY on March 8, 2012, it was noted that the accuracy of the map information used to develop the Nevada Department of Wildlife map for Habitat Categorization was seriously flawed. It was indicated that the accuracy of the data used was old (going back as far as 2001) and represented only about 40 percent reliability to on-the-ground conditions. In some areas that figure of reliability could be as low as 5 percent. The "White Paper" provided by the Nevada Department of Wildlife Habitat Categorization does not offer any detail regarding this type of reliability, except to say that it shouldn't be used for "project level" analysis. As the draft EIS is being prepared, clarification needs to be provided on how "project level" information will translate to dealing with an overall designation of an area being classified as "Preliminary Priority Habitat", perhaps incorrectly, based on unsubstantiated or ground-proofed evaluation. The White Paper also indicates that further potential for changes will be considered in a three to five (3-5) year future timeframe. Are any future changes to the BLMIV.S. Forest Service designated maps linked to this same type of timeframe? Will corrections to the map require the Nevada Department of Wildlife's in vol vementl approval? As we have pointed out, the Instruction Memorandum No. 2012-043 details an inventory/assessment, using th.e "Sage~Grouse Habitat Assessment Framework". If this on-t..1-te-ground inventory/assessment determines that a specific area is not in line with the qualities associated with "Preliminary Priority Habitat", will the agencies change their map to reflect actual conditions?			
1272.	Lastly, in regard to the specifics of the proposed Nevada Department of Wildlife Habitat Categorization and the results produced in the designations by the federal land management agencies, we are concerned by the over-abundance of designated habitat area. While we understand that Sage-Grouse are a land-scale species (and the reason they are being considered as a surrogate, victimized species, in order to gain the greatest level of control over the greatest expanse of the landscape), we have to question the legitimacy of the habitat designations which encompass as much land as is highlighted in the maps.	All	Both	rmc0058GB
1273.	The impression is given that the Instruction Memorandum No. 2012-043, spelling out specific management guidelines for various actions and activities for "Preliminary Priority Habitat" and "Preliminary General Habitat", are in consideration for the draft EIS development to integrate into local land use management plans. We've also noted "Report on National Greater Sage-Grouse Conservation Measures" which was produced by the Sage-Grouse National Technical Team. Where does this extensive (and onerous) set of prescribed actions fit into the mix of the regulatory regime that is being contemplated? Additional documents are related and interconnected to the official and non-official, but apparently still in-force requirements (example "Sage Grouse Habitat Assessment Framework"), are not readily available or understood. Those impacted by management decisions should have an understanding, through a clearly articulated outline of what standards and expectations are to be used. There should further be a clear plan on how these massive and intrusive directives will be integrated into land	All	Both	rmc0058GB
1274.	Analyze the implications of species recovery success through large-scale uniform requirements as opposed to local coordinated planning for longterm engagement and success of conservation measures.	All	Both	rmc0055GB

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1275.	Analyze the affects or influences of single species conservation planning on the shared environment in the natural world, where the land.scape specy prompts the concern.	All	Both	rmc0055GB
1276.	To this point, Sage-grouse conservation efforts have been developed and implemented at a local, PMU, and state levels. This effort is primarily focused and developed by State and Federal agencies. The Board believes success will be dictated by the level of local input and buy-in achieved by this process. Therefore, the Board urges cooperation and coordination with local PMU working groups. Perhaps this could be achieved by holding workshops between BLM District or Field Offices and PMU groups to review the Draft PEIS, Conservation Measures and Maps. The Board believes this to be essential to success of the strategy. The Board would request an opportunity to review all habitat designation maps prior to final adoption in an effort to ground truth these with the local knowledge of our members who hold permits in these areas.	All	Both	rmc0050GB
1277.	Conservation measures must be developed to allow for effective adaptive management and flexibility at a "local level. The problem with developing a broad PEIS is that it often is too prescriptive and restrictive for meaningful measures to be taken based on local, site-specific conditions. Again, the best way to provide the needed flexibility is to invite and encourage input of local stakeholders and existing working groups.	All	Both	rmc0050GB
1278.	This Report indicates that "fire and invasion by exotic grasses are widespread causes for habitat loss, particularly in the western part of the sage-grouse range (Miller et al 2011)." Livestock grazing can be one of the most effective management tools for addressing this particular issue. This management option is limited every time additional regulations are imposed or grazing permits are further restricted or eliminated. The report goes on to say that "the Bureau of Land Management has committed to a new paradigm in managing sagebrush landscapes. That new paradigm will require collaborative conservation efforts among private, state, tribal and other federal partners to conserve sage-grouse." This list needs to include local stakeholders, local PMU working groups and livestock permittees!	All	Both	rmc0050GB
1279.	Under the "Policy/Action" Section there is a statement specific to development of the preliminary priority and general habitat maps that states, "These science-based maps were developed using the best available data and may change as new information becomes available. Such changes would be science-based and coordinated with state wildlife agencies so that the resulting delineation of PPH and PGH provides for sustainable populations." In most cases, at least in Nevada, these preliminary maps have not been released, nor have they been vetted through local working groups. The Board strongly recommends a process within the PEIS procedure that provides such a vetting process. Simply stated, the best available information is at the local level and there are huge gaps in the "science base" due to the magnitude of sage-grouse range.	All	Both	rmc0050GB
1280.	Many of the bullet points in this section do NOT include the individual pennittees and local Sage-grouse working groups as cooperators. This is a serious deficiency that needs to be resolved in the Draft PEIS.	All	Both	rmc0050GB
1281.	On December 27, 2012, an Instruction Memorandum (No. 2012-044) was issued by the Bureau of Land Management's Washington D.C. office. The Instruction Memorandum provides direction to the Bureau of Land Management (BLM) for considering Greater Sage-Grouse conservation measures identified in the Sage-Grouse-National Technical Team's (NTT) - A Report on National Greater Sage Grouse Conservation Measures. As a result of the NTT report, the BLM through the instruction memorandum has adopted several interim protective measures for Preliminary Priority and Preliminary General Sage Grouse habitat. In some cases, these measures have the potential to have significant impacts to multiple uses on public lands and other natural resources. These potential impacts should be analyzed under NEPA before implementation. NV	All	Both	rmc0049GB

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	Energy recommends that current protective measures identified in the current Land Use Plans be utilized until this analysis is completed.			
1282.	NV Energy presumes that the ultimate goal of the Instruction Memorandum for Sage-Grouse conservation is to avoid the listing of Sage-Grouse as an endangered species. NV Energy requests that the proposed EIS include a detailed analysis of the No Action Alternative assuming the final outcome is a listing.	All	Both	rmc0049GB
1283.	NV Energy requests accurate maps which identify preliminary priority sage-grouse habitat versus preliminary general sage-grouse habitat. The accurate maps should be detailed enough to use for project planning purposes. These maps should be provided to all stakeholders so informed commentary and decision making can take place.	All	Both	rmc0049GB
1284.	The need to establish "regulatory mechanisms" seems redundant. The BLM already has more rules and regulations then they can enforce, hence the continual losing of court cases because they are not in compliance with their own policies. Instead of tightening current regulations that have not been proven to be effective in increasing sage grouse populations, why not return to the past policies that sage grouse populations increased under?	All	Both	fxc0013GB
1285.	The BLM already has numerous "regulatory mechanisms" over the public land it manages. Adding more of the same regulation that has helped cause the bird's population decline is only going to continue the decline.	All	BLM	fxc0013GB
1286.	In order to plan successfully for the future of sage-grouse, it is essential that all federal land-management agencies be actively engaged across the bird's entire range. This includes the Bureau of Land Management (BLM), U.S. Forest Service, U.S. Fish and Wildlife Service, U.S. Park Service, Bureau of Reclamation, and the Departments of Energy and Defense. Currently millions of acres of federal lands harboring Greater Sage-grouse are excluded from the planning process to the detriment of the species.	All	Both	fla0000GB
1287.	I urge you to develop a conservation plan for this species by protecting its sagebrush habitat	All	Both	emc0416GB
1288.	The approach must be adaptable to avoid the inflexible one size fits all of standard federal actions. The ecosystems are variable so should the approach to management.	All	Both	rmc0032GB
1289.	Methods of monitoring and evaluation must be flexible and adaptable to allow local input and involvement.	All	Both	rmc0032GB
1290.	The EIS must set benchmarks of recovery and criteria for de-listing of the species from whatever listing status it might assign (candidate lists).	All	Both	rmc0032gb
1291.	The language, definitions and terms must be clear, concise and consistent in use.	All	Both	rmc0032gb
1292.	Analyze the impacts of sage grouse management on all resources based on current lalld plans.	All	Both	rmc0032GB
1293.	Communication and cooperation is extremely important in the supporting state and local plans all ready in place and the federal agency's rationale for deviation should be made very clear.	All	Both	rmc0032gb
1294.	Insure that cooperating groups are involved and coordinated with.	All	Both	rmc0032GB
1295.	As discussed above, the current GSG population exceeds the minimum effective population by 70 to 107 times. Current GSG populations and habitats located within existing Wilderness Areas, National Wildlife Refuges, National Parks, and National Conservation Areas likely exceed the minimums needed to safeguard the species against extinction. These nationally designated areas already impose regulatory mechanisms that mirror those that are supposed to provide	All	Both	emc0409gb

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	protections to the GSG. Thus, it is likely that a well reasoned, detailed analysis of the current situation will demonstrate that no additional action is necessary because GSG do not legally qualify for listing under the ESA based upon their existence and trend in such existing nationally designated areas alone. If analysis of the current situation determines that no existing habitat area(s) provide large enough interconnected habitat with sufficient management protections to support the minimum effective population of 5,000 interbreeding adults into the foreseeable future, the EIS process must consider alternatives to establish adequate habitat areas, such as the alternatives discussed below.			
1296.	If it is determined that no nationally designated special areas currently provide a contiguous habitat block to support the minimum effective population of 5,000 breeding adults, the EIS process must evaluate the extent to which adjacent habitat could be incorporated into a special management area to establish such a habitat block. For example, if an existing nationally designated wilderness area only lacks some winter habitat to provide for the year-long needs of the minimum effective population, and such winter habitat exists on nearby lands, it is entirely reasonable to develop an alternative to incorporate that adjoining winter habitat into a special management area and impose any necessary protections on such winter habitat to establish a contiguous habitat block to support the minimum effective population. If such contiguous habitat block is established to meet the needs of the minimum effective population, no additional GSG conservation measures are needed across the remainder of the species range to safeguard GSG from extinction and avoid the presumed need for listing under the ESA.	All	Both	emc0409gb
1297.	Managing to support a minimum effective population of 5,000 breeding adults in both of the GSG stronghold areas (the southwest Wyoming Basin and the Great Basin area straddling Oregon, Nevada, and Idaho) identified by the FWS Findings (pages 13958, 13962, 13986, 13988, 14008, and 14009) would represent a reasonable alternative to maintain sufficient genetic information to safeguard the GSG against the long-term risk of extinction, thereby avoiding the need to list the species under the ESA. Under this alternative, significant genetic information would not only be provided within both stronghold GSG populations, but also within the separate Gunnison, Washington, and Bi-state populations.	All	Both	emc0409gb
1298.	The December 2011 BLM IMs direct that specific GSG conservation measures be implemented within "Preliminary Priority Habitat" which is currently delineated to roughly correspond to the 75% Breeding Density Area mapped by Doherty (footnote 7). The 75% Breeding Density Area (area that encompasses 75% of the current GSG population upon 27% of the occupied habitat) identified as "Preliminary Priority Habitat" under these instructions exceeds the minimum effective population of 5,000 by more than 50 times, and exceeds the acreage needed to support the minimum effective population by more than 100 times. If the Breeding Density Area concept is to be used as a strategy to manage GSG for the purpose of avoiding the need to list the species under the ESA, only the minimum Breeding Density Area necessary to maintain the minimum effect population needs to be identified and conserved. As calculated in Table 1 on page 15 herein, a sage-grouse conservation measure designed to maintain current populations in a 3% Breeding Density Area would sustain 15,963 GSG in Management Zones I – V, which is 3.2 times the minimum effective population of 5,000 birds. Thus, management to maintain current populations in a 3% Breeding Density Area would be more than sufficient to avoid the purported need to list the species under the ESA. The BLM proposed alternative to impose sage-grouse conservation measures to maintain or enhance current populations across a 75% Breeding Density Area is a vast overreach of what is reasonable to achieve the stated purpose of the Notice of Intent and avoid the presumed need to list the species under the ESA.	All	Both	emc0409gb

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1299.	Given the fact that current GSG populations exceed the minimum effective breeding population by 70 to 107 times, it is clear that GSG are not at imminent risk of extinction, and therefore do not legally qualify for listing as "endangered" under the ESA. The FWS Findings express concerns regarding rapidly declining GSG populations between the late 1960s and late 1980s, and continued downward population trends (although at a slower rate) from the late 1980s to the present. The FWS Findings fret that such downward trends in GSG populations may threaten the species with extinction at some point in the future.Given the recent (1985 – 2007) rate of decline of 1.4% annually (FWS Findings, page 13922), it would take 300 to 330 years for the current greater sage-grouse population (350,000 to 535,000 birds) to shrink to the minimum effective population (5,0000 birds). Theorizing about what might happen three centuries from now reaches well beyond the foreseeable future. Thus, the FWS Findings expressed concern about long-term outcomes of recent GSG population declines does not rise to a determination that the species is threatened with extinction in the foreseeable future, so the GSG does not legally qualify for listing as "threatened" under the ESA. Nevertheless, it would be reasonable to consider an alternative that that would trigger an increase in GSG populations without negatively impacting existing socioeconomic uses occurring on BLM and FS administered lands. An analysis of the past management history within the Great Basin indicates that GSG flourished when livestock grazing levels were significantly higher than they are now. During this same period, large wildfires in the region were very infrequent (likely due to lower fire fuel levels as a result of close grazing), and concerted predator control measures were practiced. These management actions could be put into practice again to benefit GSG, without harming the existing socioeconomic climate, but rather enhancing it. In fact, it is reasonable to argue that the FWS Findings get it wrong when they conclude that there are a lack of regulatory mechanisms in place to protect the GSG. Instead, many of the regulatory mechanisms currently in place are harming the species. For example, regulations restricting livestock numbers and use levels increase fire fuels across the Great Basin, and these regulations have resulted in a dramatic increase in large wildfires in the region in recent decades, which has destroyed GSG habitat to the detriment of the species. Repeated fire has led many sagebrush communities to convert to cheatgrass dominance, which assures that the habitat will remain unfit for GSG into the foreseeable future. Rules restricting predator control, regulating the use of poisons and baits, and protecting ravens have resulted in huge GSG loses due to predation. Whenever a species like the GSG with a relatively low reproduction rate (FWS Findings, page 13916) loses the vast majority of its eggs to predation, and can trace more than 80% of the mortality of those individuals that manage to hatch to predation (FWS Findings, pages 13930, 13971, and 13972), its populations can be expected to decline. Again, it appears that existing rules are harming GSG populations, not a lack of adequate rules. It is reasonable to analyze an alternative to eliminate existing regulatory mechanisms that are harming GSG, or replace them with rules that again implement management practices that allowed the species to rapidly increase within the Great Basin in the past. Because current GSG populations greatly exceed the minimum effective population, any management alternative that would stabilize or increase the current population level would eliminate any perceived justification to list the species under the ESA. However, given the multiple-use mandates applicable to BLM and FS administered lands, only such an alternative that would help the sage-grouse without negatively impacting other valid existing uses is reasonable for consideration and analysis.	All	Both	emc0409gb
1300.	The Organizations believe the Charter for development of the 2010 Conservation Measures is a key tool in developing the conservation plan, and must provide an accurate assessment of the potential threats to the grouse as identified in the FWS	All	Both	rmc0033GB

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	listing decision. A highly accurate summary will allow the limited agency resources to target the most significant concerns for the grouse identified in the listing decision. The Organizations believe that an accurate summary of the listing decision is a critical component to development of the 2010 Conservation Measures. This position has also been noted as critical to management of species. Research has found: "Conservation and management efforts are most likely to succeed when they focus on increasing vital rates that most strongly influence population growth." 2 The Organizations believe that the 2010 Charter failed to accurately summarize the priorities clearly identified in the listing decision, which will result in significant agency resources being used to target concerns or uses that are low priority in the listing decision. The Organizations believe this will result in limited benefits to the Grouse being obtained at an unacceptably high cost. Pursuant to the 2010 Charter for the development of the Sage Grouse Conservation Report and Strategy, the FWS listing decision was summarized as follows: "In April 2010, the U.S. Fish and Wildlife Service (USFWS) published its listing decision for the greater sage-grouse as "Warranted but Precluded." Inadequacy of regulatory mechanisms was identified as a major threat in the USFWS finding on the petition to list the greater sage-grouse.,,3			
1301.	The Organizations do not believe that local planning staff will have the time or ability to fully review the listing decision during the application of the 2010 Grouse Conservation Measures to a particular area. There are simply too many issues and initiatives at the field office level to allow time for such a review. An accurate summary of the listing decision will allow local planners to target major issues for the grouse with limited resources, and the single accurate summary will allow for consistency of management of grouse habitat on all public lands. The Organizations do not believe this summary has been provided in the 2010 Conservation Measures and this oversight must be remedied to allow for efficient and effective management of grouse habitat.	All	Both	rmc0033GB
1302.	Pursuant to the BlM National Sage Grouse Habitat Conservation Strategy, the vision of the plan is: "Vision: Manage BlM-administered public land to maintain, enhance and restore sagebrush habitats while ensuring multiple use and sustained yield goals of FlPMA." 12 The BlM's 2004 Sage Grouse Management Strategy specifically notes the wide range of concerns that are impacting sage grouse habitat, and impair any assertion of disproportionate benefits from just closing areas to motorized recreation. The 2004 Conservation Strategy specifically provides: "No single factor can be identified as the cause of declines in sage-grouse populations..... Some examples are large-scale conversions to cultivated croplands or pastures, altered fire frequencies resulting in conifer invasion at higher elevations and annual grass invasion at lower elevations, livestock grazing, herbicide use, mineral and energy development, and recreational activities related to urban growth and increased human populations ..... Currently, the risk to sage-grouse comes from multiple sources across mUltiple scales." 13 While the various impacts on sage grouse and sagebrush habitat are only briefly discussed in the 2004 Conservation Strategy, extensive discussions of the range of possible impacts are provided in Mr. Connolly's works, which form the basis for most of the Conservation Strategy.14 At no point is recreational use of low speed, low volume trails even addressed in Mr. Connolly's work-- providing further support for the position that recreational access should remain open in these areas. There is no basis for determining that road closures benefit or protect the sage grouse in BLM guidelines.	All	Both	rmc0033GB
1303.	The 2010 Conservation Measures provide for the general management of Sage Grouse habitat in absolute terms which lack flexibility to allow land managers to adapt to local management issues for issues other than road networks also. The 2010 Conservation Measures seek to apply absolute management standards regardless of the comparative levels of private/public	All	Both	rmc0033GB

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	land ownership of an area that it designated sage grouse habitat. This could directly lead to decisions by land managers to exclude all uses of federal lands in areas, when compliance with the proposed standard is simply not achievable. While the Organizations are not able to address the scope of this issue throughout all grouse habitat, our concerns are highlighted by existing research by the Colorado Department of Wildlife, in their development of grouse habitat plans for Colorado.			
1304.	The Organizations believe that the protection of any endangered or threatened species is a critical part of federal land management. The Organizations are also aware that proper identification of the threats and issues causing any species to be endangered is critical to developing low cost effective plans for the protection of that species. The Organizations do not believe that the Sage Grouse Conservation Measures have accurately prioritized the threats to the Grouse, which will result in limited agency resources being used to manage issues that simply not involved in grouse management. Absolute standards for issues that are of limited importance to the Grouse will result in significant unintended negative costs to communities in the vicinity of grouse habitat. A single standard that attempts to manage all roads the same is such a standard as is the proposed property management standards. These standards must be adapted to allow for flexibility to allow for proper management of local issues to permit public support for the management as this public support will be critical to the program moving forward.	All	Both	rmc0033GB
1305.	The EIS should also analyze an alternative that provides for various land uses to be mitigated through habitat improvement projects. The work that NNSG has conducted has identified sufficient acreage and opportunity for mitigation projects. Our understanding is that various land users have expressed a willingness to contribute to such projects.	All	Both	rmc0051gb
1306.	(7) Imposition of conservation measures must be predicated on an activity that site specifically results in actual harm to sage grouse or alteration of habitat and not on the mere potential for an activity to hann sage grouse or alter habitat. Also, conservation mea')ures must only be imposed when an activity is impacting tbe population of sage grouse as whole and not individual birds, e.g. hunting.	All	Both	fxc0011GB
1307.	I am commenting today on your proposal to tie up Forrest Service and BLM lands in ten western states for the preservation of the Sage Grouse. This proposal appears to be a plan to lock up millions of acres of land for most kinds of public access.	All	Both	fxc0015GB
1308.	This [the legitimacy of the ESA listing] appears to be a fundamental question deserving closer examination by the BLM and USFS prior to these agencies' consideration of modifications to their existing Land Use Plans and/or the imposition of additional habitat conservation or mitigation measures.	All	Both	emc0373GB
1309.	The following is an executive summary of AWEA's comments: The Interim IM, the Planning Direction IM, and the NTT Report will drive the direction of the RMP amendments and revisions that will come out of the NOI process. Since those documents will determine the outcome of that process and were not noticed for comment, AWEA is submitting comments on those documents.	All	BLM	emc0344GB
1310.	The NTT Report, NOI and IMs elevate sage-grouse management above other multiple uses of the federal public lands. • The multiple-use policy for management of Federal public lands is clearly established under FLPMA and NFMA. • BLM's and FS's multiple-use mandates trump the single-species management of sagegrouse above the consideration of other resource uses on Federal public lands. • Renewable energy development on Federal public lands is an appropriate and accepted land use under the multiple-use mandates.	All	Both	emc0344GB

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1311.	BLM lacks the authority under FLPMA and its Special Status Species Manual to amend the procedures for obtaining a ROW without engaging in a rulemaking. • The IMs and the NTT Report violate the APA by imposing, without an opportunity for public review and comment, binding requirements on the wind industry that are not included in FLPMA and limiting the discretion of BLM staff and the states to carry out the directives of that statute. • These documents both bind wind projects (impose additional obligations) and restrict the BLM's ability (namely, the Field Offices) to exercise discretion in deciding particular cases regarding ROWs for such projects. • The sage-grouse Ims and NTT Report are impermissible rulemakings and should not inform the land management plan revision process.	All	BLM	emc0344GB
1312.	The IMs constitute a rulemaking that should have undergone NEPA analysis. • The failure to complete this review shielded the IMs' provisions from consideration of various issues, specifically with respect to the evaluation of: • Other reasonable alternatives that could have achieved BLM's conservation objectives while not overly burdening wind energy development. • The wind industry's contributions in mitigating climate change.	All	BLM	emc0344GB
1313.	• The scope of the EISs and SEISs accompanying the NOI's proposed land use revisions should incorporate the following: o The "Purpose and Need" statement should incorporate principles of multiple use and sustained yield. • The reasonable range of alternatives addressed in the EISs and SEISs should be limited to those alternatives that are technically and economically feasible with respect to wind energy. • Consider alternative design features and mitigation measures in lieu of the exclusion area approach. • Recognize existing rights, permits, and proposals, especially pending late-stage ROW applications so as to not upset investment-backed expectations of companies, lenders, and investors. • If the BLM is going to conduct subregional EISs (rather than regional EISs), the subregions should be based on sage-grouse populations and not state borders.	All	BLM	emc0344GB
1314.	• The NTT Report should not be considered because BLM failed to comply with the Federal Advisory Committee Act (FACA). • Due to the FACA violations, the BLM and FS cannot rely on the NTT Report's findings and conclusions with respect to the land use plan amendments addressing sage-grouse conservation.	All	BLM	emc0344GB
1315.	• The conservation measures contemplated by the IMs, NTT Report, and NOI are even more restrictive than those that would take effect if the sage-grouse were listed as an endangered or threatened species.	All	Both	emc0344GB
1316.	• The mapping of preliminary priority habitat and preliminary general habitat for sage-grouse is inconsistent and overly broad. • Analysis should be augmented with site-specific information detailing actual habitat on the ground to ensure that the PPH and PGH does not include non-habitat areas.	All	Both	emc0344GB
1317.	• The conservation measures in the Interim Management IM are not supported by evidence in the record. • The requirement to do mitigation measures where the total project disturbance from the ROW and any connected actions is less than one linear mile, or 2 acres of disturbance, is not justified. • Buffers for wind energy development are not necessarily biologically justified as the impacts for such requirements are unknown. • While timing restrictions that protect leks from visual disturbance during the lekking seasons might be biologically justified, the buffer distance will vary according to the site. • Mitigation options should not be unnecessarily limited.	All	Both	emc0344GB
1318.	• Several NTT Report requirements are unsupported and unjustified. • The NTT Report unjustifiably adopts, within priority habitat, the minimum range of 50-70 percent for long-term sage-grouse persistence. • The lower limit for the percentage of sagebrush cover in document studies is between 25-30 percent, and the upper limit is between 50-65 percent.	All	Both	emc0344GB

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	• The requirement that discrete anthropogenic disturbances cover less than 3 percent of the total sage-grouse habitat regardless of ownership is based on studies of resources that are very different from a typical wind project.			
1319.	• BLM should explore various conservation measure alternatives to the core area exclusion approach.	All	BLM	emc0344GB
1320.	This new sage-grouse management policy described in the NTT Report, in conjunction with the NOI and the IMs, elevates sage-grouse management above other multiple uses on the federal public lands. This is the case even though BLM and FS have established their multiple-use management mandate, which trumps singlespecies management, in the Federal Land Policy and Management Act of 1976, as amended, (FLPMA), the National Forest Management Act of 1976 (NFMA), and the Multiple-Use Sustained-Yield Act of 1960. Congress has rejected such single-species management in favor for multiple-use management elsewhere. In passing the 1971 Wild Free Roaming Horses and Burros Act, for example, Congress declared its intent: "to provide for the protection of the animals from man and not the single use management of areas for the benefit of wild free-roaming horses and burros. It is the intent of the committee that the wild free-roaming horses and burros be specifically incorporated as a component of the multiple-use plans governing the use of the public lands."	All	Both	emc0344GB
1321.	When drafting the act, Congress intended federal public lands policy to support not only environmental protection, but also the necessary human utilization of various resources on public lands. The statutory language and the multiple-use mandate indicate that these two concepts-environmental protection and resource utilization-are not mutually exclusive when establishing management measures.29 Therefore, the new sagegrouse management policy that limits discrete anthropogenic disturbances on public lands that contain sagegrouse habitats to less than 3 percent is at odds with BLM's existing multiple-use policy.	All	Both	emc0344GB
1322.	The United States Supreme Court has found that BLM's multiple-use policy under FLPMA requires a consideration of the uses of public lands that will best meet the public's needs and does not place one use over another. In Norton v. Southern Utah Wilderness Alliance,30 Southern Utah Western Alliance sought declaratory and injunctive relief for BLM's failure to protect Utah's public lands from environmental degradation from offroad vehicles (ORVs) pursuant to FLPMA's nonimpairment mandate.31 A unanimous Court ultimately decided that BLM's alleged failures to act were not remediable under the APA.32 In doing so, the Court noted that FLPMA 'established a policy in favor of retaining public lands for multiple use management.'-33 Ultimately, the Court concluded that FLPMA's nonimpairment standard certainly did not mandate the total exclusion of ORV use, further supporting the multiple-use policy.34 The Court's recognition of the multiple-use policy in Norton considered ORV usage-a recreational use-in tandem with wilderness protection, demonstrating that environmental conservation is not held to a higher standard under the multiple-use mandate. This undermines BLM's attempt to hold the single-species management of sage-grouse above the consideration of other resource uses on federal public lands.	All	BLM	emc0344GB
1323.	ii. Multiple-Use Established under the NFMA NFMA is the primary federal statute governing the administration of national forests. As FLPMA does with respect to the management of public lands generally, NFMA establishes a multiple-use and sustainable yield policy with respect to the management of national forests.35 Specifically, NFMA calls for the coordination of the multiple diverse uses of National Forest System (NFS) lands, including "outdoor recreation, range, timber, watershed, wildlife and fish, and wilderness."36 Therefore, any measures, including the new sage-grouse management policy, that prefer	All	USFS	emc0344GB

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	single-species management over multiple-use management on NFS lands conflict with the multiple-use mandate plainly stated in statute.			
1324.	Renewable energy development thus is an appropriate use of the federal public lands pursuant to the multiple-use and sustainable-yield mandates under FLPMA and NFMA. Nevertheless, the new sage-grouse management policy substantially limits opportunities for renewable energy growth given the limitation of all discrete anthropogenic disturbances on just 3 percent of sage-grouse habitat across all land ownerships. This means that the renewable energy industry will have to compete with all other sources of anthropogenic disturbance for access to 3 percent or less of federal public lands containing sage-grouse habitat and, in some cases, this threshold may likely already have been met; in other words, no new uses may occur beyond what already exists in the landscape today.	All	Both	emc0344GB
1325.	In sum, the strict single-species management being pursued by BLM and FS through the current sagegrouse policy is clearly a violation of the multiple-use policy that Congress has repeatedly declared in several federal statutes and the balancing of interests that those statutes require.42 In other words, to manage these public lands for the protection of a single species and categorically limit other interests on specified land is clearly inconsistent with the statutory intent of both FLPMA and NFMA. Consistent with these statutes, BLM and FS should manage federal public lands pursuant to the multiple-use and sustainable-yield mandates and not rule out certain activities on those lands, such as excluding important uses, such as renewable energy development, from certain areas.	All	Both	emc0344GB
1326.	V. BLM Lacks the Authority under FLPMA and its Special Status Species Manual to Amend the Procedures for Obtaining a ROW Without Engaging in a Rulemaking BLM uses several sets of regulations to implement FLPMA and other laws. Most of the regulations that may affect BLM management guidance concerning sage-grouse management are found in section 43 of the Code of Federal Regulations, although some, such as the Council of Environmental Quality regulations, are found in other portions of the CFR. The relevant regulations are listed below: • 43 C.F.R. Subpart C, Minerals Management 3000 Series, contains regulatory authority for BLM operations, enforcement and reclamation of minerals actions on public lands. • 43 C.F.R. Subpart 4120, Grazing Management, contains the regulatory authority for grazing administration, use authorizations, permit terms and conditions for achieving resource condition objectives. Subparts 4140-4170 outline prohibited acts, enforcement, and penalties. Subpart 4180 is an example of how regulations provide direction for sage-grouse conservation. Within the scope of these grazing regulations, 43 CFR 4180.2(d), are included specific direction to the BLM State Directors to develop standards that among other things would address: o "(4) Habitat for endangered, threatened, proposed, candidate, or special status species; and; (5) Habitat quality for native plant and animal populations and communities..." In addition, Subpart 4180.2(e) requires development of guidelines to address: o "(9) Restoring, maintaining or enhancing habitats of Federal proposed, Federal candidate, and other special status species to promote their conservation." These regulations, however, pertain to mineral management and grazing, not BLM's consideration of ROWs for energy development. Therefore, these provisions cannot be relied upon to justify BLM's authority to issue the IMs with respect to wind energy development, without going through notice and comment. While FLPMA does give BLM discretion to deny ROWs for renewable energy development based on the public interest, it does not provide a general definition of "public interest,"43 nor does it define the term within the ROW context. Rather, the statute provides some guidance when discussing the consideration of a ROW application, however. Under FLPMA, when determining whether an exchange of land	All	Both	emc0344GB

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	is in the public interest, the Secretary must "[g]ive full consideration to better Federal land management and the needs of State and local people, including needs for lands for the economy, community expansion, recreation areas, food, fiber, minerals, and fish and wildlife. . . ."44 The terms and conditions that each ROW must contain also provide additional guidance as to what Congress meant when it directed BLM to consider the "public interest." FLPMA directs BLM to include terms and conditions that "minimize damage to scenic and esthetic values and fish and wildlife habitat and otherwise protect the environment."45 The statute also directs the Secretary to require such terms and conditions as he or she deems necessary to "protect Federal property and economic interests."46 As these requirements illustrate, what constitutes the public interest requires a balancing of multiple factors. To balance these factors, BLM has promulgated regulations, which state: It is BLM's objective to grant rights-of-way . . . to any qualified individual, business, or government entity and to direct and control the use of rights-of-way on public lands in a manner that: (a) Protects the natural resources associated with public lands and adjacent lands . . . ; (b) Prevents unnecessary or undue degradation to public lands; (c) Promotes the use of rights-of-way in common considering engineering and technological compatibility, national security, and land use plans; and (d) Coordinates . . . all BLM actions . . . with state and local governments, interested individuals, and appropriate quasi-public entities.47 BLM's discretionary ability to apply such terms and conditions pertains even after a ROW has been granted.48 The agency's discretion is limited in that the "stipulations [may not be] either inconsistent with or tend to unreasonably encumber the proposed . . . project[]."49 For instance, in Shell Pipe Line Corp., BLM granted Shell a ROW that was subject to review after 20 years. Shell's argument that FLPMA did not grant BLM broad enough authority to modify or revise a ROW once granted was rejected by the Interior Board of Land Appeals (IBLA).50 The IBLA concluded that "clear[ly] . . . BLM may grant the right-of-way upon certain terms, conditions, and stipulations," reasoning that the agency must "balance the interests of right-of-way applicants with other interests requiring consideration."51 In another case, the IBLA noted that the stipulations imposed could not be unreasonably burdensome, but found that stipulations requiring prevention of water pollution and protection of fish did not impose an unreasonable burden.52 AWEA thus recognize that BLM has relatively broad discretionary authority to deny a ROW. In particular, the agency also has the statutory authority to impose terms and conditions on an application before it is approved as well the authority to modify the terms and conditions after approval. And, these modifications may include mitigating impacts to the environment. The scope of these modifications is limited, however, and there is nothing in the statute that allows an outright revocation of permit for any of the reasons specified in the IMs and the NTT Report. Moreover, the statute does not allow the type of generic limitations adopted in these documents, such as the 3 percent exclusion area, but rather permits terms and conditions to be imposed on an application-by-application basis. Therefore, as the IMs add a substantive requirement to BLM's existing authority under FLPMA and limit BLM's existing discretionary authority under that act, BLM was required to follow the APA's notice-and-comment procedures before making them effective. BLM also appears to justify its new procedures for considering ROW applications based on its policy set forth in a guidance document, the Special Status Species Management Manual (Special Species Manual).53 For instance, in the March 2010 IM, BLM states that "greater sage-grouse are BLM sensitive species that are to be managed to promote their conservation and to minimize the need for listing under the ESA, in accordance with the BLM's special status species policy."54 The Special Species Manual aims "to provide policy and guidance, consistent with appropriate laws, for the conservation of special status species of plants and animals, and the			

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	ecosystems upon which they depend."55 While the sage-grouse's "warranted but precluded" status falls within the bounds of the manual's ambit, the manual is merely an agency guidance document that cannot trump the duties imposed by the BLM's own organic statute—FLPMA. As discussed, BLM public lands must be managed "on the basis of multiple use and sustained yield unless otherwise specified by law"56 and a guidance document cannot alter that statutory mandate. The Special Species Manual itself requires that its guidance be applied so as to be "consistent with appropriate laws," further affirming that the BLM cannot rely on this policy statement as a means of ignoring its directive to manage public lands for a myriad of beneficial land uses. In other words, BLM cannot rely on its own agency guidance document to elevate single-species management above its statutorily imposed duty to promote multiple uses.			
1327.	VI. The Sage-Grouse IMs and NTT Report are Impermissible Rulemakings and Should Not Inform the Management Plan Revision Process The December 2011 IMs, the NTT Report, and the March 2010 IM violate the APA by imposing, without an opportunity for public review and comment, binding requirements on the wind industry not included in FLPMA and limiting the discretion of BLM staff and the states to carry out the directives of that statute. Specifically, these documents both bind wind projects (impose additional obligations) and restrict the BLM's ability (namely, the Field Offices) to exercise discretion in deciding particular cases regarding ROWs for such projects. For the reasons discussed further below, given the absence of public input and the noncompliance with required rulemaking procedures, the IMs and the NTT Report should not be used to guide the content of the RMPs in the NOI process. As these documents have the effect of imposing additional substantive requirements, the agency must follow the APA's notice-and-comment procedure and publish these IMs for notice and comment before making them effective and using them to determine amendments and revisions to land management plans. When agencies engage in the preparation of EISs, such as the NOI proposes to do, courts have cautioned that agencies may not define and constrain their actions in a way that skews that process to make it a foregone conclusion.57 The weight that BLM confers on the IMs and NTT Report, which, at most, should merely serve as guidance documents for that process, is not permitted under the APA because those documents actually determine the outcome of that process, and any related actions until that process is concluded. As we have previously conveyed to BLM, the practice of creating binding policy through IM's, or other such means, is inefficient at best. Specifically, without seeking public comment: an agency is deprived of the invaluable input that stakeholders bring that would help inform its decision-making process with respect to crafting policies; stakeholders will likely negatively react to previously unknown policy changes; and BLM's staff time will needlessly be wasted clarifying concerns of industry and others trying to correct fundamental flaws that likely would have been revealed, prior to adoption, through a comment process. A more appropriate way to develop broad-scale binding standards and/or obligations on an industry is to engage with stakeholders and seek their input prior to finalizing and implementing them. With that in mind, and as we previously recommended to BLM staff, we strongly encourage BLM to reconsider the process under which the binding policy changes in the IMs and NTT Report were issued and, at a minimum, reissue them to allow for at least a limited (e.g., 30-60 day) public comment period. As discussed below, and based on substantial court precedent, notwithstanding BLM's professed reservation of discretion in these documents, the IMs and the NTT Report impose binding standards and/or obligations upon the wind industry, as well as others, and determine whether a ROW is granted or denied, or has conditions imposed. These documents, especially the Interim Management IM, contain mandatory language that is linked to receiving permits. And, there is no real discretion for BLM	All	BLM	emc0344GB

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	personnel to come to a different conclusion with the procedures and conclusions outlined in them. In short, since the practical effect of these documents creates binding, rigid standards for BLM personnel to implement and the wind industry to follow, they should have been promulgated through notice-and-comment procedures, in which the industry, as well as others, would have had a chance to comment on them, consistent with the mandates of the APA.			
1328.	A. APA Notice-and-Comment Requirement APA Section 553 addresses the procedures that govern agency rulemaking. The main features of which include an agency's duty to include a notice in the Federal Register apprising the public of a proposed rulemaking and then subsequently allowing "interested persons an opportunity to participate in the rulemaking through submission of written data, views, or arguments."58 These procedural safeguards are imposed because agency regulations have "the force and effect of law."59 The notice and comment requirements ensure that stakeholders are provided with an opportunity to contribute to an agency's development of regulations, which upon approval will "grant rights, impose obligations, or produce other significant effects on private interests."60 When a federal agency issues a directive concerning the future exercise of its discretionary power, for purposes of APA section 553, its directive will constitute either a substantive rule, for which notice-andcomment procedures are required, or a general statement of policy, for which they are not—the APA's "general policy statement" exception.61 In determining whether the December 2011 IMs, the NTT Report, and March 2010 IM qualify for that exception (do not need to be noticed for comment), the question, as suggested above, is whether they bind parties (impose any additional rights or obligations) and leave the BLM free to exercise discretion (will be determinative when deciding cases). Substantive rules that require notice and comment are commonly referred to as legislative rules because they are "the product of an exercise of delegated legislative power to make law through rules."62 It is clear that BLM views the December 2011 IMs, the March 2010 IM, and the NTT Report as general statements of policy as they did not notice any of them for comment. However, because the label an agency gives to its exercise of administrative power is not determinative,63 the question is then whether the documents have the same effect as a legislative rule, in which case BLM must follow notice-and-comment procedures. Specifically, for these documents to be considered a nonlegislative rule and avoid the APA's notice-andcomment procedures, they must fall into one of the following three buckets: interpretative rule, policy statement, or a rule of agency organization, procedure, or practice.64 Thus, determining whether the IMs and the NTT Report should have followed notice-and-comment procedures requires a three-part analysis.	All	BLM	emc0344GB
1329.	i. The IMs and NTT Report Are Not Rules of BLM Organization, Procedure, or Practice Rules of agency organization, procedure or practice relate to the particular nature of the agency, such as rules that prescribe the manner in which the parties present themselves or their viewpoints.65 Because the December 2011 IMs, the March 2010 IM, and the NTT Report do not define particular procedures and practices parties must follow when interacting with either BLM or FS, they clearly do not fit within this exception.	All	BLM	emc0344GB
1330.	ii. The IMs and NTT Report Are Neither Interpretative Rules Nor Policy Statements With respect to whether the guidance document falls into the remaining categories, an interpretive rule or a policy statement, courts have emphasized the difference between the two.66 Although the APA provides no definition of interpretive rules or policy statements,67 the 1947 Attorney General's Manual68 on the APA defined interpretive rules as "rules or statements issued by an agency to advise the public of the agency's construction of the statutes and rules which it administers,"69 and policy statements as	All	BLM	emc0344GB

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	"statements issued by an agency to advise the public prospectively of the manner in which the agency proposes to exercise a discretionary power."70 In Syncor International Corp. v. Shalala,71 the court further added clarity to this distinction, framing interpretive rules as those rules which "reflect an agency's construction of a statute that has been entrusted to the agency to administer"72 and policy statements as pronouncements by which "an agency simply lets the public know its current enforcement or adjudicatory approach."73 Interpretive rules, therefore, clarify an agency's interpretation of an existing statute or legislative rule without imposing substantive changes. Policy statements, on the other hand, are intended to provide the public with a sense of an agency's position on an issue. One could argue that these three documents are interpretive rules because they explain BLM's authority to deny ROWs under FLPMA. It could also be argued that they are policy statements because they announce the ways in which BLM intends to conduct its affairs with respect to land management and sage-grouse. However, for the reasons discussed below, these arguments fail upon closer inspection, and it is clear that these documents constitute legislative rules that should be noticed for comment.			
1331.	a. Documents as Interpretive Rules Courts have developed a three-prong test, outlined below, to determine whether an interpretive rule has a legal effect and should have been issued legislatively. First, a court asks "whether in the absence of the rule there would not be an adequate legislative basis for enforcement action or other agency action to confer benefits or ensure the performance of duties."74 Next, a court must determine "whether the agency has explicitly invoked its general legislative authority."75 Finally, a court considers "whether the rule effectively amends a prior legislative rule."76 If any of the three inquiries are answered in the affirmative, it is a legislative and, not an interpretive rule.77 When applying this test to the December 2011 IMs, the March 2010 IM, and the NTT Report, the question is whether, in the absence of these documents, there would not be an adequate legislative basis for agency action to confer benefits or ensure the performance of duties. As discussed above, BLM does not have the statutory authority to manage for a single species, as FLPMA and NFMA have multiple use mandates. While sage-grouse constitutes a special status species under the Special Species Manual, that designation inand-of-itself does not trump BLM's mandate under FLPMA, as the manual is just a general policy statement and not a regulation.78 Moreover, FLPMA does not contain concrete language that would allow for BLM to impose the binding restrictions set forth in the IMs and the NTT Report. Thus, there is a legislative gap between the IMs and the NTT Report and the performance of BLM's specific duties. The next question is whether the agency has explicitly invoked its general legislative authority. When describing the purpose of its National Strategy, BLM stated that "FLPMA provides the basic authority for BLM's multiple use management of all resources on the public lands. One of BLM's many responsibilities under the FLPMA is to manage public lands for the benefit of wildlife species and the ecosystems upon which they depend."79 As noted, the March 2010 IM states that it is supplementing the National Strategy, and the December 2011 IMs state that they are, in turn, supplementing the March 2010 IM. Therefore, all these documents are essentially relying on oblique references to the general legislative authority in FLPMA and the Special Species Manual to explain their power to amend FLPMA through the IMs and the NTT Report. But, neither FLPMA nor the Special Species Manual gives BLM the tangible authority to impose the restrictions contained in these documents. Under the third prong, if a rule effectively amends a prior legislative rule or a prior interpretive rule, it should be promulgated legislatively. Here, the IMs all build upon the National Strategy to create, as the March 2010 IM states, a "comprehensive Bureau-wide policy for the protection of sage-grouse populations and the conservation of habitat on a landscape scale."80 It would be hard to argue that these IMs	All	BLM	emc0344GB

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	merely clarify the National Strategy, which was issued legislatively, because each of the IMs clearly state that they "supplement" either the National Strategy or a prior IM. As all three of the prongs are answered in the affirmative, it is clear that the IMs are legislative rules, not interpretive, and should have been noticed for comment. In sum, the IMs do not interpret sufficiently concrete statutory language from FLPMA, or any other statute or regulation, to qualify as interpretive. Put simply, these documents do not constitute interpretive rules because BLM is explicitly invoking its statutory authority and setting out substantive new rules instead of interpreting previous legislative rules. If Congress had already acted legislatively, it could have exercised its own delegated legislative authority. However, since the IMs and the NTT Report do not stay within the language of FLPMA, they add substantive content to the statute.			
1332.	b. Documents As Policy Statements Policy statements may not bind the public or the issuing agency.81 Thus, if a directive is meant to bind, or has the effect of binding a private party or the issuing agency, it does not fit within the APA's exception for policy statements and must follow the APA's rulemaking procedures. When a document is couched in mandatory language,82 or in terms indicating that it will be regularly applied,83 a binding intent is strongly evidenced. To determine if the IMs and the NTT Report are indeed policy statements that can avoid APA procedures, it is necessary to determine: (1) whether they are intended to bind; and (2) if not, whether they bind parties as a practical matter. It is clear that these IMs and the NTT Report are not policy statements because they have the effect of binding BLM, states, and private parties. In McLouth Steel Products Corporation v. Thomas,84 the court found that the EPA violated the APA's rulemaking procedures when it described an agency-devised computational model in a Federal Register notice as a document that would dictate the agency's actions in subsequent cases. The court observed that the "language in that notice strongly suggests that EPA will treat the model as a binding norm" and that "EPA referred to it as the 'quantitative approach' that 'will be used to predict the level of the various toxicants which could migrate to environmental receptors.'"85 In parsing the language of the Federal Register notice, the court noted that "[t]he use of the word 'will' suggests the rigor of a rule, not the pliancy of a policy."86 In the case at hand, BLM's NOI similarly uses the phrase "will be consistent" to convey the relationship between RMP amendments and BLM's National Strategy, thereby evidencing a similar violation of the APA. In general, a nonlegislative statement is binding as a practical matter if the agency treats it the same way it treats a legislative rule—that is, if the agency treats it as dispositive of the issues that it addresses—or leads affected parties to believe it will treat the document that way. This is called the "impact on agencies" test, which asks not whether the rule impacts regulated parties but whether the agency treats the rule as binding. As the D.C. Circuit has explained, the distinction between policy statements and substantive rules "turns on an agency's intention to bind itself to a particular legal policy position."87 In short, policy statements are found to violate notice and comment requirements when "the commands of the [g]uidance [d]ocument indicate that it has the force of law."88 While the requirements set forth in the Interim Management IM are only in place on an "interim" basis "while the BLM develops and decides how to best incorporate long-term conservation measures,"89 this does not mitigate the fact that they are currently binding. Since the Interim Management IM indicates that it will be regularly applied across multiple program areas, is linked to receiving permits, and there is no real discretion for BLM personnel to come to a different conclusion with the policies set forth therein, the practical effect of the IM is to create immediate binding, rigid standards for BLM personnel to implement and industry to follow. As such, it places broad-scale binding standards and/or obligations on the wind industry, as well as others, in violation of the APA. The binding effect of the	All	BLM	emc0344GB

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	Interim Management IM has already been evidenced by the fact that it was cited as a justification for deferring consideration on a ROW for a wind company.90 The Planning Direction IM also explicitly provides directives, in accordance with the conservation measures identified in the NTT Report, to be implemented by BLM in its consideration of the revisions to the land use plans now underway. The NOI also indicates that approved revisions "will be consistent" with the National Strategy, which is supplemented by the Planning Direction IM. Therefore, it is not sufficient to simply allow public comment on the plan revisions in the NOI. BLM must allow for public comment on the IMs and NTT Report as well, since it will determine the substantive outcome of those revisions. A document will also be considered to have practical binding effect before it is actually applied if the affected private parties are reasonably led to believe that failure to conform will bring adverse consequences, such as an enforcement action91 or denial of an application.92 The same holds true if it binds an agency's decision making or if it binds state action. The IMs and the NTT Report do not discuss the consequences a private party will face for failure to heed the policy, as the policy seems to be targeted more towards BLM staff and states.93 However, they clearly authorize BLM to delay or deny an application or to impose certain terms and conditions if BLM determines that a proposed energy development project area includes PPH and PGH. As such, it would be reasonable for a private party to believe that failure to adhere to the newly defined habitat areas and other procedures detailed in the documents will carry negative consequences. It is also clear that the procedures set forth in the documents determine whether BLM staff or states will grant a ROW. It is reasonable to assume that states will incorporate BLM's IMs and the NTT Report into their conservation plans. States have played an integral role in developing the forthcoming guidance. In 2000, Western Association of Fish and Wildlife Agencies ("WAFWA"), FS, FWS and BLM signed an Memorandum of Understanding (MOU) that provides for federal, state and local cooperation to coordinate planning, habitat and population mapping, and evaluation and restoration of sage-grouse populations.94 A state's failure to abide by the terms of the forthcoming guidance could be viewed as a violation of the MOU. For the reasons stated above, the IMs and NTT Report function as legislative rules and should be promulgated as such.			
1333.	B. The IMs Constitute a Rulemaking That Should Have Undergone NEPA Analysis The IMs governing sage-grouse conservation satisfy the test for federal action that is subject to NEPA review. The failure to complete this review shielded the IMs' provisions from scrutiny, specifically with respect to the evaluation of other reasonable alternatives that could have achieved BLM's conservation objectives while not overly burdening wind energy development. The wind industry's contributions in mitigating climate change also received no analysis or consideration as a mitigating effect due to the fact that these documents were not subject to NEPA. Given these shortcomings, the IMs should not be relied upon in formulating the RMPs.	All	BLM	emc0344GB
1334.	i. The IMs Qualify as Federal Action for Which NEPA Review Should Have Been Completed NEPA review is required when federal activity satisfies a three-part test that consists of: (1) a proposal, (2) on legislation or some other "major federal action," and (3) which, if implemented, has the potential to "significantly" affect the environment.95 NEPA's implementing regulations define proposal as "that stage in the development of an action when an agency subject to the Act has a goal and is actively preparing to make a decision on one or more alternative means of accomplishing that goal and the effects can be meaningfully evaluated."96 The IMs squarely fall within this definition since upon issuance they established interim and long-tern conservation measures tailored towards the goal of rehabilitating sage-grouse populations. The "major federal	All	BLM	emc0344GB

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	action" element of the test is defined as including "actions with effects that may be major and which are potentially subject to Federal control and responsibility."97 The regulations further elaborate on the type of agency activities that constitute major federal actions, specifically, referencing the adoption of policies and plans, "such as official documents prepared or approved by federal agencies which guide or prescribe alternative uses of Federal resources, upon which future agency actions will be based."98 Both the substance and the respective titles of the IM documents, which include the words "Management Policies"99 and "Planning Strategy,"100 satisfy the major federal action requirement. The final issue related to the triggering of the NEPA requirement is whether the federal action has a "significant environmental impact."101 NEPA's implementing regulations include a comprehensive definition for "significantly" and characterize that term as standing for the "severity of [the] impact" caused by the federal action.102 Important factors for assessing significance include the "unique characteristics of the geographic area,"103 "the degree to which the action may establish a precedent for future actions with significant effects,"104 and whether endangered or threatened species are implicated.105 Applied to the sage-grouse IMs, all of these factors contribute to a finding of significance as (1) the lands at issue possess unique wind features, (2) the interim measures serve to set the tone for the final conservation measures that will be implemented, and (3) while the sage-grouse is not currently listed as a threatened or endangered species, the purpose of the federal action at issue here is to prevent such a listing. In further parsing the "significant environmental impact" language, the regulations state that "effects and impacts as used in these regulations are synonymous" and that they include ecological impacts.106 The Ims focus on sage-grouse habitat management, thereby having a direct ecological impact. And, while the IMs are designed to promote beneficial environmental management of sage-grouse habitat, this intention does not prevent them from having a significant environmental impact nor exempt them from a NEPA analysis. Specifically, the regulations state that "[i]mpacts . . . may be both beneficial and adverse. A significant effect may exist even if the federal agency believes that on balance the effect will be beneficial."107 Additionally, considering the host of environmental benefits that accompany wind energy and the technology's role in displacing traditional energy sources that consume massive amounts of water (which in the arid western states is a limited resource) and produce harmful emissions (including CO2 which arguably is one of the leading contributors to climate change, which, in turn, is resulting in prolonged periods of drought in the West, all of which negatively impacts sage-grouse and their critical habitats), the IMs and the barriers they create to wind energy development pose significant adverse environmental impacts. The Ninth Circuit has also recognized that in certain situations where there is a long history of human intervention in the environment, a federal conservation action that limits human activities may constitute an environmental impact that requires the preparation of an EIS. Specifically, the court stated; Because human intervention, in the form of forest management, has been part of the fabric of our national forests for so long, we conclude that, in the context of this unusual case, the reduction in human intervention that would result from the Roadless Rule actually does alter the environmental status quo…the Forest Service's Roadless initiative thus required an EIS under NEPA.108 This rationale could also be applied to the case at hand, in which the sage-grouse December 2011 IMs serve to restrict longstanding human activities on BLM lands. The NOI here was issued to help guide the preparation of an EIS. NEPA implementing regulations specifically address what actions are allowed during the time period in which an EIS is being prepared, and state that "[w]hile work on a required program environmental impact statement is in progress and the action is not covered by an existing program statement, agencies shall not undertake in the interim any major Federal action			

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	covered by the program which may significantly affect the quality of the human environment."109 Applied here, the December 2011 IMs do not fall into any of the exemptions associated with this rule and constitute an independent action with an environmental impact for which the appropriate NEPA analysis was not completed.			
1335.	ii. The Implications Associated with the IMs' NEPA Noncompliance At its core, "NEPA ensures that an agency's approval of a project is a fully informed and wellconsidered decision.110 Sound federal decision making is achieved through the evaluation of alternative actions, which is considered "the heart of the environmental impact statement" and central to the purpose of NEPA review.111 Here, the IMs imposed conservation measures without consideration of alternative approaches that could have achieved similar results while not imposing such stringent restrictions on wind energy development. NEPA requires a discussion of the effects on air and water and other natural systems.112 Therefore, any federal action that deters the development of emission-free energy sources, such as wind farms, which help to reduce fossil fuel dependence and stem climate change, should be fully explored pursuant to a NEPA review. Here, no such climate change analysis accompanied the issuance of the IMs. Courts also have acknowledged the appropriateness of NEPA reviews considering climate change and its associated impact on wildlife. In Center for Biological Diversity v. Kempthorne,113 the court upheld the sufficiency of an EA partially on the basis that it "acknowledge[d] climate change and enumerated its long term effects on polar bears." The NOI at issue here similarly is concerned with wildlife preservation, and despite the difficulty of determining with precision the negative impacts of climate change on sage-grouse populations, the NEPA framework requires this factor to be analyzed and considered. Given the posture of this case and the fact that the NOI itself is addressing the preparation of an EIS for sage-grouse conservation, completing a NEPA review on the previously issued IMs at this stage would not be useful. However, considering the December 2011 IMs' noncompliance with NEPA and the aforementioned associated issues, these documents should not be used to inform any future sage-grouse conservation planning.	All	BLM	emc0344GB
1336.	A. EIS "Purpose and Need" Statement Should Incorporate Principles of Multiple Use and Sustained Yield NEPA's implementing regulations require that all EISs include a "purpose and need" statement that details "the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action."114 This introductory statement of the EIS is intended to reasonably define the objectives of the federal action being undertaken and should be drafted in a manner that does "not arbitrarily or capriciously narrow the scope of the statement."115 Appropriately defining the objectives of the federal action is essential for framing the remainder of the EIS and for determining which alternatives are reasonable and require exploration.116 The "purpose and need" statement of any EIS accompanying proposed land use plans should specifically incorporate principles of multiple use and sustained yield, consistent with the above definition of "multiple use."117 The related principle of "sustained yield" stands for "the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the public lands consistent with multiple use."118 While protection of the sage-grouse is driving this federal action, "[a]n agency may not define the objectives of its actions in terms so unreasonably narrow that only one alternative from among the environmentally benign ones in the agency's power would accomplish the goals of the agency's action, and the EIS would become a foreordained formality."119 Based on this directive, the purpose and need statement should acknowledge the goal of rehabilitating sage-grouse populations while balancing the other productive uses of the land that	All	BLM	emc0344GB

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	BLM and FS are required to facilitate by law. Courts have noted that the most important factor in guiding the EIS purpose and need statement is that "an agency should always consider the views of Congress, expressed, to the extent that the agency can determine them, in the agency's statutory authorization to act, as well as in other congressional directives."120 Applied here, as discussed above, there are a host of legislative mandates that require the federal lands at issue in this proceeding to be managed to promote multiple use and sustained yield. FLPMA provides, with respect to land management, that it should be conducted "on the basis of multiple use and sustained yield unless otherwise specified by law."121 RMPs, such as those that the NOI proposes to revise, are to be implemented in accordance with multiple use and sustained yield principles,122 along with the plans that govern units of the National Forest System.123 As noted, courts have reinforced the legislative mandate in favor of federal lands being managed according to principles of multiple use and sustained yield.124 Such language affirms that any EIS's "purpose and need" statement should focus on the diverse uses that federal lands should promote, including renewable energy development. In characterizing FLPMA, one court called the landmark legislation as "an attempt by Congress to balance the use of the public lands by interests as diverse as the lands themselves."125 While sage-grouse conservation must be pursued, it should not overly burden the advancement of other productive activities. Federal law makes clear that an EIS governing land management plans must "recognize competing values."126 The principles of multiple use and sustained yield should play a central role in framing the EISs and SEISs considering that both BLM and FS maintain multiple use mandates for their land that trump single-species management.			
1337.	B. The Reasonable Range of Alternatives Addressed in the EIS Should be Limited to Those Alternatives That Are Technically and Economically Feasible with Respect to Wind Energy Under NEPA, federal agencies are directed to "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources."127 NEPA does not command an exploration of all potential alternative actions, but only "those that are practical and feasible from the technical and economic standpoint and using common sense."128 A "rule of reason test" governs which alternatives should be explored pursuant to a NEPA analysis,129 and options that are impractical and ineffective.130 For instance, siting wind energy developments in areas that lack wind would not pass such a test. In Citizens Commission to Save Our Canyons v. U.S. Forest Service,131 the court rejected plaintiff's claim that the agency failed to address the reasonable range of alternatives in its EIS when it failed to evaluate the option of siting a resort facility underground on a mountain owned by the federal government. This alternative was not appropriate for evaluation in the Forest Service's EIS because siting the facility underground "was not regarded as technologically or economically feasible."132 Similarly in City of New York v. Department of Transportation,133 the federal action at issue centered on safety regulations to carry nuclear fuel by interstate highway, thereby prompting the court to find that "the Department was not required to discuss the unreasonable alternative of carrying nuclear fuel around New York City by barge." The established requirement that NEPA review only encompasses reasonable alternatives cannot be reconciled with the direction in the Interim Management IM, which states that siting alternatives should be included that are outside of the sage-grouse's PPH, even if wind resources are not present outside those areas. For example, just as it was unreasonable and not feasible to site the facility at issue in Citizens Commission to Save Our Canyons beneath the surface of a mountain, so too would it be inappropriate to consider an alternative that sites wind development in an area that lacks commercially feasible wind generation capacity or would require miles of ROWs for new transmission lines. Given this legal backdrop,	All	BLM	emc0344GB

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	the following provisions as found in the NTT Report and the IMs constitute measures that are technically or economically infeasible: 1) No more than 3 percent disturbance of PPH; 2) 70 percent of PPH land cover to provide "adequate sagebrush habitat"; 3) Prohibiting any upgrading of existing routes that would change route categories (road, primitive road, or trail) or capacity unless the upgrading would have minimal impact on sage-grouse habitat, is necessary for motorist safety, or eliminates the need to construct a new road; and 4) PPH becomes exclusion areas for new ROW permits. Other potentially infeasible measures of concern include: 1) Power line siting and avoidance measures (e.g., requirements to bury or flag power lines); and 2) Facility siting and avoidance measures (e.g., no accommodations for locating facilities near distribution lines or inflexible minimum siting distances from leks).			
1338.	C. The EIS Should Consider Alternative Design Features and Mitigation Measures in Lieu of the Exclusion Area Approach While an EIS should not address infeasible alternatives, the essence of an EIS is a robust exploration of the feasible alternative actions and mitigation measures.134 While the exclusion area approach has been put forth as one of the primary means of achieving sage-grouse conservation,135 the EISs should instead focus on more effective alternative approaches that address design features and mitigation measures. Design features and mitigation are distinct but related concepts. Design features are specific measures or practices that comprise an alternative action, while mitigation encompasses separate strategies that seek to "reduce or eliminate effects of the proposed action or alternatives."136 Examples of design features include standard operating procedures, stipulations, and best management practices.137 As to mitigation, NEPA requires that an EIS contain "a reasonably complete discussion of possible mitigation measures" and that they "be discussed in sufficient detail to ensure that environmental consequences have been fairly evaluated." 138 NEPA implementing regulations recognize a diverse set of mitigation classes which include "[c]ompensating for the impact by replacing or providing substitute resources or environments" and "[r]ectifying the impact by repairing, rehabilitating, or restoring the affected environment."139 The EISs should include alternative design features and mitigation measures that: 1) recognize sage-grouse habitat quality and protection in proportion to potential sage-grouse conservation; 2) recognize the efforts of local, regional, statewide, and private conservation initiatives; and 3) provide for compensatory on-site and off-site mitigation (such as mitigation banks). We also note that if the BLM is going to conduct subregional EISs (rather than regional EISs), the subregions should be based on sage-grouse populations and not state borders.	All	Both	emc0344GB
1339.	D. EISs Should Recognize Existing Rights, Permits, and Proposals, Especially Pending Late-Stage ROW Applications so as to Not Upset Investment-backed Expectations of Companies, Lenders, and Investors Considering NEPA's emphasis that federal decision making be guided by a robust body of information from the stakeholders impacted by a federal action, the courts "have held that agencies must acknowledge private goals" in EISs.140 With respect to the section of an EIS in which an agency defines the objectives associated with the federal action at issue, the Tenth Circuit has found that "[a]gencies also are precluded from completely ignoring a private applicant's objectives."141 Based on this recognition of the role of private interests in the preparation of an EIS, the sage-grouse EIS at issue here should recognize the existing rights, permits, and pending late-stage ROW applications held by wind energy developers who have made investments based on the current sage-grouse regulatory landscape. Although there are distinctions to be made between a typical regulatory takings circumstance and the impact of an EIS on wind developers with projects in progress, the "reasonable, investment-backed expectations [that] are an element of every regulatory takings case"142 likewise should be considered with respect to the	All	Both	emc0344GB

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	crafting of the sage-grouse EIS. Additionally, despite the fact that the wind industry is a private interest, the industry's contribution to the nation's environmental and renewable energy objectives are closely aligned with the public interest at large, thereby providing additional grounds for not compromising the investment-backed expectations of industry participants.			
1340.	VIII. The NTT report should not be considered because BLM failed to comply with the Federal Advisory Committee Act When the Department of the Interior (DOI) chartered the Wind Turbine Guidelines Advisory Committee in October 2007, it did so explicitly under the Federal Advisory Committee Act (FACA).146 Therefore, DOI is certainly familiar with FACA, and should have applied the same statutory construct to the NTT. Nevertheless, it appears that BLM has failed to comply with that act.	All	BLM	emc0344GB
1341.	A. The NTT is an "advisory committee" under FACA The NTT is an "advisory committee" under FACA, as the statutory definition implies. An "advisory committee" includes: [A]ny committee, board, commission, council, conference, panel, task force, or other similar group…, which is…(C) established or utilized by one or more agencies, in the interest of obtaining advice or recommendations for the President or one or more agencies or officers of the Federal Government, except that such term excludes (i) any committee that is composed wholly of full-time, or permanent part-time, officers or employees of the Federal Government, and (ii) any committee that is created by the National Academy of Sciences or the National Academy of Public Administration.147 The NTT is a "team," which is a group similar to a "committee, board, commission, council, conference, panel, task force,"148 that BLM created "to ensure BLM [sage-grouse] management actions are effective and based on the best available science."149 In order for a committee, or team, to be "established" by an agency, it must be "directly established" by the agency.150 The Supreme Court has "squarely rejected an expansive interpretation of the words, reading 'established' and 'utilized' narrowly to prevent FACA from sweeping more broadly than Congress intended."151 BLM's National Greater Sage-Grouse Planning Strategy Charter (Charter) directly established the NTT to "serve as a scientific and technical forum to . . . Provide specialized sources of expertise not otherwise available," among other advisory functions.152 The Charter also explicitly states: "Non-BLM members of the NTT serve in an advisory capacity only, and their participation does not constitute endorsement of final [BLM] recommendations or decisions."153 In other words, it is clear that the NTT was created to give management advice and recommendations to BLM, bureau of DOI, a Federal Government agency, making it subject to FACA. The NTT is not excluded from the definition of "advisory committee." First, it consists of resource specialists and scientists from both federal and state agencies, including fourteen BLM employees, two Natural Resources Conservation Service employees, one USFWS employee, one U.S. Geological Survey employee, and five employees of State fish and wildlife agencies.154 Second, it was created by BLM, rather than the National Academy of Sciences or the National Academy of Public Administration. Thus, because the NTT does not fit either exemption provided in the statutory definition, and otherwise satisfies the elements of an "advisory committee," it is indeed an advisory committee subject to FACA.155 Finally, the Unfunded Mandates Reform Act (UMRA) amendments to FACA do not exempt the NTT from the requirements of FACA either. UMRA exempts intergovernmental communications from FACA where: (1)[M]eetings are held exclusively between Federal officials and elected officers of State, local, and tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities; and (2) such meetings are solely for the purposes of exchanging views, information, or advice relating to the management or	All	BLM	emc0344GB

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	implementation of Federal programs established pursuant to public law that explicitly or inherently share intergovernmental responsibilities or administration.156 NTT communications do not meet either prong of this exemption provision. With respect to the first prong, it is true that Federal officials undoubtedly served on the NTT.157 However, the five State government employees on the NTT are scientists in State fish and wildlife agencies, not elected officers of the State government.158 Furthermore, there is no evidence in the NTT Report or in the that shows that these State wildlife scientists had any authority to act on behalf of the States' elected officers, as required under UMRA. Similarly, in Idaho Wool Growers Assoc. v. Shafer,159 the court found that there was no evidence in the record to suggest that non-federal wildlife professionals and scientists were either elected State officers or authorized to act on the elected Idaho Governor's behalf.160 The Governors unequivocally stated that they had no recollection of designating or authorizing any State of Idaho employee to act on their behalf as a member of the committees-in-question in that case.161 Likewise, without more, it cannot be assumed that the State employees on the NTT were designated to act on elected officials' behalf.162 Therefore, the NTT fails to satisfy the first prong of this exemption provision. The NTT also fails to meet the second prong because its meetings were not related to "the management or implementation of Federal programs established pursuant to public law."163 At the time of the NTT meetings,164 held prior to the NOI release, no federal mandate had been established or imposed. FWS found the sage-grouse to be "warranted but precluded," meaning that the species "warrants the protection of the Endangered Species Act but that listing the species at this time is precluded by the need to address higher priority species first."165 Thus, any action with respect to the sage-grouse under the ESA has been deferred. So with respect to public law, Federal sage-grouse programs were in a state of non-action when the NTT convened. Because no Federal program established pursuant to public law existed, the NTT's communications did not fall under the scope of the second prong of the exemption provision. Thus, the FACA exemption under UMRA does not apply to the NTT. Accordingly, the NTT remains subject to FACA.			
1342.	B. BLM Committed FACA Procedural Violations in Establishing and Conducting the NTT In enacting FACA, Congress declared that "standards and uniform procedures should govern the establishment, operation, administration, and duration of advisory committees"166 and that "the public should be kept informed with respect to the number, purpose, membership, activities, and cost of advisory committees."167 In accordance with these declarations, FACA requires the publication of a Federal Register notice when an advisory committee is established.168 Despite this mandate, no Federal Register notice was published with respect to the preparation of the NTT. Another central principle imposed by FACA is to "require the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee."169 This requirement of balanced participation was not adhered to in the preparation of the NTT. According to the NTT, members of the team included personnel from "the BLM, State Fish and Wildlife Agencies, USFWS, Natural Resources Conservation Services (NRCS) and U.S. Geological Survey (USGS)."170 Despite the diverse balance of federal agency personnel represented, no private interests from industry or the NGO arena were present, thereby preventing the committee from considering the requisite range of perspectives. In Idaho Wool Growers Association v. Schafer, the court found noncompliance with FACA and ordered that the "Committees' findings and/or conclusions" are not to be relied upon by the FS with respect to any future agency decisions.171 Similarly here, due to the FACA violations referenced above, the BLM and FS cannot rely on the NTT's findings and conclusions with respect to	All	BLM	emc0344GB

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	the land use plan amendments addressing sage-grouse conservation, as it did not comply with FACA.			
1343.	IX. The Conservation Measures Contemplated by the NOI are Even More Restrictive Than Those That Would Take Effect if the Sage-grouse was Listed as an Endangered Species The NOI indicates that the objective of modifying the RMPs and LMPs is to avoid a potential listing of the sage-grouse under the ESA.172 Both of BLM's associated IMs similarly indicate the importance of preventing further sage-grouse population declines so that the stringent wildlife protections of the ESA do not have to be invoked and do not unnecessarily impede uses of public lands.173 While AWEA recognizes the importance of taking immediate steps to protect the sage-grouse and does not want to see the species listed, we do think it is important to point out that the conservation measures proposed by the NTT Report are ironically more burdensome and stringent than the conservation scheme that would be triggered if there were an ESA listing. Considering the ESA's role as a species protection statute of last resort, this should not be the case. For example, under the ESA, project developers may apply for an incidental take permit (ITP) and pending satisfaction of the permit criteria may receive immunity for the take of wildlife associated with the permitted activity.174 The conference report addressing the 1982 ESA amendments that established the ITP recognized the importance of providing project developers with certainty and flexibility, stating that "[i]n order to provide sufficient incentives for the private sector to participate in the development of such long-term conservation plans, plans which may involve the expenditure of hundreds of thousands if not millions of dollars, adequate assurances must be made to the financial and development communities."175 More specifically, the incidental take permit may be issued if the "taking is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity."176 The ESA provides for a holistic evaluation of the permit applicant's activity by requiring the submission of a habitat conservation plan that allows the applicant to demonstrate the mitigation measures and other means of minimizing wildlife impacts.177 Conversely, with respect to the sage-grouse, the NTT Report provides for a blanket prohibition on wind energy development in PPH areas in which the 3 percent disturbance threshold has already been met.178 Another quantitative restriction mandates that PPH areas must be managed or restored so that at least 70 percent of the land cover provides sagebrush habitat for the sage-grouse.179 These inflexible numeric criteria would effectively halt wind energy development in many circumstances, without even providing industry the opportunity to demonstrate the potential mitigation benefits that project development plans could bestow on sage-grouse populations. The NTT expressly adopts an "exclusion area" approach barring wind development from large expanses of land,180 while the ESA provides for no such absolute bans. The fact that the development restrictions contemplated by the NOI are more inflexible and provide less certainty than those that would arise pursuant to an ESA listing reveals the need for agencies to pursue a more balanced conservation strategy that preserves the sage-grouse while not halting productive renewable energy development on public lands.	All	BLM	emc0344GB
1344.	A. The Mapping of Preliminary Priority Habitat and Preliminary General Habitat for Sagegrouse Is Inconsistent And Overly Broad The concept of delineating PPH and PGH for sage-grouse is generally sound, in that the sage-grouse is a landscape species and thus roams over a very large area to meet its seasonal needs for survival. However, the current application of that concept by BLM is inconsistent and unjustifiably broad. BLM does not provide a quantitative definition of PPH. Due to the lack of appropriate funding, most sage-grouse populations have generally not been well studied, and to the extent sage-grouse populations have been studied, the quality of data varies for each population. Each state BLM office has therefore individually established its own PPH maps, using varying degrees of available population data. In states that have not	All	BLM	emc0344GB

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	completed their delineations of PPH, BLM relied on the analysis by Doherty et al.181 to map PPH. Doherty et al.'s analysis is based on locations and counts of leks, plus buffers of 6.4 to 8.5 miles which are presumed to include the majority of nesting habitat. Late brood-rearing and winter concentration areas are not specifically included in the analysis, as some populations are migratory and may nest or spend winter many tens of miles from leks. Given this lack of population data, the subsequent presumptions made when mapping PPH, and the diversity of PPH delineation among states, the current definition of PPH is inconsistent and, in turn, unworkable. Furthermore, most PPH maps appear to be developed without regard to actual habitat on the ground, resulting in the incorporation of non-habitat within the PPH areas. For instance, the initial PPH maps developed for Idaho include intensive row crop agriculture. And, in Oregon, an area that is designated as PPH is a contaminated former mercury mine on the U.S. Environmental Protection Agency's Superfund list. Given that there are many such areas within the PPH that do not provide habitat for sage-grouse, BLM's current definition of PPH is not only vague and inconsistent but also overly broad. Such a broad delineation of PPH will unnecessarily limit productive legitimate economic uses of these federal public lands. To make the delineation of PPH more consistent and more narrowly tailored, we find that the likely best areas are those encompassing 75 percent of the breeding density of the species, as depicted by Doherty et al. (2010). If each sage-grouse population's PPH is measured using this Doherty et al. (2010) analysis, the results will be more consistent across all populations and states. Importantly, this analysis should be augmented with site-specific information detailing actual habitat on the ground to ensure that the PPH and GPH does not include non-habitat areas or habitat that is not critical to sage-grouse year-round. As noted, by BLM's definition, PGH "comprises areas of occupied seasonal or year-round habitat outside of priority habitat."182 Given that this definition is based on PPH, which we previously suggested is inconsistent and overly broad, it follows that the definition of PGH, too, is inconsistent and overly broad. There are many areas of various kinds of development within PGH that do not provide habitat for sage-grouse. Both PPH and PGH maps should be amended in the RMPs based on site-specific data. Such amendments have already been made in Wyoming and Oregon in response to public outcry regarding the original PPH and PGH designations in those states. Until the RMPs are amended, PPH and PGH delineation should be subject to site-specific, in the field evaluation as to their importance to local sage-grouse instead of simply prohibiting development. This would allow for the RMP amendment process to avoid blanket prohibition of wind development in large areas without appropriate site-specific evaluations first.			
1345.	B. The Conservation Measures in the Interim Management IM are Not Supported By Evidence in the Record The Interim Management IM states that "[f]or ROWs where the total project disturbance from the ROW and any connected actions is less than one linear mile, or 2 acres of disturbance, develop mitigation measures."183 That IM establishes a process for considering projects with an impact greater than this threshold. However, there is no evidence offered in the record which would allow for a determination as to whether these thresholds are biologically sound. And, we are not aware of any other sources that provide support for these thresholds. Even though there is no evidence to support these limitations, it is clear that these are very restrictive criteria that would eliminate almost any kind of development. As stated in the Interim Management IM, the standard for acceptance of mitigation is that they must "[c]umulatively maintain or enhance Greater Sage-grouse and its habitat."184 This standard is not well-defined. And, it begs the question of how should enhancement of either the species population (assuming stability or increasing population is the goal) or the quality of the habitat be monitored. The costs and timeframe of monitoring will depend on the data needed. Major habitat loss has occurred from	All	BLM	emc0344GB

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	wildfire, which has affected very large areas of sagebrush habitat, followed by invasion of non-native plants, such as cheatgrass. Depending on what is needed, restoration and enhancement of habitat subjected to these stresses will take years or even decades to achieve. Accordingly, BLM needs to more clearly define the basis it will use for establishing the current baseline conditions and for concluding that the species or its habitat has been maintained or enhanced. The Interim Management IM instructs BLM staff to: "Consider alternatives that would increase buffer distances around active leks and timing restrictions within active LUPs."185 However, it is our opinion that buffers for wind energy developments are not biologically justified as the impacts for such requirements are unknown. While studies of the impact of some development on sage-grouse have been done on development activities other than wind, it is unclear whether these types of activities are analogous to wind development and offer any support for such requirements to be imposed on the wind industry by analogy. In addition, while timing restrictions that protect leks from visual disturbance during the lekking seasons might be biologically justified, the buffer distance will vary according to the site. For example, if an access road is not visible from a lek, traffic may be able to use the road during the lekking season; on the other hand, a road that is visible from a lek should be subject to timing restrictions. We reiterate that the benefits of these spatial and temporal restrictions for wind power with respect to sage-grouse have not been studied or demonstrated to our knowledge, and therefore, there is no support for mandating these types of restrictions, especially without allowing for stakeholders to submit comments on the measures.			
1346.	C. Mitigation Options Should not be Unnecessarily Limited In our experience, onsite mitigation options are often limited because BLM appears to believe that sagegrouse will disappear from the project area of a wind farm. If the term mitigation is used in its classic sense, as defined by the FWS and Corps of Engineers, mitigation includes (in this order) avoidance, minimization, and compensation. Using this definition, avoidance of as much impact through project siting, design and/or operation should constitute an onsite mitigation action, as would minimizing other impacts through project design or operation. Offsite mitigation options should include compensatory mitigation, in which sage-grouse habitat would be improved in some substantial way to provide a net benefit. Compensatory mitigation options include, but are not limited to, juniper removal, marking fences and transmission lines, decommissioning existing roads, replanting burned areas, controlling non-native species, managing livestock, restoring higher quality native vegetation, and limiting public access to important areas, including lekking, nesting, and winter ranges. Offsite mitigation can also most easily be accomplished on private lands through conservation banking or through Candidate Conservation Agreements with Assurances (CCAAs) and on public lands (if feasible) through Candidate Conservation Agreements (CCAs).	All	BLM	emc0344GB
1347.	E. Several NTT Report Requirements are Unsupported and Unjustified The NTT Report establishes several requirements that are not adequately supported in the record and, therefore, not reasonably justified. First, the NTT Report states: "Within priority habitat, a minimum range of 50-70 percent of the acreage in sagebrush cover is required for long-term sage-grouse persistence."188 This range relies on a number of studies, each including complex statistical analyses that used different techniques and measured sagebrush cover at varying distances. The lower limit for the percentage of sagebrush cover in these studies, however, is between 25-30 percent; the upper limit is between 50-65 percent.189 Therefore, without providing support for this conclusion, the NTT Report unjustifiably increases the range to 50-70 percent. Furthermore, the NTT Report failed to consider how much sage-grouse habitat actually includes over 50 percent of the acreage in sagebrush-dominated cover, given the number of wildfires that have occurred in the last five to ten years. In other words, in	All	Both	emc0344GB

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	reality, part of the area currently designated as PPH likely does not meet the 50 percent sagebrush standard due to recent fires. Thus, this standard should be stated as a goal to be achieved if adequate data is found to sustain it, rather than be put forth as a requirement. The core area protection measure requires that PPH areas be managed or restored so that at least 70 percent of the land cover provides sagebrush habitat for the sage-grouse.190 In areas of PPH that include a significant amount of private grazing land, we question whether this could be achieved in areas where private landowners do not wish to preserve or increase the amount of shrub-steppe vegetation on their lands. In addition, it is unclear as to what will be the unit of consideration for PPH. For instance, will PPH cover an entire Field Office area, or will it be broken into smaller subareas? The size of the area in which PPH baseline condition is considered could have a large impact on the initial proportion covered by sagebrush. The NTT report also requires: "Manage[ment of] priority sage-grouse habitat so that discrete anthropogenic disturbances cover less than 3% of the total sage-grouse habitat regardless of ownership."191 The basis for this recommendation is cited as "professional judgment"192 derived from several studies cited in the report.193 All of these studies, however, were conducted in non-wind energy development areas, which are very different from and orders of magnitude larger and more complex than a typical wind project. The assumption that sage-grouse will respond to an individual wind project in the same way that they respond to other development activities that are several orders of magnitude larger is questionable and should not be relied upon without further support for such a conclusion. Finally, the NTT Report states: "The priority is to implement off-site mitigation within the priority sage-grouse habitat, followed by general sage-grouse habitat."194 Furthermore, the NTT Report calls for: Assess[ment of] general sage-grouse habitats to determine potential to replace lost priority habitat caused by perturbations and/or disturbances and provide connectivity between priority areas…these habitats should be given some priority over other general sage-grouse habitats that provide marginal or substandard sage-grouse habitat.195 The difficulty, as stated before with respect to delineation of PPH and PGH, is that these areas are inconsistently and inaccurately defined across the sage-grouse range. Therefore, we emphasize again the need for site-specific information to consistently and accurately describe PPH and PGH. We also reiterate the wind industry's ability to assist in achieving this goal via on- and offsite- compensatory mitigation that can provide a net benefit to sage-grouse.			
1348.	F. The Scale of the Core Area Protection Approach and its Blanket Exclusion of Wind Development Compromises State and Federal Renewable Energy and Economic Development Objectives The sage-grouse conservation documents that the NOI states will inform the RMP amendment process adopt an approach whereby important environments for sage-grouse preservation are identified and subsequently established as core areas in which development activities are prohibited. For example, there is a blanket prohibition on wind energy development in PPH areas in which a 3 percent disturbance threshold has already been met.196 Another related core area protection measure requires that PPH areas be managed or restored so that at least 70 percent of the land cover provides sagebrush habitat for the sage-grouse.197 Given that the sage-grouse occupies an expansive range across the western United States, much of which overlaps with the nation's regions that possess the greatest potential for wind energy development, such a rigid conservation framework has the potential to bring wind energy development on public lands to a halt. AWEA has analyzed the PPH and PGH sage-grouse areas designated within different states and how they overlap witheach state's capacity for wind development. According to our analysis, restricting development in the designated areas would result in the loss of 82.2 percent of all lands suitable for wind development in	All	BLM	emc0344GB

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	Wyoming, 55 percent for Nevada, 53 percent for Montana, 52.1 percent for Idaho, 38.4 percent for Oregon, and 9 percent for Utah.198 Considering the magnitude of these percentages, adopting a core area approach premised on blanket wind development exclusions would significantly derail the nation's energy, environmental, and job creation objectives associated with renewable energy, and prioritized by the Obama Administration.			
1349.	G. Sage-grouse Population Declines Are Primarily Being Driven By a Series of Other Causes That Should Be the Focus of Conservation Measures AWEA urges BLM to also consider other conservation strategies that are unrelated to wind energy development, but that possess significant potential for rehabilitating sage-grouse populations. The conservation of the sage-grouse requires a comprehensive approach by the BLM and the FWS that not only addresses the potential minimal and undocumented impacts caused by wind development, but also those sources that are responsible for a greater share of the mortalities and habitat loss experienced by the species. Significant sources responsible for sage-grouse population declines include habitat fragmentation, degradation of sagebrush habitat, wildfires, invasive species, climate change, and West Nile Virus. We also note that any potential harm posed by wind energy development is distinct and generally unsubstantiated as compared to the documented, more severe consequences that stem from impacts from other kinds of development and natural causes like wildlfires. Limiting development of wind on such a large scale will only further retard the understanding of impacts to sage grouse from wind energy facilities. Furthermore, it will exacerbate the impacts of climate change. Given this trade off, it is more prudent for BLM to work closely with the wind energy industry and allow for development to occur so that a better understanding of the impacts can be attained. This can be done in a thoughtful and responsible manner if BLM adopts the risk-based approach put forth in the FWS's Wind Turbine Siting Guidelines, rather than using a blanket, landscape scale exclusion approach. While research is needed to assess whether wind energy development is responsible for any adverse effects on sage-grouse, the following conservation measures could be implemented to addresses those sources that already have been confirmed to have negative impacts on the species: 1. Restricting public access to important seasonal habitats; 2. Marking fences to minimize collision fatalities; 3. Elimination of environmental conditions that promote the breeding of mosquitos that carry the West Nile Virus; 4. Decommissioning roads; 5. Providing for a beneficial regulatory environment for renewable energy generation to mitigate climate change and its associated negative consequences on wildlife; 6. Replanting sagebrush in burned areas; and 7. Controlling invasive species that adversely impact sage-grouse habitat.	All	BLM	emc0344GB
1350.	H. Conservation Measure Alternatives to the Core Area Exclusion Approach AWEA believes that preservation of the sage-grouse can best be achieved by enlisting the wind industry as a partner in conservation and that wind developments can be designed and operated to coexist with sagegrouse habitats. Site-specific habitat analyses can be completed pre- and post-construction research to assess the potential impact of wind energy projects on sage-grouse to determine how they these projects can best be sited and maintained to mitigate any potential impacts on sage-grouse habitats. Compensatory mitigation measures can also be pursued to provide a net benefit to the species, such as establishing conservation banks that benefit specific populations in various regions that are most in need. Another approach to preserving the sage-grouse is augmenting small existing populations in isolated areas by translocating sage-grouse from other areas and combining the relocations with habitat enhancement activities. These strategies would help to prevent extirpation at the edges of the range and enhance the genetic diversity in these small populations as well.199 Significant scientific uncertainty surrounds the	All	BLM	emc0344GB

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	threats posed to sage-grouse and the value of different conservation tactics. Therefore, the sponsorship of applied research to determine what measures are effective in enhancing existing sagebrush habitat could provide significant contributions to the species. Examples of other potential mitigation and/or conservation measures that we believe would have the greatest positive impact on sage-grouse populations are as follows: 1. Funding a database that would compile all known data on sage-grouse populations, mortality, trends, etc. on a regional and national basis. 2. Funding programs focused on habitat improvements and preservation. AWEA and the wind industry remain available to discuss these and other options that could provide a net positive benefit to sage-grouse populations.			
1351.	The Sage Grouse Plan Amendments should be seen as an opportunity to emplace adequate conservation measures in accordance with the best available science.	All	Both	emc0343GB
1352.	The sage grouse is a good umbrella species, the protection of which would assist in the conservation of many other sagebrush obligate species that are currently declining (Rowland et al. 2006b). The plan amendments should therefore focus not just on sage grouse but on protecting the sagebrush ecosystem as a whole, at a landscape scale, which will also protect other BLM Sensitive Species such as the pygmy rabbit, white-tailed prairie dog, burrowing owl, ferruginous hawk, sage sparrow, sage thrasher, and Brewer's sparrow. We encourage BLM to approach the sage grouse plan amendment with an eye toward protecting large core segments of high-quality habitat and also to establish connectivity between core areas to lessen the likelihood of extirpation through permitting interchange of sage grouse between core areas.	All	Both	emc0343GB
1353.	In its list of Problem Statements, WAFWA (2006) outlined a daunting list of threats to sage grouse persistence: - The loss of 46% of greater sage grouse range to date and the fragmentation/habitat degradation of remaining range poses great challenges for the perpetuation of the species.	All	Both	emc0343GB
1354.	In its list of Problem Statements, WAFWA (2006) outlined a daunting list of threats to sage grouse persistence: - knowledge and capacity to achieve habitat restoration are inadequate to meet rangewide restoration goals	All	Both	emc0343GB
1355.	In its list of Problem Statements, WAFWA (2006) outlined a daunting list of threats to sage grouse persistence: - Lack of a clearinghouse for information related to sage grouse and sagebrush ecosystems - Lack of a definition and metrics for success or failure of conservation actions for sage grouse - There is a lack of understanding of social and economic effects (both positive and negative) of human activities on sage grouse and habitat persistence - Lack of analytical tools to model effects of habitat treatments (succession, disturbance, bird response) - Lack of coordination for funding, research, monitoring and management - Greater sage grouse may be negatively impacted by inconsistent and inadequate application of regulations within and among agencies. - Some regulations are antiquated resulting in negative impacts on greater sage grouse and their habitat, sometimes disincentivizing solutions - Current approaches do not facilitate coordinated planning and implementation and evaluation of plans that integrate the issues and address cumulative effects - No standardized infrastructure has been developed to facilitate exchange of scientific and management information and learning among local working groups - Lack of coordination of agency policies, programs and regulations at national, regional, state and local levels to address issues has adversely affected sage grouse conservation.	All	Both	emc0343GB
1356.	The BLM should address each of these challenges in its forthcoming NEPA document on the sage grouse plan amendments. While a few of these challenges, particularly those related to setting up information clearinghouses and communicating between various agencies, are presently being addressed to some extent, most of the threats that relate directly to sage	All	Both	emc0343GB

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	grouse habitat quality and population trends not only still remain but are in many cases getting worse.			
1357.	We endorse the recommendations in the Sage Grouse Recovery Alternative submitted by WildEarth Guardians, which we incorporate by reference into these comments.	All	Both	emc0343GB
1358.	We strongly encourage the BLM to implement the measures included in the National Technical Team report, appended to the planning guidance, as a minimum level of protection in the context of the heavy impacts of energy development. See Attachment 1. These are science-based standards recommended by the BLM's own experts, with the concurrence of sage grouse biologists within the U.S. Fish and Wildlife Service, other federal agencies, and state game and fish agencies. Indeed, according to BLM's National Greater Sage-Grouse Planning Strategy, "Members of the NTT will be composed of subject matter experts who have extensive technical expertise in their disciplines." The Department of Interior has made strong policy statements with regard to using the best available science to guide land and wildlife management decisions, and this sage grouse plan amendment is a proper medium to put this policy into action. According to BLM IM 2012-44, "The conservation measures developed by the NTT and contained in Attachment 1 must be considered and analyzed, as appropriate, through the land use planning process by all BLM State and Field Offices that contain occupied greater sage grouse habitat." This direction directs the BLM to implement these measures to the extent they are consistent with applicable state statute and regulation.	All	Both	emc0343GB
1359.	The greater sage grouse has long been described by researchers as a 'landscape-scale' species, requiring large tracts of undisturbed, high-quality sagebrush habitat to survive and thrive. With this in mind, the most appropriate approach for sage grouse conservation on federal lands (which make up more than fifty percent of the remaining sage grouse habitat in the nation) is a rangewide approach, in the form of Instruction Memoranda and a rangewide Programmatic Environmental Impact Statement (PEIS) that will amend Resource Management Plans on BLM-managed lands, National Forests, National Parks, National Wildlife Refuges, and lands managed by the Department of Defense throughout the range of the sage grouse and apply strong protection measures that allow sage grouse populations not only to survive, but to rebound to levels where the survival of the species is no longer in doubt in any significant portion of its range, and to provide a surplus for game hunting. It is important to bear in mind that the present depressed population numbers for sage grouse have led to the bird to its current predicament, teetering on the edge of Endangered Species listing. It is not sufficient merely to maintain sage grouse populations at their present low levels, or (worse yet) to allow additional population decreases resulting from agency-permitted projects or activities. Instead, the goal should be to recover sage grouse populations to levels where populations are secure rangewide, and expanding populations and suitable habitats in regions of the nation where current populations are at risk.	All	Both	emc0343GB
1360.	All stakeholders throughout the West, whether their goal is sage grouse recovery or merely avoidance of additional regulations, should be able to agree that sage grouse recovery is an outcome that best provides certainty for both sage grouse persistence and for industries that do business and communities who live within its range. At the same time, a strong sage grouse conservation plan, founded in establishing core habitats where land uses are made compatible with maintaining healthy habitat, is the cornerstone for protecting not only the grouse itself but also a broad diversity of other sagebrushdependent wildlife. Many of these species are also declining and may soon become candidates for ESA listing in the	All	Both	emc0343GB

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	absence of a comprehensive conservation strategy.			
1361.	We understand that the federal government is considering using as a national template the Core Area Strategy originally developed by the State of Wyoming and subsequently refined in several Instruction Memoranda by the BLM Wyoming State Office. This strategy is based on an ecologically sound concept: that the sage grouse is a landscapescale species requiring the designation of large tracts of key habitat where sage grouse habitat conservation will be the first priority in land management. However, the implementation of this strategy, and the specific standards and guidelines that have been applied to date in Wyoming Core Areas, have been characterized by major loopholes that allow industrial uses that are clearly incompatible with sage grouse persistence to move forward inside Core Area boundaries. As a result, there has been major controversy within the state over whether the Core Area concept is a legitimate conservation strategy or merely window dressing designed to create the illusion of sage grouse conservation inside Core Areas without actually restricting the activities that threaten sage grouse in these areas. The Sage Grouse RMP Amendment Process should adopt the best parts of the Wyoming strategy while redressing its crippling defects, and in Wyoming the loopholes which currently open Core Areas to incompatible uses need to be closed, at least on federal lands. Loopholes in Core Area guidance are fully discussed in the section titled, 'Science-based standards for oil and gas development,' below.	All	Both	emc0343GB
1362.	When the State of Wyoming embarked upon its groundbreaking sage grouse Core Area policy, it started with the right idea, identifying core habitats that supported the most abundant populations of sage grouse, and prioritizing these areas for protection. However, because a consensus-based collaborative group (the Sage-Grouse Implementation Team or "Team") was appointed by Governor Freudenthal to identify Core Areas and prescribe the conservation measures that applied there, representatives from the oil industry appointed to the Team were able to extract biologically inappropriate concessions, both in terms of removing key habitats from Core Areas and in creating loopholes and lowering protection levels that apply both within and outside the Core Areas. As a result, some Core Areas excluded key sage grouse habitats, and other lands that should have been Core Areas by virtue of having the highest densities of sage grouse were excluded entirely from the designations, especially in the Powder River Basin (Buffalo Field Office) and along the Atlantic Rim in the Rawlins Field office. As a result, the Core Areas designated in the Powder River Basin likely are inadequate to prevent the extirpation of the species in this key linkage between populations in Montana and the Dakotas and the heart of the sage grouse range. A Population Viability Analysis recently commissioned by BLM for the Powder River Basin indicates that as well densities increase to 8 wells per square mile, a single West Nile virus outbreak is predicted to cause the functional extinction of this population across the Basin. See Attachment 2. This is an unacceptable state of affairs, and the Sage Grouse Plan Amendments should address this problem directly by increasing the number of Core Areas to include the remaining high-density sage grouse lek complexes and expanding existing Core Areas. Populations elsewhere within Core Areas are likely to decline or even disappear if industrial development proceeds there under current guidelines. These crippling weaknesses in the Wyoming plan render it unlikely to survive judicial scrutiny as an adequate conservation measure. The federal government can and should do better for federal lands.	All	Both	emc0343GB
1363.	In his original 2008 Executive Order, Governor Freudenthal got it right: "New development or land uses within Core Population Areas should be authorized or conducted only when it can be demonstrated by the state agency that the activity will not cause declines in Greater Sage-Grouse populations."2 This provision essentially required that the best available	All	Both	emc0343GB

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	science be consulted, and if levels of proposed development exceeded science-based thresholds at which sage grouse declines begin to occur, the development would not be allowable. This provision was removed in Governor Freudenthal's 2010 Executive Order, and was not reinstated by Governor Mead in his own 2011 Sage Grouse Executive Order. The Interior Department has the opportunity to redress this reversal of policy by ensuring that this commitment is included in the rangewide sage grouse policy, and therefore protections reflecting the biological needs of the species (rather than the interests of developers) will apply in Core Areas on BLM lands.			
1364.	For the purposes of the new federal policy on sage grouse, we recommend starting from a clean slate and designating core habitat areas that include all of the most populous leks in each state. In Wyoming, Core Area delineation started from this point, but lands proposed for oil and gas projects or existing development were subtracted. Later, additional lands were removed from protection at the behest of industrial interests wishing to pursue projects incompatible with sage grouse conservation inside designated Core Areas. This led to some fairly absurd outcomes, such as the removal of substantial acreage from a Core Area on White Mountain to the north of Rock Springs to allow a wind farm proposed by Whirlwind LLC; Whirlwind subsequently abandoned its proposal and moved its project more than 100 miles east, but the key sage grouse habitats remain excluded from Core Area protections. A number of other "adjustments" that were made to accommodate incompatible industrial projects inside Core Areas without triggering protections are denoted on the attached map. See Attachment 3. These debacles illustrate the need for consistent, rigorous standards across all states in the sage grouse's range, the need to restore the original Core Area boundaries so that proposed projects can be brought into compliance with standards that protect sage grouse, and the need to prevent boundary adjustments and other exceptions that undermine Core Area protections moving forward.	All	Both	emc0343GB
1365.	(16) Notwithstanding (4) above, existing state and local sage grouse working groups have crealed numerous local area plans designed to specifically enhance sage grOIL<le habitat and populations. A major drawback to the plans is their inability to be implemented on BLMJUSFS Land. T ,(leal agency offices do not have the personneJ or funding necessary to abide by overly"burdcnsome regulatOIY requirements and issue/defend approval decisions for the mueh needed projects and proposals.	All	BLM	fxc0011GB
1366.	For most of the Scoping period, much information necessary to provide informed public comment was not available. For example, the Nevada habitat maps imposing the Priority and General Habitat segregation scheme were not even placed on-line until early March. They were not available for the public meetings.	All	Both	emc0411GB
1367.	Underlying this process is agency reliance on an offshoot of the Wyoming Core Model. This is a Priority Habitat, General Habitat, and Non-Habitat sagebrush lands segregation scheme. Basically, the agency takes some degree of better care in Priority habitats (largely based on where leks have been monitored and more birds counted) while still allowing 3% more development to occur in Priority areas. Then, the scheme pretty much sacrifices everything else – including occupied General sagegrouse habitat, and unoccupied sagebrush or other lands often inhabited by other rare and declining species. The imposition of the Priority and General habitat sacrifice scheme discards the careful multi-year planning that went into the existing Idaho sage-grouse plan and mapping and identification of Key and restoration habitats, and other similar efforts.	All	Both	emc0411GB
1368.	The NTT Report cites the March 2010 USFWS Warranted but Precluded Finding (2010 75 FR 13910) concerns about anthropogenic habitat impacts and lack of regulatory mechanisms. The BLM objective for chartering the NTT was to develop	All	Both	emc0411GB

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	new or revised regulatory mechanisms. One of the NTT Report's objectives is to provide innovative scientific perspectives concerning management approaches for the greater sage-grouse. NTT at 4. These innovative perspective, like segregating occupied habitat based on inadequate information are unproven as effective conservation for a landscape species. This sacrifices occupied sagebrush habitats to benefit energy developers, livestock operators and other extractive and commodity interests.			
1369.	The goal of the Strategy and this IM is to review existing regulatory mechanisms and to implement new or revised regulatory mechanisms through the land use planning process to conserve and restore the Greater Sage-Grouse and their habitat. But in reality, the NTT did much more than this. The NTT developed sundry often near-status quo habitat provisions --- to be differentially applied in the segregated sage-grouse occupied habitats placed into Priority and General categories. It set in motion the BLM process range-wide to sacrifice large areas of occupied sagebrush habitats to development, even where knowledge of how birds used a landscape is very incomplete. This was done without integrated habitat and population analysis demonstrating that segregating and discarding occupied sagebrush habitats in this way into general categories and continuing to sacrifice even parts of the Priority habitats (3%) across the range of sage-grouse would be appropriate or effective to conserve sage-grouse, or that it would sustain populations and not lead to further, and often irreversible losses. There was no adequate review of the quality or quantity of habitat and the status and viability of the populations to which it was being applied. There was no rigorous analysis showing that it would achieve claimed conservation benefits. It was done without analysis demonstrating how allowing 3% more bulldozed development in even the most prime Priority habitats, while allowing a battery of continuing degradation and disturbance from livestock grazing and a myriad of already authorized developments across all habitats would provide effective conservation. At the same time, uncapped levels of development can take place in occupied General habitat in this lek-based habitat segregation scheme.	All	Both	emc0411GB
1370.	BLM IMs carry out the NTTs often limited, flawed and often uncertain measures. See 12/27/2011, IM 2012-043, 2012-044. The provisions in IM 2012-043 are mostly typical BMPs Best Management Practices. Many are weaker even than measures described as necessary in the NTT. BLM's IM stated: Interim Conservation Policies and Procedures for Preliminary Priority Habitat Through these policies and procedures, you should seek to maintain, enhance, or restore conditions for Greater Sage-Grouse and its habitat. These policies and procedures apply to PPH only. Separate policies and procedures for PGH are provided in Section II of this IM The bottom line is that BLM has plowed ahead with sacrificing habitats in many areas where essential baseline studies to delineate full sage-grouse use of an interconnected suite of essential seasonal habitats have not been conducted. BLM is acting through segregating habitats and creating a sacrifice habitat category of General habitat often based on very little actual knowledge of sage-grouse seasonal use, to foreclose on options to conserve, enhance and restore sage-grouse populations.	All	BLM	emc0411GB
1371.	This is all based, on the unproven, untested, largely industry-driven Wyoming core model which was developed in a landscape with much more continuous expanses of sagebrush habitats than are naturally found in Basin and Range topography, or that now remain in vast areas of the species range that have been developed for agriculture, mined, intensively grazed by livestock, altered and destroyed by agency treatments, or have been consumed in large fires.	All	Both	emc0411GB
1372.	There is also sagebrush that is not included in any habitat category, as well as large areas of longidentified restoration habitat, especially in the Idaho mapping, that fall outside PPH or PGH. Many identified restoration habitats are omitted from the	All	Both	emc0411GB

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	process altogether: The Gunnison Sage-Grouse, bi-state population in California and Nevada and the Washington State distinct population segments of the Greater Sage-Grouse will be addressed through other policies and planning efforts. The Ims, NTT and habitat segregation do not apply to these very small and isolated populations and PMUs. We also note that one of the artifices being used by FWS and agencies to mask population declines and range contractions involves using a floristic-based Vegetation Management Zone (VMZ) population lumping scheme. The Bi-State population is lumped in with widely separated scattered, increasingly isolated declining populations in Utah and Nevada and a larger central Nevada population.			
1373.	IM 2012-043 claims that it incorporates the following principles: Protection of unfragmented habitats. In fact, the agency does just the opposite. The occupied habitat segregation scheme allows uncapped fragmentation of occupied General habitat. Plus it allows 3% more development and fragmentation even within Priority Habitat. Minimization of habitat loss and fragmentation. Allowing 3% of the land area of Priority habitat, and uncapped amounts of the segregated sage-grouse occupied General habitat to be altered, fragmented or destroyed and the landscape torn up by new transmission lines, gas pipelines, renewable energy development like industrial wind farms, mining all the while existing grazing, mining, roading, etc. continue unabated - is not minimizing anything. Management of habitats to maintain, enhance, or restore conditions that meet Greater sage-grouse life history needs. See above concerns about habitat sacrifice, fragmentation, and development. How does one manage habitats for life history needs when: 1) For many populations, the full set of habitats used across all landscape are not known; 2) The Idaho and Nevada mapping examples show, that to meet BLM's artificial Priority and General habitat scheme, many occupied seasonal habitats have been relegated to the General category. A reasonable person would say you take care of the habitat until the bird's full use of the landscape is understood. Not take an immediate Wyoming Core-derived meat cleaver to it, as the pro-development habitat segregation scheme does.	All	Both	emc0411GB
1374.	How will the outcome of this process apply to existing grazing permits, special use permits, leases, rights-of-way, etc. that have already been issued? All of these must be swiftly amended not wait until several years after the RODs or some other distant day. Swift action is needed as grazing disturbance- promoted weedlands are increasing every day, and the pace of agency approval of myriad livestock facilities, vegetation treatments, and energy or development and other disturbances that alter, degrade, destroy and fragment habitats does not appear to have slowed in any way. And now imposition of the Core Model actually would allow more development even in the most pristine areas. In fact, as we describe below, the core scheme may be in conflict with greater protections for sagegrouse that are found in some of the older Land Use Plans.	All	Both	emc0411GB
1375.	According to Idaho BLM, Planning Issues identify concerns that: Present unresolved questions or new opportunities to change allocation of a specific resource. How are allocations defined? WWP believes that BLM must allocate resources (including abundant and undisturbed resources of food, cover and space that provides habitat security) to sustain and recover sage-grouse habitats and populations.	All	BLM	emc0411GB
1376.	In recalling the many shortcomings and resultant environmental damage that has occurred due to the BLM Weed EIS's failure to address causes of weeds and deal with allocations, we are struck by the similarity between the NEPA-less PER report, and today's NEPA-less imposition of the NTT habitat sacrifice scheme segregating occupied sage-grouse habitats. Neither underwent NEPA or adequate scientific review, but the actions proceeded to be carried out by BLM anyway.	All	BLM	emc0411GB

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1377.	Agencies in this current process must examine all components of existing Land Use Plans, the foundation and adequacy of the existing Plans, and their often contradictory and mutually exclusive competing Goals and Objectives for wildlife and ecological concerns, and compare these to provisions for extractive and commodity uses. For example, if the Goals/Objectives for livestock in existing Plans were to be achieved, it would likely be impossible to achieve Wildlife, Watershed, or other environmental Goals and Objectives.	All	Both	emc0411GB
1378.	If the outcome of this current process is that Land Use Plans are amended, and grazing permits and other federal agency authorizations are allowed to continue for years, or until they come up for renewal, any change on the ground will be agonizingly slow. Action will also be much too slow to be effective in preventing further sage-grouse habitat loss, habitat destruction, population declines, and ultimately population extirpation. Habitat and population loss will far outstrip the ability of agencies to even track the unfolding ecological collapse of the sagebrush landscape.	All	Both	emc0411GB
1379.	What happens if new anti-environmental changes are made to laws during this process? A fair and honest analysis must be made, and agencies must candidly lay out harm, and attempt to mitigate it by requiring even stronger actions if requirements that will result in adverse ecological changes are laid down/legislated.	All	BLM	emc0411GB
1380.	Present major land use conflicts regarding management or maintenance of a base resource. This relates to the preceding discussion of allocations, suitability, and risk. The degree of conflict and environmental risk must be assessed as part of a suitability analysis, as a basis for any continuing allocations. This must be done in a detailed and thorough manner, with mapping and overlays of grazing and other disturbance threats. Quantitative and qualitative analysis must be provided. How many oil and gas leases and wells, mining claims and mines, energy rights-of-way and developments, grazing AUMs, pasture fences, water troughs, and other demands and disturbances are already heaped into an unraveling landscape vital to sustaining a population of sage-grouse? Where in this landscape are all of the uses occurring? Data and analysis necessary to systematically reduce and remove disturbances and stresses must be provided.	All	BLM	emc0411GB
1381.	Can be resolved by the BLM or Forest Service within the life of the plan. What is meant by resolved? This must be defined, We are concerned that agencies might use this to claim that some recovery actions would take longer that the Plan life. Full recovery of sagebrush ecosystems takes many decades, and longer than the shelf life of any particular plan. Thus, we are concerned that agencies may use this provision to say they can't consider passive restoration because full restoration will take much longer than 20 years. So all that we will see considered would be often destructive vegetation killing Orwellianly termed restoration) since sagebrush killing can be accomplished quickly - it can be mowed, or trees and sagebrush burned or sprayed in the course of a day. But the full recovery would take decades or centuries, or recovery may not occur at all if weeds invade. Even re-seeding of native sagebrush vegetation could readily be cast side too - since fully mature sagebrush communities take far longer than 50 to several hundred years to develop. We are concerned that under this 20 year ceiling, BLM will only consider actions like further reduction of native woody vegetation.	All	Both	emc0411GB
1382.	Ultimately, the BLM must examine the cumulative effects not only of grazing but also of energy development, transmission lines, recreation, climate change, fire, and invasive species. Each of these effects is interrelated. Landscape analyses and assessments of each categorical effect on ecological condition must be analyzed conjunctively. Omission of livestock grazing as a change agent would skew the results for all of the other change agents.	All	BLM	emc0411GB

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1383.	There is no information provided in the Scoping Notice for making informed public comment on the many dozens of Plans. What protections, and what unfettered development provisions, do each these plans actually contain? There is no summary on the provisions of these plan – or even in some cases, like the Bruneau, what the final plan still being used today really is. For example, livestock industry opposition to the Bruneau MFP process decades ago resulted in a three ring binder being the Final Plan. Often it is necessary to review not only the ROD, but also the Final MFP/RMP/Plan and FEIS to understand all that the Plan would entail, and get a glimpse of the setting and baseline it was carried out under. Plus Amendments to Plans may have been made, at times in response to litigation. For example, the Humboldt Forest Plan Amendment 2 provided riparian standards of use as triggers for livestock removal that were not included in the 1986 Forest Plan. The livestock industry has long sought to strip these triggers for removal of livestock, and weaken Amendment 2. WWP has Appealed several Humboldt-Toiyabe Rangeland EISs that sought to weaken Amendment 2.	All	Both	emc0411GB
1384.	Recent BLM Plans rely overwhelmingly on continuing near-status quo grazing disturbances and allowing expanded energy development and fragmentation and further losses of sagebrush habitats. Provisions of plans continue to be in conflict with one another. Aside from curtailing cross-country motorized use, the BLM Plans have continued to be based on the ideology of the cancer cell, albeit papered over in soft terminology and talk of adaptive management. Extensive additional development is allowed.	All	BLM	emc0411GB
1385.	There must be a comprehensive review of the entire fabric of the Plans being amended. Agencies cannot just amend some parts of the Plans, and leave others parts for example that promote aggressive treatment or high numbers of livestock or highly intrusive road networks - standing unaltered. This sets up inherent conflicts. BLM must evaluate in full detail the whole management paradigm upon which each Plan is based. The baseline at the time of being adopted must be described - including mapping and analysis of the extent and condition of the sagebrush environment/habitats at the time the Plan was adopted. How has sagebrush habitat, and the sage-grouse populations including active leks and known lek locations and numbers of birds on leks, changed over time in each Plan area in the sagebrush biome? How successful has the Plan been at meeting and balancing all goals, objectives, etc.? Which LUP provisions are at loggerheads with one another and which are so conflicting that it is impossible to achieve them together? How can this be reconciled during this new process? How many miles of livestock pipelines, new roading, fencing, leases of all types, exploration and development projects (including for mines or energy), have been issued under the Plan? How has this affected habitats for wildlife? Please provide mapping, for example, showing fencing when the Plan was finalized vs. present conditions. This is important to highlight how very harmful provisions of plans related to livestock management and other activities really have been.	All	BLM	emc0411GB
1386.	BLM, by now focusing on protecting only a sub-set of occupied sage-grouse habitat, appears to be planning for purposeful extirpation/extinction of populations over vast areas. Any "General" Habitat will be treated very poorly in practice. Any habitat that is not identified as Priority will be sacrificed/triaged. Having read many hundreds of BLM EAs over the past decade, we will lay out how the General habitat category will be dealt with. It will be sacrificed to grazing, energy, and all manner of development. Uses will be shifted and intensified in it rather than any real reductions made in the landscape. Habitat values will be lost altogether. Populations will decline	All	BLM	emc0411GB
1387.	We have already in this process, (and on many previous occasions) expressed our concerns to BLM and other agencies about adopting a Core Model approach that sacrifices large areas of sagebrush habitat, and imposes a form of triage over	All	Both	emc0411GB

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	occupied habitats across vast areas of sagebrush landscapes in a biome that has been so greatly altered already.			
1388.	BLM has conducted a modeling effort to slice away parts of habitats used by larger populations, and to sacrifice habitats with fewer birds or where the agencies have less or inconsistent data as its starting point for conservation. At the same time, it is casting aside many areas, especially its own past forage seedings, and post-fire seedings that have been identified for restoration in existing sage-grouse plans. There is little consideration of recovering all acres lost to purposeful eradication and alteration in cattle forage seedings over the past half century by BLM, or to wildfires where the public has been promised habitat would be recovered.	All	BLM	emc0411GB
1389.	There are also glaring inconsistencies in the mapping. For example, how one recently burned area may be treated, compared to another, and how habitat in one BLM District is treated, compared another.	All	BLM	emc0411GB
1390.	BLM mapping cuts off and sacrifices large areas of critically important sagebrush habitats. In order for the public to be able to provide adequate scoping comments, information on current mapping must include lek data up through (at a minimum) the 2011 lek period across the sage-grouse range so that the public can understand how accurately BLM applied any modeling, and also understand the status of populations that span state lines. All modeling and all steps used in developing the mapping must be described in detail, step by step for all states. 2011 data is more likely to reflect current numbers in areas of more recent habitat degradation and losses such as the Murphy fire impacts, and the impacts or in other areas like Wyoming - the Jonah Field and other fast-pace energy development unfolding or the adverse impacts of the barrage of treatments that have altered and further fragmented the tattered remaining sagebrush habitats across Utah, or Ely BLM big sagebrush lands.	All	BLM	emc0411GB
1391.	We also emphasize that although sage-grouse populations span state lines, BLM is compartmentalizing the EISs based on its administrative units. So some populations are likely to receive significantly different management under this process on one side of a state line vs. another.	All	BLM	emc0411GB
1392.	BLM and the Forest Service throughout this process must provide the public full access to all lek counts and other survey data used in any way in this process. Agencies must provide all steps used in modeling and mapping. Data for all leks must be provided. This should be Posted on BLM's Website, and be available for public scrutiny. We are concerned about use of private or third party contractors in BLM efforts, efforts of states to make data very hard or even impossible to obtain, and the increasingly common extended and often unlawful federal agency FOIA delays when FOIA information is requested. We are concerned that this may be done to hide or mask data on declines.	All	Both	emc0411GB
1393.	For all leks where information is available, BLM must show who surveyed leks, when, how often, count results for all visits, intensity of surveys, and all other relevant information. This is of importance in areas like Wyoming where private energy interests may be counting birds over large areas, and where bias may exist. It is necessary to understand which leks are actually being surveyed, whether the most frequently surveyed leks are being cherry-picked to represent those with consistently higher numbers, and to show which leks have disappeared/been lost. See also our later questions and concerns with Nevada annual reporting. We also request that BLM/agencies post all lek count and other data and all specific steps and assumptions on which the Doherty Core analysis from 2010 was based, and on which any derivative modeling, mapping and analysis used in the current PPH habitat segregation model schemes are based on-line, so that this can be an open and	All	BLM	emc0411GB

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	transparent process where the public equal access to nformation necessary to make informed comment and understand how models are being applied. We are concerned that what appears to be increased secrecy about grouse numbers and other essential information like locations of leks. The location of leks can be masked a bit if that is a large concern to the nearest half mile, or something. But full accurate accounting, numbers, and the environmental setting have to be presented and mapped in an open way to aid informed public comment. This includes ongoing comments in the Interim on a battery of agency proposals that are underway, or will be proposed, as this latest BLM process is being conducted, and agencies proceed to sacrifice General or non-core habitats, plus allow 3% new development to intrude into even the PPH .			
1394.	Secrecy and walling off info on claimed conservation actions and funding from the public currently occurs for example, EQIP or other funding through USDA, NRCS or state level efforts to limit access to info if it is kept by Agricultural Departments (as in Idaho), or passing funds through many layers of bureaucracy such as through various state Species Offices (as in Idaho). This may enables potential dishonest accounting on projects, misrepresentation of project benefits, and potential diversion of funds to purposes other than what they were originally intended for. It may allow diversion of funds intended for real sage-grouse conservation to be diverted to standard livestock facilities and forage projects to benefit ranchers not sage-grouse. All projects proposed, all costs, and open analysis of all environmental impacts must be regularly posted on federal agency Websites so that projects can be understood, and scrutinized by anyone who wants to see how tax dollars are (or are not) being used to protect sagebrush habitats. This is necessary to prevent waste and abuse, and prevent funds from being used as livestock project pay offs to ranchers or others. It is also necessary to determine the cost vs. benefit of projects, and conservation easements. This includes NRCS EQIP or other funds.	All	Both	emc0411GB
1395.	Just a month after hearing Bob Budd (the Wyoming Core/Triage model facilitator) say in Boise that there were over 400,000 grouse in Wyoming alone, in response to a question we had asked, we read an article in a Montana newspaper that had a much lower number --- range-wide. If the agencies truly want public buy-in, and an effective outcome - then full transparency, lack of bias, and honesty from the start is critical.	All	Both	emc0411GB
1396.	BLM states that it will develop conservation measures, and these conservation measures “will be incorporated into RMPs and LMPs through the plan amendment and revision process”. For plans undergoing amendment/revision – agencies “will consider incorporating conservation measures through the ongoing amendment or revision, the BLM and FS will consider incorporating conservation measures ... through the ongoing process. There is no certainty in this at all! More recent BLM land use plans have typically had such loose, uncertain, non-binding language that there is always an out. Plus they rely on loose, uncertain open-ended ‘adaptive management. That does not require specific effective changes. They lack specific triggered actions with strict sideboards. Often what BLM and the FS claim are adaptive management is really just choosing to do something from a long list of BMPs, with no evaluation or guarantee of its effectiveness.	All	BLM	emc0411GB
1397.	Every measure that is claimed to protect, conserve, enhance must be mandatory. BLM must use strong and decisive binding language like shall not may, might, can, would, etc.	All	BLM	emc0411GB
1398.	The EIS process initially was to include 68 planning areas and 9 LMPs (with more Forest lands added in a subsequent Federal Register Notice when scoping was extended). BLM must develop a sciencebased list and analysis of sage-grouse habitat needs, and require they be applied and be mandatory across all of these Plan areas. Wouldn’t that simplify the process immensely, and save taxpayers large sums?	All	BLM	emc0411GB

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1399.	We are very concerned with the language of BLM documents related to this sage-grouse process. It appears that BLM proposes to apply different standards in different areas, or dilute and weaken protections based on opposition from ranching or other interests in some areas. This must not occur.	All	BLM	emc0411GB
1400.	BLM must include full analysis of the Bi-state sage-grouse habitats and populations. There is no rationale for omitting full analysis of the Bi-State Mono Basin sage-grouse habitats and populations. The IMs make clear that the supposedly more protective measures for Priority habitats are not being applied in either the Mono area, or Washington state. So just how are these habitats being managed? In the Mono area, we are seeing an explosion of geothermal leasing proposals on Humboldt-Toiyabe Forest lands including an area spanning 500,000 acres, in the Nevada portion of the Bodie PMU and other areas critical to sage-grouse. Severe degradation of critical brood rearing areas continues in the Bodie PMU on BLM lands. Other PMUs now have only a hand full of leks. Cheatgrass is increasing in areas of sagebrush uplands. Sage-grouse habitats are also threatened by agency fuelbreak proposals that would promote cheatgrass expansion and further reduce available nesting habitat. Gold mining is also a threat. In Washington state, continued wildfire, and energy development, including industrial wind farms, have further fragmented and cut off habitat connectivity. Numbers of birds in Washington state used in various analyses are based on older data. At least the Washington State birds are placed in a separate VMZ. The Bi-state/Mono birds have crazily been lumped in with Utah and southern Nevada birds under the VMZ floristics based population compartmentalization and lumping scheme being employed by agencies to cover up losses.	All	BLM	emc0411GB
1401.	BLM must include all federal lands in this process. Fish and Wildlife Service lands must be included. Military withdrawn lands also must be examined. Military-withdrawn lands, like the Juniper Butte Bombing Range in Idaho must be examined. Also, the adverse impacts of military training activities, and the threats that ongoing or foreseeable activities such as use of F-35s (extremely loud airplane) in MTRs and MOAs over public lands must also be examined. Bureau of Reclamation lands must also be included.	All	BLM	emc0411GB
1402.	Ungrazed FWS Refuges like Hart Mountain and Sheldon provide valuable insight into the significant benefits of removing livestock disturbance for sage-grouse habitats and populations. Note: Purposeful agency treatments have promoted weeds as FWS has burned, mowed, or otherwise destroyed sagebrush in some areas this degradation must be addressed comprehensively in this process. The 350,000 sagebrush acres of Sheldon NWR are omitted, the Ruby NWR, and many other WRs that contain at least some very important sagebrush habitats are ignored. In areas like Sheldon, FWS argues that antelope prefer burned areas as justification for burning large areas of sagebrush used by sagegrouse, pygmy rabbit and other wildlife. Since the Refuge's primary mandate is antelope, critical sagegrouse habitats (and pygmy rabbit habitats) may be threatened by this continued manipulation ofhabitats if the burning and its associated cheatgrass increase continue. It is especially important that Refuges be included. Many are grazed, and managed for species other than sage-grouse like Malheur NWR where grazing and burns occur ostensibly to manage for waterfowl but also to benefit local cattle ranchers. This has resulted in burning sagebrush adjacent to marshy, meadow vegetation and loss of this habitat as well as expanded cheatgrass invasion into the incidentally or accidentally burned sagebrush areas - impacting not only grouse but also pygmy rabbit, loggerhead shrike, Brewer's sparrow, sage sparrow, etc. Harmful impacts of activities conducted on Wildlife Refuges must be fully examined and controlled in this EIS process.	All	Both	emc0411GB

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1403.	Agencies will utilize WAFWA, Connelly et al. 2002 and any other appropriate resources. Why doesn't BLM include the Studies in Avian Biology information in the Garton et al. Chapter, including the population models and bleak predictions? These models were based on information from 2007 and prior lek counts and should be updated using the lek and other information showing results of the Murphy and other wildfires, continued Wyoming-MT energy production, the habitat fragmentation from a battery of Utah sagebrush treatments, range-wide grazing disturbance, etc. Plus many of the smaller populations were not even examined in the Garton et al modeling. Those are in great peril.	All	BLM	emc0411GB
1404.	If BLM is indeed using Connelly et al. 2004, then it must use, and update information on, the populations identified in Connelly et al. (2004). It must examine all the threats and update all information on fence densities, livestock water developments, road densities, and cumulative and synergistic impacts of all of the sources of disturbance, and ecological conditions on the land such as accurate up-to-date information on extent of cheatgrasss, medusahead and other weed infestations in understories, and areas at risk of domination by these weeds. It must identify and examine the footprint of all of these on all the occupied habitats used by existing sage-grouse populations. It must identify restoration actions to expand occupied habitats.	All	BLM	emc0411GB
1405.	This EIS process uses yet another broad category to better enable agencies to mask declines, or claim they are addressing threats. It broadly breaks sage-grouse populations into East and West, and then claims that there are different threats in these different regions. This ignores chronic degradation and threats like livestock grazing disturbance that are promoting invasive species which promote frequent fires, or that causes degradation of all components of ecosystems in both east and west. Grazing threats extend across the sagebrush biome. Areas that were once claimed to be immune from cheatgrass are now facing cheatgrass invasion in areas of livestock, fire, or other disturbances. Portions of Wyoming now are facing cheatgrass invasion and spread. In reality, continuing death by a thousands cuts of sage-grouse habitat is occurring biome-wide.	All	Both	emc0411GB
1406.	BLM staff and managers constantly claim that grazing and other activities have to occur on all areas of public land under "multiple use". But FLPMA does not require that all lands have to be managed for all uses. This is a key provision of FLPMA that must be a bedrock principle of this EIS process.	All	BLM	emc0411GB
1407.	The current Forest Service Planning process outcome weakens wildlife and other population requirements, and other key protective measures of NFMA. This sage-grouse process must result in an outcome that restores and preserves habitat protections and population viability. The agency must set up an anonymous broad-based review process - to "vet" it's own actions as it embarks on a process. This is necessary to change a culture of accepting all manner of damage - and covering up the effects with contorted justifications.	All	USFS	emc0411GB
1408.	The Plan amendments "will be limited to making land use plan decisions specific to the conservation of sage-grouse." This will only serve to cause more conflict. Many inadequate mining, energy, visual, transportation/OHV and other provisions of Land Use Plans come into direct conflict with sage-grouse habitat protection requirements, and it is very hard to understand just how BLM will split hairs here. See WWP Jarbidge RMP comments, explaining how weak VRM standards, lack of mineral withdrawals, energy accommodations and other RMP provisions would adversely affect management of sage-grouse habitats for sustainable populations. It will also serve to put more species in jeopardy - as sagebrush-dependent species with differing habitat requirements to some degree than sage-grouse get impacted as agencies shift and intensify all manner of degrading	All	BLM	emc0411GB

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	and disturbing uses (such as livestock) into the Sacrifice General occupied habitats or non-grouse areas.			
1409.	BLM states: The LUP amendments will contain decisions that are allocative and/or prescriptive to conserve sage-grouse habitat as well as objectives and management actions to restore, enhance, and improve greater sage-grouse habitat. We have previously discussed how BLM avoids making or changing allocations. What is the difference between an allocative and a prescriptive use? BLM must do both at the same time. Both allocative and prescriptive changes must occur together for this process to be effective and action happen in time to stop further declines. For example, BLM cannot substantially reduce grazing standards to provide for 9 inch nesting cover for sage-grouse, while keeping AUMs/stocking in grazing allotments the same. Risk assessments must be conducted and findings on continued suitability of lands for any grazing use must be made. Then, if grazing continues, necessary reductions in livestock to allow this level of grass nesting cover must be made. It is unacceptable to shift impacts into other areas - for example, onto segregated General or Non habitats, to achieve a small degree of hoped-for "improvement" in a Priority zone. If this is the approach BLM is contemplating with its wording here, sacrificing those other areas will not protect sage-grouse, and adverse impacts will occur and boomerang back onto the sage-grouse that are supposed to somehow prosper in only a portion of their occupied and required habitat, i.e. the limited Priority areas. Is BLM just planning the smokescreen of avoiding allocation changes by applying "prescriptions" where grazing use will be rotated in an easterly direction, rather than a westerly direction each year - or something similar? Or planning to allow industrial wind development to proceed in sensitive occupied habitats by churning out a 20 page list of "prescriptions" for developers to follow?	All	BLM	emc0411GB
1410.	BLM must define exactly what is meant by "collaboration." Full, open, transparent, inclusive processes and meetings must occur. All data must be made readily available and posted on-line.	All	BLM	emc0411GB
1411.	The second part of this "collaborative" provision in the BLM preliminary issues section deals with "desired future condition". What does this mean? It is not defined in any way that allows meaningful or informed comment.	All	BLM	emc0411GB
1412.	"Desired future condition" must be based on current ecological science, not on boosting grass for livestock forage. This cannot be decided through a "collaborative" process if science is cast aside or diluted to please the collaborators - for all the reasons we have just described above. The desired future condition must be clearly described as containing the maximum amount of native sagebrush vegetation community elements (including healthy and intact microbiotic crusts as a frontline defense against weeds) and recovering natural ecological processes.	All	BLM	emc0411GB
1413.	What is meant by the statement that BLM/FS will "strive to ensure conservation measures are as consistent as possible with other planning jurisdictions..?" Does this mean the agencies will capitulate to local rancher and industry-biased plans, county plans, state plans and the like? Or that BLM will capitulate to the political desires for ever-expanding development of the Western Governors? How will BLM deal with state, county or other agencies if their proposals are counter to current ecological science? How will BLM control political tampering, and biologist's fears of reprisals in state or other agencies, if biology/ecology calls for stronger protections than managers are willing to make? Please define these planning jurisdictions.	All	BLM	emc0411GB
1414.	The Notice states the agencies will consider a reasonable range of alternatives. What is reasonable? WWP requests to work with BLM and the Forest Service to develop a reasonable alternative. Provisions of this Alternative are included in these comments, and ACEC proposals. However, so that BLM does not cast aside consideration of our alternative, we request to	All	BLM	emc0411GB

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	work with BLM, just as BLM is working with many others, to make sure BLM does not come up with an excuse for casting the Alternative and ACEC proposals aside. Firm science-based understanding of the baseline of habitat quality, quantity and threats is essential in developing a reasonable range of alternatives. A sound environmental baseline is essential. This must detail habitat quality and quantity, and existing degradation and stresses. It is not reasonable to analyze the typical pro-commodity alternatives, with one token outlier conservation alternative that the agency will not choose, anyway.			
1415.	Moreover, it does not seem reasonable to use the habitat sacrificing NTT and weak IM actions as a basis for a reasonable range of alternatives. This species has already lost so much habitat and been eliminated from vast areas of its historical range. The range is contracting, many existing populations are very small. Taking a meat cleaver approach to the habitat remains (as the Core, NTT Priority and General Habitat schemes do) is not a reasonable basis for conservation. A range of precautionary alternatives that conserve, enhance, and restore habitats and populations must be developed.	All	Both	emc0411GB
1416.	The No Grazing Alternative must be honestly examined, as well as a range of alternatives that remove grazing from vast areas of ACECs and occupied habitats and selected restoration areas.	All	Both	emc0411GB
1417.	The full cost of efforts to try to restore sage-grouse habitats or populations if they are lost must be compared to values of continuing pervasive degrading disturbance like livestock grazing.	All	Both	emc0411GB
1418.	The Federal Register Notice states that BLM "will endeavor" to use current scientific information, research, technologies, and results of inventory, monitoring, and coordination to determine appropriate local and regional management strategies that will enhance or restore sage grouse habitat. This must be required! A sound peer review process free from political tampering must be set up. It must include ecologists from outside the usual circle of sage-grouse biologists - many of whom receive substantial grants from energy and other industry or who are tied into disturbance projects to continue to get grant funds. Independent review must be set up to ensure this. Habitats need to be both enhanced and restored. BLM must identify a clear ecological science-based plan to do so. We are alarmed that the wording here sounds like BLM is going to defer to local rancher-industry-dominated working groups and others, with no adequate required significant and effective changes really being made. Instead, sagebrush habitat death by a thousand cuts will continue, as Working Groups promote the underlying agendas of their industry members.	All	BLM	emc0411GB
1419.	This already appears to show local deference. Having a confusion of weak provisions or varying BMPs or other measures will provide no certainty that sage-grouse will be conserved, enhanced and restored and increase in distribution and abundance. Largely the same principles and scientifically understood threats occur across the range of the sage-grouse. What has been occurring all along that has pushed sage-grouse to this point, is overwhelmingly agency deference to the desires of local commodity interests. This part of the Scoping Notice just sounds like more of the same. How will this EIS process, outcome and application on the ground be different? How will it be effective at turning the situation and downward trajectory around, and provide for viable populations in the short, mid and long-term? What is required are strong integrated strategies with required mandatory actions being taken, clear identified benchmarks for progress based on habitat quality, population increases, and other factors, and very significant removal of/rollback of disturbances, along with restoration of sagebrush to lands where it has been removed/altered/lost.	All	Both	emc0411GB
1420.	Any use of adaptive management must be both proven to be effective to address the problem, and not shift disturbance or development impacts, i.e. cause harm, to another land area or component of the sagebrush ecosystem. Passive restoration	All	Both	emc0411GB

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	actions (at times coupled with active restoration such as facility removal, road closure) that remove disturbances, or that re-seed so the land can heal, must be used.			
1421.	What is meant by an interdisciplinary approach? Thorough and detailed publicly available records must be kept, made available, and posted at all times during this process. All data assembled and used in this EIS should be regularly posted on-line for full public review and understanding, as well as corrections/updates made where appropriate. All parts of this process must be transparent.	All	Both	emc0411GB
1422.	BLM again references RFDSs - stating "the ... [Plan] amendments will be developed using an ID team approach to prepare RFDSs, to identify alternatives, and analyze resource impacts." What about first establishing a valid baseline on the toll that ongoing activities, including the immense Footprint of grazing, existing roading, mining, oil and gas activity, renewable energy, etc. are having?	All	BLM	emc0411GB
1423.	All the energy development, mining, roading, veg treatments that result in cumulative adverse impacts to sage-grouse play out on a landscape that is near-universally subject to annual grazing disturbance from domestic livestock. Sagebrush lands have been industrialized with many harmful facilities put in place to facilitate and/or intensify grazing disturbance. Likewise, new developments will only add to the sagebrush habitat intrusion, disturbance and losses. The cumulative impacts of disturbances must be honestly examined in any RFDS. This scenario must be conducted for livestock grazing across agency lands, including stocking levels and lands suitable for, or open to, grazing use. The impacts of these actions related to grazing disturbances and developments, and the threats posed to all sage-grouse seasonal habitats, must be fully examined.	All	Both	emc0411GB
1424.	BLM promises to address cumulative impacts here. Does this also mean that cumulative impacts will be adequately addressed in all aspects of the EIS process? Will this include analysis of the many very harmful disturbance activities that are already occurring across BLM, Forest, FWS, BuRec, military, private, state and other lands in the sagebrush biome to continue at near-status quo levels? First, the cumulative adverse impacts of ALL disturbance activities must be examined – both within agency lands as well as across their surroundings (state, private, other lands) in the biome. On top of this, BLM must analyze the impacts and complete Footprint of all the development and disturbance that is likely/foreseeable to occur both in the sagebrush biome. The full cumulative Footprint of these activities - not merely looking at the bulldozed disturbance zone of pipelines, transmission lines, geothermal wells, and other disturbances must be examined.	All	BLM	emc0411GB
1425.	BLM refers to development of reasonable alternatives. How will BLM determine what is and is not a "reasonable" alternative?	All	BLM	emc0411GB
1426.	Any reasonable alternative must fully provide for sustaining and recovering degraded habitats and retaining existing populations. Alternatives that do not rely on the flawed habitat segregation scheme must be fully considered.	All	BLM	emc0411GB
1427.	Any reasonable alternative must be viewed in the context of all the harms that have been done over the years to sagebrush habitats to support various uses, and the lack of effective mitigation or honest analysis of impacts to date. Full understanding of the extent of historical habitat, and habitat areas that need to be restored with sagebrush, must factor into this.	All	Both	emc0411GB
1428.	For the past couple of years, agencies have been using another category to try to separate out populations, and minimize the importance of losses to the sagebrush habitats. This is the effort to segregate greater sage-grouse into eastern vs. western portions of the range on the basis of claims that grouse face different threats in different parts of their range. USFWS used this artifice in defending its toothless Warranted but Precluded Finding in litigation, and took it to absurd lengths in its	All	Both	emc0411GB

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	arguments there. First, many of the same threats occur across the range - livestock grazing, roads no matter what the cause, invasive species, mining. Second, increasingly renewable energy threats with many of the same impacts as oil and gas are accelerating in the western portion of the species range, and mining is exploding in northern and central Nevada and some other western areas. Plus hundreds of thousands of acres are now being leased for oil and gas development all over Nevada. Renewable energy examples: Major industrial wind farm on Steens Mountain Oregon and new transmission lines, major new transmission lines like Gateway and MSTI, geothermal development often by foreign entities (McGinness Hills and other areas), massive geothermal leasing proposals are appearing - for over 500,000 acres on Bridgeport Ranger District lands and elsewhere in NV. Mining is expanding into new areas where sage-grouse populations are already barely hanging on, and new mining is proposed in areas with larger populations, as well. In the east, weeds like cheatgrass are increasing (see WBEA Assessment discussion). New and expanded mining, new transmission lines, and oil and gas harms are far exceeding those agencies claimed would occur from these new or recently expanded developments. See 2012 Yubanet article on failures of Wyoming Core Model in the Powder River Basin.			
1429.	This latest agency East-West division compartmentalization strategy is in addition to the diversionary floristic VMZs being used to mask habitat declines and population losses to another. It ignores the threats that livestock grazing disturbance and other chronic disturbances, mining, renewable energy, as well as the array of combined death-by-a-thousand cuts habitat losses that are occurring - all pose to sage-grouse habitats. If all sage-grouse populations are viewed as two big East and West Units (with Bi-state/Mono Basin and WA state dwindling grouse populations off somewhere in left field being ignored altogether), then continuing habitat and population losses can be masked even more than under the VMZ categories. It ignores the fact that other activities in the western part of a species' range - like a combination of grazing, mining and geothermal development, can result in intensive development and disturbances like Oil and Gas to sage-grouse populations. It ignores the fact that the same cheatgrass weed invasion problems altering fire cycles are now appearing in the chronically grazed lands of southwestern Wyoming. It ignores that fact that vast areas of the western portion of sage-grouse range, in limestone regions of Nevada for example, are being leased by BLM for oil and gas - apparently under hope of use of new even more destructive technologies or claims that deposits may be present. The Nevada BLM Director recently made the news for not leasing some Oil and Gas parcels in Nevada. But she did at the same time allow leasing of many parcels over 70,000 acres in just this single quarterly sale alone. If there is no threat of Oil and Gas in Nevada, why are hundreds of thousands (or even millions) of acres of the region already leased?	All	Both	emc0411GB
1430.	We are concerned that BLM's proposal to prepare multiple EISs may result in BLM applying differing and less protective politically motivated habitat and population protection standards to some areas. This approach will allow political pressures in certain states or Districts to dictate management actions, rather than ecological science. It may be appropriate to provide multiple detailed EISs and ecological analysis with detailed mapping to accurately describe the full environmental baseline, actual populations and their trajectories, habitat quality, habitat quantity, fragmentation, threats, etc. But the basic needs of sage-grouse are not radically different. So the same protective standards must be applied across the EIS areas. BLM cannot bend and reduce protections due to the strength of the livestock, energy, industrial wind or other interests in a particular EIS area. This is also important to protect populations that span state lines, but are being addressed on a state line basis.	All	BLM	emc0411GB
1431.	In late 2011, BLM released its recent IMs, and an associated Report. Accompanying the IMs is a December 2011 "A Report	All	BLM	emc0411GB

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	on National Sage-grouse Conservation Measures" - National Sage Grouse Technical Team (NTT). The NTT continues many of the same weak, ineffective, hollow, and empty measures and promises BLM has been making for a decade now. BLM largely continues the same failed and inadequate BMPs, Standard Operating Practices, and promises that have failed to conserve sage-grouse and have led to declines in abundance and distribution. These measures have been ineffective, often waived, and irregularly applied. This carried forward existing energy IM 2010-071 and Fire 2011-138 IMs, as well as the 2004 Conservation Plan. BLM must fully assess all the thousands of decisions that have been issued based on similar measures, and examine the harms that have been caused.			
1432.	BLM must greatly increase protections under any Interim Process and IMs - both during and as an outcome of this process. It must abandon its efforts to segregate and allow extensive new harms to occupied sage-grouse habitats, as is done through these Ims were over six pages of BMPs and actions are applied to Priority habitat, and only 4 actions described in a single paragraph would apply to occupied General habitat. Other lands get no new protections at all.	All	BLM	emc0411GB
1433.	Many measures proposed are not mandatory - not even in Priority areas. General areas receive almost no protections. If the weak and uncertain conservation measures listed in the NTT are not greatly expanded (much more stringent controls placed on grazing disturbance, for all sagebrush habitats - and not just the segregated Priority areas) and made mandatory scarcely anything effective will be done to "conserve" the species across vast lands areas facing a plethora of energy, grazing-facilitated weed invasions, and threats.	All	Both	emc0411GB
1434.	The NTT's Goals are inadequate. For example: "Maintain and/or increase sage-grouse abundance and distribution by conserving, enhancing or restoring the sagebrush ecosystem upon which populations depend in cooperation with other conservation partners" is woefully inadequate. BLM must significantly increase abundance and distribution, and state specific goals and time frames to achieve this. These goals must be based full consideration of the current status of habitats for each population. And BLM must, of course, conserve, enhance, and restore habitats and populations. The Core and Priority schemes will not allow this to occur. This habitat segregation immediately chops off critically important habitats, including in areas of Idaho and Nevada where there has already been so much sage-grouse and sagebrush loss. The Idaho model (and map that accompanied the BLM IM) completely excludes large areas identified as very important for conservation over the past seven years under the Idaho Sage-grouse Plan. Habitats essential for birds to move over the landscape and even entire seasonally important habitats are not included in the Priority habitat. See Nevada discussion - where even "moderate" importance and "transitional" habitats are excluded from the Priority scheme. BLM must conserve, enhance and restore - not just maybe, perhaps, sometimes, do one of the above a little bit, "where appropriate."	All	Both	emc0411GB
1435.	BLM must assess the irreparable harm that will be done by relying on the weak, loose and uncertain IMs and NTT provisions in the Interim for new actions, while at the same time letting a myriad of already authorized activities continue unchanged for years. How much additional irreversible loss will come from these weak and ineffective management schemes that also allows large amounts of new development?	All	BLM	emc0411GB
1436.	We are glad to see BLM admitting "land uses, habitat treatments, and anthropogenic disturbances will have to be managed below thresholds necessary to conserve not only local sage-grouse populations, but sagebrush communities and landscapes as well." Well, what are those thresholds - and what is the risk of further harms if grazing and other disturbances continue? What are specific thresholds for all land uses, threats and disturbances must be clearly defined from the outset of this	All	BLM	emc0411GB

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	process? What areas are at risk? We are very concerned that BLM will use greatly flawed modeled state and transition models in areas that have not yet suffered cheatgrass invasions, and so can recover function to a significant degree if livestock grazing disturbance is removed.			
1437.	In order to understand any threshold, a valid ecological baseline of habitat quality and quantity must be established. The threats caused by chronic disturbances must be fully examined. A plan must be developed to systematically roll back and remove these disturbances. This must include timelines and specific actions to be taken -and solid triggers for prompt and certain action. Specific time frames and scientifically measured habitat gains within these time frames must be required. Long lists of BMPs and SOPs, as with the IM derived from the NTT, and open-ended adaptive management lacking specific sideboards will not suffice.	All	Both	emc0411GB
1438.	Agencies are to "develop a monitoring and Adaptive Management strategy and allow for revisions.." Conservation partners are referred to in the NTT. WWP hereby requests to be a "conservation partner" in this process, and to work with BLM to fully develop an alternative. We have just reviewed an agenda for the Idaho Sage-grouse Task Force, and see that it is being given until May to develop an alternative. WWP is a stakeholder, and many of our members reside in the sagebrush biome, use public lands for recreation, photography, birdwatching, scientific and other purposes. Our members greatly enjoy and appreciate the presence of sage-grouse on public lands. Further, many of our members own lands within the sage-grouse biome, and the range of sage-grouse.	All	BLM	emc0411GB
1439.	The lists of Conservation Measures that provide part of the basis for the Federal Register information and this whole process, is limited and uncertain. BLM is not serious about making significant changes. For example with roads - BLM plans merely to limit travel to existing roads - not question whether any existing road is actually needed no matter what the road density may be.	All	BLM	emc0411GB
1440.	For nearly all projects, BLM admits that it will be impossible to place infrastructure in already disturbed locations. This highlights the uncertainty with use of a laundry list of BMPs. Many of them, in a real world setting, won't be applied. If a potential new disturbance area and its Footprint would impact important habitats, the use must be prohibited altogether. If there is a disturbed area in important habitats -shouldn't it be restored - not sacrificed/industrialized? Where are the methods and standards for rolling back the development that should be put into place?	All	BLM	emc0411GB
1441.	Any reclamation plan in any sagebrush habitat must protect and improve sage-grouse habitat - and to minimize adverse impacts to other native species while doing so. BLM does not even require this for the artificially segregated General habitats. All existing sagebrush habitats must be protected. We strongly oppose the relegation of critically important sagebrush habitats to the "general" habitat category with even lower measures of protection or rehab being applied. Also, for the sacrificed general areas, there are hardly any road intrusion protections or BMPs provided at all. Example: NTT p. 65. This illustrates how BLM is immediately acting with the NTT and IM to reduce protections for sacrificed General Habitat. In Idaho - that is 1/3 or more of the sagebrush habitat that BLM has deigned to recognize (and many restoration habitats aren't even included at all in the mapping). BLM must immediately stop this segregation of habitats based on woefully incomplete knowledge and that is greatly biased towards industry.	All	BLM	emc0411GB
1442.	We stress that under both arbitrarily derived categories of habitat, most of what are claimed to be BMPs is merely common sense, and "how you build more roads" routine practices. These are the very same practices that have been occurring all	All	BLM	emc0411GB

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	along, that are listed in some form in thousands of agency documents- and all have failed to conserve the species. Frankly, we've been down this road again and again - and there is no significant change of any kind here. As a basis for Interim protections - and discussions for what might occur under the EIS effort where BLM desperately seeks to avoid ESA listing for sage-grouse, the lms and these weak, uncertain, proven-to-fail BMPs and inadequate mitigation don't cut it.			
1443.	The BLM's IM Transmission Dec 27, 2011 from the BLM Director to Field Officials p. 1 states "BLM must consider all applicable conservation measures when revising or amending RMPs." This means that BLM must greatly expand its protection measures far beyond the weak, uncertain, loose and long known to be ineffective lists of BMPs and meager and minimal NTT actions. This weak list includes only a limited range of measures, many with a proven history of failure. The Transmission also refers to a reasonable range of conservation measures - the NTT and BMP measures are not reasonable for conservation of sage-grouse, because they have failed so greatly in the past, and are not adequate to address the current threats of livestock grazing, energy development, fire, etc. The NTT PPH habitat sacrifice and segregation scheme derived from the failing Wyoming Core model is not reasonable. The PPH GH, Non Habitat scheme immediately sacrifices a vast land area of occupied sage-grouse habitats as well as habitats vital for restoration. It poses a great risk to, and jeopardizes, entire sage-grouse populations. Preliminary priority habitat and general habitat. Page 2 states that the Priority habitats were identified as having the highest conservation values with state agencies. Yet at the public meeting in Boise, IDFG said the maps were BLM's and they had little input to date.	All	BLM	emc0411GB
1444.	BLM Must Define Terminology Being Used, and This Should Have Already Been Done BLM claims to "sustain" or "conserve" habitats or populations, for example, in its Idaho mapping legends. But how are these being defined? The NTT fails to provide definitions. Restoration must be defined, as well.	All	BLM	emc0411GB
1445.	Employ Mapping: BLM should make the Priority and General Habitat maps, and the procedures used to delineate habitat boundaries, available on a central website. BLM should also make available the data, maps, and decision making processes used to generate other designated protection areas in the EIS's.	All	Both	emc0385GB
1446.	The USFWS Interim Wind Guidelines from 2003 stressed mitigation by avoidance. This is essential and must be a key part of any viable conservation policy. It is the only policy that stands any chance of protecting sage-grouse and migratory birds. BLM's habitat mitigation policy at 43 C.F.R. § 1508.20, lists habitat mitigation actions. In order of descending preference: Avoidance, minimization, rectification, reduction, and compensation. Yet avoidance is precisely the approach that BLM is not taking. BLM's management approach to Gateway shows that the agency in its DEIS alternatives and mitigation justifications for them still does not even really consider avoiding critical habitats to be necessary. This is also not the approach of the Wyoming Core Model, or the derivative Priority habitat model – as shown by the NTT Report that continues to sacrifice even Core Areas by imposing large-scale sacrifices and development on general sage-grouse habitat, as well as habitat critical for other species but which do not rely on sagebrush vegetation community	All	BLM	emc0411GB
1447.	Mitigation must be based on the full direct, indirect and cumulative environmental footprint of a project or activity, and not just on acreages directly disturbed by bulldozing or project facility placement. For example, the full footprint on the landscape crossed by a transmission line, or where a wind farm is built. The entire visual intrusion, sound disturbance, road network, weed invasion and spread risk, cumulative fragmentation and other disturbances in the Footprint must be the basis for mitigation.	All	Both	emc0411GB

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1448.	Unless range staff are kept at a distance from all of these new sage-grouse EIS processes, and political pressures are removed, we see little hope for effective conservation outcomes as a result of this current process. How will this process ensure that this broken agency culture is changed? This all appears to be due to political pressures to somehow keep grazing nearly all lands and not reduce livestock, even the ungrazable "paper" cows and sheep on permits	All	Both	emc0411GB
1449.	Nevada and Idaho have provided much more on-line information than other states in this process. Similar information must be provided for expanded Scoping biome-wide	All	Both	emc0411GB
1450.	Adaptive Management is a poor management tool for sage grouse When energy development moves in, the sage grouse move out, but not always immediately. Holloran (2005) was the first to document time lags in sage grouse declines following energy development, finding a four-year post-development decline tied to emigration of yearlings and lower survival of the older females who stayed in developed areas, showing strong nest-area fidelity. Kaiser (2006) also found that yearlings tend to abandon developed oil and gas fields. Doherty et al. (2010) corroborated this 4-year time lag with statewide data. Harju et al. (2010) found that the time lag of maximum decline ranged from 2 to 9 years depending on locale, and in two study areas no time lag (effectively, instantaneous decline) was found. In addition, it can be very difficult to remove heavy industrial equipment if negative wildlife trends are shown; usually it is too late to undo a gas field or wind farm at a later date. The BLM should be wary of relying heavily on adaptive management, as declines that trigger management corrections may occur years after conditions have changed irreversibly, and thus the opportunity for corrective action may be missed for lack of immediate population response.	All	BLM	emc0343GB
1451.	If adaptive management is pursued, there are some requirements for effective implementation: • Establish excellent baseline data in terms of populations and habitats so downward trends will be recognized as a departure from the norm; • Monitor the key attributes sensitive to change on a regular schedule, applying statistical testing to determine when significant change is occurring; • Identify benchmarks at which corrective action is automatically triggered; • Set out a plan of remedial actions in advance to identify the corrective action(s) to be taken. Too often in the past, 'adaptive management' has been code for simple negligence, an attitude of, "we'll just approve whatever we want, and if there are negative consequences, we'll take unspecified corrective action later." However, in the absence of baseline data and monitoring and a rigorous and systematic monitoring system, corrective action never arrives.	All	Both	emc0343GB
1452.	Haufler et al. (2007) created a framework for offsite mitigation that would actually require the immediate impacts of projects to be offset in real time, rather than having a system of tangible known impacts today with speculative promises of offsetting improvements to habitat in the future, which is the present model of offisite mitigation: "The fundamental concept underlying credit trading programs (indeed, underlying any mitigation effort) is that it is possible to compensate for lost "services" (or "values") at one site (the impact site) by replacing or increasing the same services at another site (the mitigation site) through purposeful management at the latter site. The challenge is to develop a consistent framework for quantifying the services lost or gained at each site, so that all parties can have confidence that the losses and gains are in fact commensurate…. It is recommended that credits accrue only when beneficial change is actually documented, rather than when a commitment to undertake conservation action is made. This recommendation addressed the risk component discussed above. More risky mitigation measures can be encouraged, but would not generate credits until they are shown to produce desired conditions…. To ensure that a temporary shortage of ecosystem services (i.e., habitat) is not created,	All	Both	emc0343GB

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	credit units should not be released and exchanged for debit units before the actual improvements in the ecological integrity have occurred elsewhere on the landscape." Such a system is diametrically opposed to today's model of offsite mitigation, in which impacts are immediate but offsetting habitat improvement projects offer benefits that are deferred, if they occur at all.			
1453.	Doherty et al. (2010) advocate for offsets when levels of development exceed 1 well per square mile, but caution, "Our findings show how birds rather than habitat should be used as a common and biologically-based currency for estimating sufficiency of offsets." To date, however, there is no scientific basis for the assertion that off-site mitigation projects have resulted in an increase in sage grouse populations in any instance. Thus, offsite mitigation projects are, in effect, unplanned experiments in which the result is just as likely a reduction in sage grouse as an increase. Until such time that a mitigation measure or measures can be demonstrated scientifically to increase sage grouse populations over control areas, off-site mitigation is best avoided. And while conservation easements may prevent sage grouse losses if (and only if) the property was otherwise slated for development (as asserted by Doherty et al. 2010), this results in a net "no change" in sage grouse numbers, not a net increase, and thus cannot compensate for losses inside developed areas. Compensatory off-site mitigation should in fact increase sage grouse populations elsewhere to the same degree as populations are lost inside developed areas. At present, such levels of increase is not supported by the available science. As Doherty et al. (2010) conclude, "The simplest and most cost effective first step in conservation is to halt the large-scale actions that further reduce or eliminate the largest populations in the best remaining landscapes."	All	Both	emc0343GB
1454.	Neilson et al. (2005) compared nine climate models, and found that the probability of sage grouse habitat persistence was greatest in south-central and southeast Wyoming. Schrag et al. (2011) preformed a similar, more recent analysis and came to a similar conclusion. These researchers point to southwestern Wyoming as a hotspot for Wyoming big sagebrush persistence, and in light of the increased risk of major West Nile virus outbreaks in projections based on climate models, they recommend focusing extra conservation attention on this region, calling sage grouse habitats in southwestern Wyoming "important core refugia."	All	Both	emc0343GB
1455.	Apply Strong Standards across the Entire Range in the Conservation Plan We do not believe the government will be able to demonstrate that adequate regulatory mechanisms are in place unless the entire range of the species is considered, not just the lands managed by BLM and Forest Service, and included in the management regime outlined in the plan. Conservation measures should be uniformly strong across the range, and it is particularly important to have strong measures in the heart of the range, where populations are at the least risk of extirpation, as these areas represent the greatest hope for the survival of the species.	All	Both	emc0343GB
1456.	Standards for Sage Grouse Conservation In terms of standards that should be set in the sage grouse Plan Amendments, we endorse the recommendations in the Sage Grouse Recovery Alternative submitted by WildEarth Guardians, which we incorporate by reference into these comments. We would also like to point out that the National Technical Team recommendations harmonize with this alternative to a large extent, especially on oil and gas issues, and this document is a far more reasonable and common-sense approach than is currently embodied in the Wyoming BLM Instruction Memoranda.	All	Both	emc0343GB
1457.	Core Areas/Priority Habitats • Core habitats should be identified to encompass a 5-mile buffer around the most populous leks in each state. • Boundaries of core areas should not be altered to accommodate nonconforming uses.	All	Both	emc0343GB

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1458.	Scoping issues to be addressed The Purpose and Need for the sage grouse plan amendments should be to amend existing RMPs to improve sage grouse protections to a level that maintains viable populations of sage grouse, at current levels or above, throughout the planning area.	All	Both	emc0343GB
1459.	At minimum, the NEPA analysis should address the following: • Setting aside large tracts of Core sage grouse habitats for long-term conservation. • Managing for connectivity that permits the free dispersal of sage grouse between core areas. • Strengthening sage grouse protections inside core areas to a level that maintains or increases populations. This should be a standard incorporated into each RMP.	All	Both	emc0343GB
1460.	At minimum, the NEPA analysis should address the following: We further request that the BLM undertake a comprehensive review of each scientific article or technical report contained in the Literature Cited section of these comments, so that the agency can render a decision that is fully informed by the best available science.	All	BLM	emc0343GB
1461.	We applaud the Interior Department's leadership to initiate a rangewide conservation strategy for sage grouse, and to base the provisions of that strategy in sound science. Conserving large core habitats for sage grouse can lead to many benefits, not just in terms or sage grouse recovery itself, but also in terms of conservation of a variety of sagebrushdependent wildlife, from the pygmy rabbit to the pronghorn antelope. For many years, heavy industrial use as well as unsustainable levels of grazing and other permitted activities have had heavy impacts on sagebrush habitats in many parts of the West, resulting in the decline of the sage grouse and many other species. Protecting the sage grouse will help to lead the BLM and other agencies toward a better balance between resource extraction and land and wildlife conservation.	All	Both	emc0343GB
1462.	As you craft this strategy and the policies to implement it, we urge you to stand firm behind strong conservation measures that reflect the biological requirements of the bird as elucidated in the science. This strategy should establish core habitats where sciencebased protection measures are applied, ensure that protection measures are sufficiently rigorous to prevent grouse declines and encourage grouse recovery, and close the loopholes in the Wyoming core area strategy in all cases where the federal government has habitat management authority.	All	Both	emc0343GB
1463.	(1)Where are landscapes with the highest biological value for sage-grouse? This section admits that info on seasonal habitats other than leks are often not known. (2) How do these landscapes differ with respect to risk from future energy development? (3) How does variation and juxtaposition in risk and biological values of areas affect the potential to develop a successful conservation strategy for sagegrouse? It is not clear how, such considerations entered into the Range-wide Core Modeling (Doherty et al. 2010), or into the current NTT-related BLM mapping being applied with the NTT and late 2011 BLM IMs that are supposed to provide "interim" management, and upon which this EIS process appears to be based.	All	Both	emc0411GB
1464.	… combining information about the vulnerability of landscapes to anthropogenic risk enables conservation planners to consider aspects of urgency as well the probability for success of a given conservation strategy (Wilson et al. 2005, Copeland et al. 2007, Pressey and Bottrill 2008). Core regions and assessment of the potential future impacts they may experience represents a starting point to initiate conservation of landscapes .. But BLM has already started implementing habitat sacrifice under the Priority scheme, so it is not only conservation that is being implemented, it is sacrifice for development, too. BLM provides no information on the current habitat conditions, risks, facing populations, etc. and vulnerability of landscapes they inhabit to inform public scoping, comment and ACEC and alternative proposals. Full, detailed and honest current assessment of adverse impacts of livestock disturbance and livestock facilities on landscapes must be incorporated so	All	BLM	emc0411GB

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	that risk can be understood, and action taken to eliminate and control disturbances. See Fleischner et al. 1994, Dobkin and Sauder (2004), Wisdom et al. 2004, Hann et al. 2003.			
1465.	We are concerned that increasingly studies are funded by industry, and so conclusions may be biased to some degree to accommodate industries that are funding research. Is that why there is repeated cheerleading for the Core Model – despite the findings reported showing many problems? We wonder: if several coal companies, petroleum companies, mines, etc. had not funded the "synthesis of these studies" acknowledged at the end of the paper, would there really have been less support found by the paper for the Core Model? This EIS process must carefully examine all claims and conclusions that arise from research funded by industry.	All	Both	emc0411GB
1466.	Under the Core/Sacrifice Model in this process with the NTT Report and its "Priority" habitat that is derived from the Core-Sacrifice Model, vast areas would be omitted from consideration as priority habitat. Plus the Core Areas could be crisscrossed with new lines, roads, mines, wells and other development – all of which may have tremendous adverse impact on naïve sagebrush species, recreation, and a full suite of values of the public lands.	All	Both	emc0411GB
1467.	So not only does this Model sacrifice occupied sage-grouse habitat lands, its use will readily enable the BLM and Forest Service seeking to justify massive new mining energy development, and continued chronic grazing abuses, to increase stresses on headwaters of watersheds, etc. And in the complex Basin and Range and other mountain-valley topography, it will be impossible to develop more rugged/mountainous areas without significant new roading and other disturbances within the sagebrush habitats that would be used to access these development sites. But under the Core Model, large numbers of new roads, powerlines, etc. could be built tearing through even Core/Priority habitats, providing access to the non-Core areas.	All	Both	emc0411GB
1468.	what is required are constant management standards across the board	All	Both	fla0031gb
1469.	Management standards should be based on peer-reviewed, published scientific literature and achieved through consultation with researchers and professionals with the most extensive experience with the species, specifically the National Technical Team	All	Both	fla0036gb
1470.	The BLM must rely on the best available science concerning sage-grouse behavior, habitat needs, and conservation best-practices when developing land use guidelines.	All	BLM	flk0000gb
1471.	The plan should implement the recommendations of the Sage-Grouse National Technical Team as minimum standards to protect sage-grouse from development. The Final Environmental Impact Statement MUST exclude any development or land disturbing activities in priority habitat areas, as recommended by the Oregon Department of Fish and Wildlife.	All	Both	flk0000gb
1472.	Threats to sage-grouse, including livestock grazing, fences, water developments, energy infrastructure and transmission, road building and maintenance, prescribed fire, and vegetative seedings and treatments, must be managed in priority and general habitat to enhance sage-grouse populations.	All	Both	flk0000gb
1473.	Any proposed developments should be co-located and close to existing disturbance or infrastructure to eliminate further disturbance and fragmentation of sage-grouse habitat.	All	Both	flk0000gb
1474.	Mitigation must be significant and provide for net-benefits to the sage-grouse, which is already experiencing declines in numbers.	All	Both	flk0000gb

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1475.	The BLM should update standards based on the latest science. A scientific panel selected by the BLM outlined conservation measures that are an important starting point for effective conservation, in the 2011 Report on National Greater Sage-Grouse Conservation Measures. It is critical for BLM to consider implementing the following technical team recommendations as minimum standards	All	BLM	fln0000rm
1476.	This iconic bird, so strongly associated with my vision of the American west, has been in decline for many decades. Almost half of all sagebrush homes has been destroyed and this loss has been made worse by fragmentation of the remaining sage-grouse homes. Threats like conversion of land to agriculture, urbanization, infrastructure development (like roads), fire, invasive plants, grazing, energy development, and climate change present great challenges to the survival of the sage-grouse.	All	BLM	fld0000rm, fld0000gb
1477.	Establish standards for sage-grouse conservation based on the latest science: A scientific panel selected by the BLM outlined conservation measures that are an important starting point for effective conservation, in the 2011 'Report on National Greater Sage-Grouse Conservation Measures'. These conservation measures should be put into practice to the fullest extent possible throughout the greater sage-grouse range.	All	BLM	fld0000rm, fld0000gb
1478.	Establish a "net conservation benefit" standard for mitigation: Development on our public lands should come with assurances that our ecosystems and wildlife will be fully protected and restored. As an ESA candidate species, development in greater sage-grouse homes should result in more than just "holding the line" on the conservation of the species. Development projects that impact greater sage-grouse on our public lands should leave the sage-grouse better off than it was prior to the development BLM and FS should set a net conservation benefit standard for all mitigation.	All	BLM	FLD0000RM, fld0000gb
1479.	I would also like to point out that some groups and individuals have had difficulty accessing information related to this planning process. All maps, data, and other information (whether in the possession of BLM, FS, or other agencies including states) should be made available to the public immediately and be easily accessible to all.	All	BLM	fld0000rm, fld0000gb
1480.	I urge the BLM in its EIS to recommend that the Greater Sage Grouse be given endangered status	All	BLM	emc0182rm
1481.	Only by requiring the strongest protective measures when considering new development proposals in sage-grouse habitat will you be able to ensure survival of this spectacular species. To that end, I ask that you require the following conservation measures in the relevant Resource Management Plans and Land Management Plans. - All actions requiring authorization or approval of individual projects are consistent with the conservation needs of sage-grouse and do not contribute to the need to list the species under the Endangered Species Act.	All	BLM	flb0000gb
1482.	Only by requiring the strongest protective measures when considering new development proposals in sage-grouse habitat will you be able to ensure survival of this spectacular species. To that end, I ask that you require the following conservation measures in the relevant Resource Management Plans and Land Management Plans. - Binding standards and guidelines on management of sagebrush habitat for sage-grouse conservation in both Resource Management Plans and Land Management Plans.	All	BLM	flb0000gb
1483.	The plan amendments should avoid inflexible management standards. Rather than impose an inflexible, broad-brush management prescription for the Grouse, I suggest the BLM adopts a "landscape specific" approach to minimize the impacts on both the Grouse and the recreating public. For example, I oppose the provision mandating that any "anthropogenic disturbances" cover less than 3% of the total sage grouse habitat. Without any flexibility, the implementation of this standard	All	Both	fle0000gb

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	on the ground will be extremely difficult. Indeed, the agencies may be forced to restrict activities that have been found to have little to no impact on the grouse.			
1484.	Support the Sage-Grouse Recovery Alternative (the conservation community alternative)	All	Both	flf0000gb flf0000rm
1485.	All federal departments and agencies that manage sage-grouse habitat should be involved in the planning process, including the Bureau of Land Management (BLM), U.S. Forest Service, U.S. Fish and Wildlife Service, U.S. Park Service, the Bureau of Reclamation, and the Departments of Energy and Defense. All federal lands with Greater Sage-Grouse habitat should be included in the planning process--currently millions of acres of federal lands harboring Greater Sage-Grouse are excluded.	All	Both	flc0000gb
1486.	Sage-grouse occur on a complex sagebrush-dominated landscape with tremendous variability locally and range wide. It is ecologically impossible to regulate for improved sage-grouse performance with a "one-size-fits-all" set of regulatory measures. For the National Sage-Grouse Strategy to be successful, it is essential that it allow for regional and site-specific approaches to conserving sage-grouse and habitat, incorporating expertise of local land-users and experts such as ranchers and locally knowledgeable range scientists.	All	Both	fli0000gb
1487.	There are places here in Washington state where sagebrush habitat supports Sharp-tailed Grouse as well as Greater Sage-Grouse. Both species have lost acres and acres of habitat. I have done lek searches and counts and am very concerned with any developments that will further imperil the habitat that they require to regain lost ground.	All	Both	fla0067gb
1488.	Scientific research done by your agencies and others gives us an opportunity to learn how to mitigate and/or prevent further damages to this long-neglected ecosystem, but science-based management also demands political will and wherewithal to carry it through. Sage-grouse range includes many jurisdictions, with many vital missions and responsibilities, but habitat inclusion and agency cooperation is key to preserving this species and the ecosystem as a whole.	All	Both	fla0086gb
1489.	Greater Sage-Grouse habitat is an extremely valuable component in a mosaic of habitats, all of which contribute to our planet's diversity, thereby strengthening our nation as a whole. We need to look not only at the small picture, but at the large one.	All	Both	fla0109gb
1490.	In addition to livestock production which is nearly everywhere, impacts from ORVS, oil and gas development and other land uses that fragment habitat and introduce weeds, etc. should be minimized.	All	BLM	flb0045gb
1491.	As you develop the new conservation measures to protect the greater sage-grouse and its habitat, I urge you to use the best available science to guide your decisions. Greater sage-grouse once numbered more than 16 million across the West -- their population has plummeted to an estimated 500,000 individuals spread across 11 states, primarily due to intensive livestock grazing, energy development, fires, and conversion of sagebrush habitat for agriculture. Sage-grouse populations have been so diminished that the U.S. Fish & Wildlife Service determined that the species warranted listing under the Endangered Species Act.	All	Both	flb0000GB and RM
1492.	All actions requiring authorization or approval of individual projects are consistent with the conservation needs of sage-grouse and do not contribute to the need to list the species under the Endangered Species Act.	All	Both	flb0000gb and rm
1493.	Binding standards and guidelines on management of sagebrush habitat for sage-grouse conservation in both Resource Management Plans and Land Management Plans.	All	Both	flb0000gb and rm

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1494.	All data and maps held by Federal agencies should be accessible by the public, especially to environmental watchdog groups.	All	BLM	fld0005rm, fld0005gb
1495.	I am not sure how to state next opinion without offending someone (not intended to) but here is my opinion anyway; As a resident of Lemhi county for 53 plus years I have seen a lot of changes and it appears that the more our Government agencies—Fish and Game, USF&W, NOAA etc put pressure on us-(bill payers) and the Land management agencies-USFS/BLM/etc that the worse it gets for the species. In other words I think we are managing them to death. What happened to the thought pattern that says: live and let live, man needs to quit playing God, let nature take its course. Any one of these could be applied to a lot of the issues talked about above	All	Both	emc0045GB
1496.	In identifYing greater sage-grouse habitat requirements and best management practices, BLM and the USFS must rely upon peer-reviewed scientific literature and, in the absence of knowledge, should allow activities to proceed based upon the principals of avoidance, minimization and mitigation	CO	Both	emc0399GB
1497.	Another disturbing element is the 3% Disturbance Threshold. The National Technical Team Report notes that, " .. .in priority habitats where 3% threshold is already exceeded, no further anthropogenic disturbance will be permitted ... ". Many questions arise: Is this including public and private property? Does the BLM dictate what and how on private property? How was the 3% area determined? Is this specific to only a section, an acre or the entire "Priority Habitat Area"? As discussed above with the maps, this is a very wide stroke, and could and should be specific to the true and defined habitat.	CO	Both	emc0056RM
1498.	Although the Forest Service may not have a lot of sage grouse crucial habitat but because there is so little contigious habitat that can be managed left, it is very important habitat. I strongly recommend that the Forest Service stay engaged as a crucial habitat manager in this local area.	CO	USFS	cfc0013RM
1499.	On December 13, 2011 R. Watson submitted written comments supported by expert repmis to the BLM on our behalf with respect to the BLM Kremmling Draft Resource Management Plan and Draft Environmental Impact Statement (DRMP/DEIS) and the letter and the reports are incorporated by reference (R. Watson's Comment Letter	CO	BLM	emc0057RM
1500.	In addition, several individuals who are familiar with the Ranch submitted comments describing the surface resourcesthat would be jeopardized by oil and gas leasing: Letter from Tim Thompson attached to R, Watson's Comment Letter as Exhibit 7; Letter from Nellie Thompson attached to R, Watson's Comment Letter as Exhibit 8; Letter from Paul Menhcnnet attached to R, Watson's Comment Letter as Exhibit 9; and Letter from Dean Billington, Bull Basin Guides and Outfitters attached toR, Watson's Comment Letter as Exhibit 10 (all of the foregoing comments are incorporated by reference),	CO	BLM	emc0057RM
1501.	BLM concedes that "no decision would be approved that would jeopardize the continued existence of plant and terrestrial wildlife species that are listed, officially proposed, or candidates for listing as Threatened and Endangered," and that it is committed to preventing "the need for listing Proposed, Candidate, and Sensitive Species under the ESA" by "improving [special status species] habitats to a point where their Special Status recognition is no longer warranted." DRMP/DEIS, Ch. 4 at 4-192. "Candidate species, species proposed for listing, and Sensitive Species will be given equal consideration as [Threatened and Endangered] listed species." Id. Ch. 1 at I-27. BLM further commits itself "to maintain and improve habitat" for wildlife and as to sagebrush habitat, "to reduce continued habitat loss and fragmentation." DRMP/DEIS at ES-2.	CO	BLM	emc0057RM
1502.	significant problem for BLM's analysis and proposed mrtrgation for sage-grouse habitat is that the CDOW map of	CO	BLM	emc0057RM

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	sage-grouse habitat upon which BLM has relied, is not accurate for site-specific management. !d. at 2. The CDOW sage-grouse core areas were developed at statewide spatial scales and were never intended by CDOW to be utilized for site-specific consideration as BLM has done in the DRMP/DEIS. Jd. The CDOW maps simply do not accurately reflect the habitats occupied by sage-grouse as is made abundantly clear by Dr. Holloran's on-site survey. Exhibit II. The conclusions of CDOW (L. Sidenar, CDOW Comment, February 17, 201 0) and Dr. Holloran support moving the occupied area boundary line further west and closing the area to oil and gas leasing and including the greater area in the ACEC. See Exhibit II at 2; see also Stolz EA Comments (Ex. 1) at Ex. B.			
1503.	We are very concerned about the lack of scientific validity for the parameters and conditions currently proposed by the BLM in the DRMP/DEIS. It is clear that the approach that is currently practiced and proposed has not done anything to stem the steep downward trajectory of the sage grouse population. Accordingly, we implore the BLM to place NSO restrictions on all areas designated as sage grouse priority (or core) habitat. It is imperative that there is no leasing activity within these critical areas and significant protections should be afforded to undisturbed continuous unfragmented habitat given that its scarcity. Furthermore, in areas designated as sage grouse occupied habitat, there should be minimal disturbance allowed - not more than 1% within 4 miles in any direction of a lek. All human disturbances (roads, ditches, buildings, hay meadows, and any other disturbance that deviates from the native sage bmsh vegetation) should count toward the percentage of disturbed area. Split estate parcels should be given at least the same protections as BLM owned fee parcels. It is illogical to afford them any less protections.	CO	BLM	emc0057RM
1504.	Ultimately, Garfield County is concerned with the very restrictive approach suggested in the GSGCM Report because it seems to ignore the multiple use principles required in the BLMs' own Mission Statement restated here: It is the mission of the BLM, an agency of the department of the Interior, to manage BLM-administered lands and resources in a manner that best serves the needs of the American people. Management is based upon the principles of multiple use and sustained yield taking into account the long-term needs of future generations for renewable and nonrenewable resources.	CO	BLM	emc0058RM
1505.	Primary and General Sage-Grouse Habitat in Garfield County In reviewing CPW mapped preliminary priority greater sage-grouse habitat within Garfield County, habitats are limited to a combination of public (BLM) and private lands on mesa tops of the western Roan Plateau, and southern end of the Piceance Basin. As the BLM is aware, this area also contains vitally important natural gas and shale reserves, important enough for much of this area to once be part of the Naval Oil Shale Reserve. The total 148,858 acres of CPW mapped Preliminary Priority Habitat in Garfield County includes 24,821 acres of BLM managed lands and 123,718 acres of private lands, which ends up being a total of 8% of the land base within the County. Approximately 63% of the County is already under the management of the public trust (including the State of Colorado, US Forest Service, and the BLM), and the 123,718 acres of preliminary primary habitats on private lands ends up being a very significant 18% of all private lands within the County (see Table 1 below/ and Figures at end of the document). When including mapped General Habitat, there could be additional impacts to 23% of all private lands in the County for sage-grouse management. NOTE: This comment references attachments and Table 1: Sage Grouse Habitats in Garfield County.	CO	BLM	emc0058RM
1506.	The BLM's GSGCW report would, where a federal nexus is involved, place further limitations and conditions on the management of these public and a significant portion of private lands within the County. While the acres of Preliminary Primary Habitat occurring within Garfield County are significant at the County levet at the scale of greater sage-grouse	CO	BLM	emc0058RM

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	habitats, it comprises a very small percentage of all occupied sage-grouse habitats. The USFWS currently estimates that approximately 1.6 million acres is currently occupied by greater sage-grouse in the U.S. (USFWS 2010L and while this is only 56% of estimated historically occupied habitat, the contribution of habitats in Garfield County to this species, which occurs at the extreme southern end of this species range, should also be considered when accounting for the potential significant impact to private and public land base in the County.			
1507.	Also a fact that is not accounted for or disclosed in the GSGCM report, is that the literature cited to support the Conservation Measures are from studies which all took place in highly developed natural gas and CBM fields in Wyoming, where in many cases the density of well pads was often near 15 pads per section (40 acre spacing), and that the studies took place in areas that also had other significant surface impacts (e.g., water evaporation ponds, roads, pipelines, compressor stations and gas plants, as well as infill projects; e.g., Jonah Field (I & II}, Pinedale Anticline, Powder River Basin, Continental Divide-Crestone project, etc.). We feel that while these studies may be applicable for sage-grouse direct and indirect impacts adjacent to high density gas field development in Wyoming, it is not accurate or appropriate to reference the types of impacts seen in some of the highest density gas fields in the U.S. and apply conservation measures arbitrarily and equally to all habitats in all States and Counties. We interpreted the results presented in these articles as indicating that within 0.25 to 1.5 miles of very intensive natural gas/CBM field development there are significant decreases in sagegrouse habitat utilization, and that the further habitats are from intensive land use activities, the less impact there is. But we again contend that the results of these studies do not indicate that 4 mile buffers are warranted for the protection of the species, and that the GSGCM report, while referencing these studies as its scientific basis, does not accurately reflect the facts presented in the studies, and if anything presents a biased interpretation of the results. The GSGCM report's Conservation Measures appear to only consider the needs sage-grouse in remaining habitats in Wyoming, and does not accurately account for or respect the ongoing uses, needs, of other permitted uses of public, and more importantly, of private lands. While the long-term protection of greater sage-grouse is also important to the County, we believe that more balance and a more realistic land use management process is needed and should be incorporated into any management planning efforts.	CO	Both	emc0058RM
1508.	Range Management / Grazing Range Management or Grazing (domestic livestock and wild ungulate) is a very important component of Garfield County's traditional ranching heritage and wildlife herd management which requires working together with our public lands. In preparation of the EIS, Garfield County recommends the BLM work closely with the Cattleman's Association and the Wool Growers Association for both Colorado and other states which are also affected by the EIS to gain their valuable input into this process.	CO	Both	emc0058RM
1509.	Appropriately, the GSGCM report does not apply, nor does Garfield County suggest, the 4-mile 'no surface occupancy' and a maximum 3% disturbance approaches that would effectively prohibit existing grazing on established allotments. Garfield County supports the approach provided in the Parachute-Piceance-Roan Greater Sage-Grouse Conservation Plan for the appropriate management of domestic livestock and wild ungulates. In doing so, the EIS should carefully consider and potentially implement the following goals: 1) Continue to foster a sustainable and economically viable ranching community while also providing high-quality sage-grouse habitat; and 2) In conjunction with sustainable livestock interests and sport hunting industries, ensure that grazing by other ungulates is not adversely affecting sage-grouse habitats.	CO	Both	emc0058RM

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1510.	The County finds these strategies [the comprehensive conservation strategies produced by the BLM/Garfield County/other stakeholders workgroup that wrote the Parachute-Piceance-Roan Greater Sage-Grouse Conservation Plan] to be a more realistic in managing sage-grouse in the Parachute Creek, Piceance Creek, and Roan Creek areas than the approach taken in the GSGCM report and suggests the BLM use this as the basis for their approach, or at least assesses this plan as a viable Alternative in any NEPA process.	CO	Both	emc0058RM
1511.	The County recommends the BLM to continue supporting the primary goal it has already agreed to implement in the CPW Conservation Plan which is to "Maintain a viable population for GSG while developing energy & mineral resources" which is to be implemented by actions such as Investigate opportunities and provide incentives to promote cluster development in key GSG habitats. Cluster the development of roads, pipelines, electric lines, and other facilities, and use existing, combined corridors where possible." (See page 87 to 93 in the CPW Conservation Plan for the comprehensive set of goals, objectives, and actions relating to the energy industry and mineral development.)	CO	BLM	emc0058RM
1512.	A very common concern from industry and private land owners in northwest Colorado is not the need or requirement to protect the environment, but is the repeated changes in regulatory guidance and unknown potential impacts from long, drawn-out environmental planning processes. Because of this, Garfield County has seen many operators and private markets/investors hold off or postpone projects and investments in capital and hiring of employees given the length of time and uncertainties given NEPA processes and almost inevitable litigation. Additionally, during our review of the greater sage-grouse issue for this scoping effort, we were quite surprised at the amount of literature and planning documents all recently completed for this species, and we again raise the concern over repetitive planning processes which introduce uncertainty to our constituents and industry. To briefly review the guidance documents which are all designed to provide a "management plan" for the public and industry to plan around, we have observed and reviewed the following: 1. A Report on National Greater Sage-Grouse Conservation Measures (BLM 2011) 2. Colorado greater sage-grouse conservation plan (CPW, 2008) 3. Conservation assessment of greater sage-grouse and sagebrush habitats (Western Association of Fish and Wildlife Agencies, 2004). 4. Conservation of Greater Sage-Grouse on Public Lands in the Western U.S. Implications of Recovery and Management Policies (Policy Analysis Center for Western Public Lands, 2002) 5. Greater sage-grouse comprehensive strategy (WAFWA, 2006) 6. Greater Sage-Grouse Conservation Plan: Parachute-Piceance-Roan (BLM, CPW and others 2008) 7. Greater Sage-Grouse: ecology and conservation of a landscape species and its habitats (2011) 8. Guidelines to manage sage-grouse populations and their habitats (Connelly et al. 2000) 9. National Sage-Grouse Habitat Conservation Strategy (BLM 2004) 10. US Fish and Wildlife Service 12 Month Findings for Petitions to List the Greater SageGrouse (2010) These reports are in addition to the volumes of scientific articles on sage-grouse ecology, indeed sage-grouse is likely one of the more studied species, and there is a large amount of scientific literature available. Garfield County contends that there are already existing and approved plans for greater sage-grouse within northwest Colorado, and having the public, industry and cooperating agencies enter into yet again another "planning effort" immediately on the heels of recently completed planning efforts is an undue burden on already taxed public resources, and will again provide another reason for industry and private enterprise to seek other areas for doing business.	CO	Both	emc0058RM
1513.	We sincerely appreciate the ability to work with the BLM in their scoping process for the EIS. In addition to our comments, Garfield County, as a Cooperating Agency, requests additional 60 days be granted by the BLM to compose any further	CO	BLM	emc0058RM

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	comments since the mapping of the Priority and General Habitat by the Colorado Parks and Wildlife was not made available to us for view until March 13, 2012 which is only 11 days prior to the deadline for comments. Please do not hesitate to contact us should you have any questions or comments. NOTE: This scoping letter [emc0058RM] included six maps			
1514.	First, we request that the BLM EIS process consider the voluntary commitment that the local Sage-Grouse Work Groups in Colorado have demonstrated toward improving habitat conditions for sage-grouse. Local Work Groups have developed long-standing, cooperative working arrangements across private and public lands. For example, in North Park, the Owl Mountain Partnership, a partner to the NPSGWG, has formed public/private partnerships and developed large-scale grazing management plans across BLM, State, and private lands. The grazing management plans have improved grazing management and improved habitat conditions fo sage-grouse. The NPSGWG requests that the BLM analyze the impacts which "over regulation" might have on these cooperative and voluntary efforts to conserve sage-grouse. Regulating all uses on the BLM so they benefit sage-grouse over other uses, as suggested in the NTT report, may have an increased negative effect on greater sage-grouse because people will no longer voluntarily engage in proactive practices for the benefit of the sage-grouse. In addition, displacing activities from BLM to private lands could potentially have negative impacts to some of the most productive sage-grouse habitat on private lands. We request that the BLM consider these negative impacts in the EIS analysis.	CO	BLM	emc0060RM
1515.	The NPSGWG also requests that the EIS consider the variability in BLM Field Offices and how they have managed grazing in the past. The EIS should not be a "one-size-fits-all" approach. As mentioned above, the Kremmling Field Office has been extremely proactive in terms of grazing management. Only one allotment in last five years has not met minimum land health standards. BLM, HPP, and CPW have implemented a seeding project and grazing deferment in the allotment to bring it back to minimum standards. Grazing management in North Park is working. In 2010, the CPW conducted over 100 vegetation measurements at sage-grouse nest and female late-summer use sites. Vegetation measurements indicate that grazing management on BLM and private land is meeting the structural guidelines outlined in the Colorado Greater Sage-Grouse Conservation Plan (2008). CPW also documented good nesting success in 2010 with 47% of nests hatching at least one egg and better nest success in 2011 with 64% of nests hatching. North Park probably has the most stable greater sage-grouse population in Colorado and we believe this is a result of the good grazing management in Jackson County.	CO	BLM	emc0060RM
1516.	As discussed above, North Park has a very stable sage-grouse population. Anthropogenic land uses have occurred on the BLM in the past and we have been able to maintain a healthy sagegrouse population. We have had oil and gas development (e.g. the McCallum Oil Field), strip mining, gravel pits, power lines and limited amount of road development. Sage-grouse are present even though there has been historical anthropogenic disturbance. We are requesting that analyses be conducted to show how the current BLM regulations are not adequate to maintain sage-grouse in North Park. We recommend that the BLM analyze disturbance through time, possibly through historic aerial photographs, in conjunction with historical sage-grouse population data to determine the historical amount of anthropogenic disturbance in North Park that has been consistent with the maintenance of a stable sage-grouse population.	CO	BLM	emc0060RM
1517.	The PPH and PGH maps provided by the CPW include almost all of the sagebrush basin in Jackson County as PPH. Therefore any actions taken from the NTT Sage-Grouse EIS that apply to PPH will affect the vast majority of Jackson County. The NPSGWG acknowledges that the majority of North Park is breeding, summer, or winter habitat for sage-grouse. However,	CO	BLM	emc0060RM

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	the NPSGWG requests that the BLM analyze if mapping the entire sagebrush basin in North Park as PPH is necessary to maintain sage-grouse in Jackson County. The NPSGWG also requests that the BLM have the ability to conduct local site-evaluations to insure that the site is indeed sagegrouse habitat. CPW's mapping was done on a broad scale and there are likely some non-habitat inclusions where some amount of development could occur while also minimizing impacts to sage-grouse habitat. The NPSGWG also requests that the BLM EIS define the PPH and PGH maps as working maps with the ability to changes as habitat conditions change.			
1518.	The NTT Report recommends a 3% disturbance threshold across landownership. At the time of the Draft, the EIS should clarify what is meant by 3% disturbance and if it includes habitat treatments or just anthropogenic disturbance such as roads, well pads, and power lines. The EIS should clarify how this analysis will be done, especially when considering disturbance on private lands. The EIS should also include an analysis of the current/baseline amount of disturbance within PPH in North Park. Because BLM regulations do not apply on private lands, the BLM should address why private lands cannot be excluded from the PPH and PGH maps for the purposes of this EIS.	CO	BLM	emc0060RM
1519.	When developing the alternatives for the EIS it should be remembered that the Parachute-Piceance-Roan (PPR) portion of the sage grouse population has probably always been marginally hanging on and management actions and limitations applied to core grouse areas, will make little or no difference to the grouse numbers in the PPR area. This is definitely a case where one management prescription does not fit all. In looking at the Priority Habitat Map, it would appear that all areas within 4 miles of an active lek are presented as being equal when this clearly is not the case.	CO	Both	emc0061RM
1520.	The Moffat County workgroup utilized much the same process in development of the Northwest Colorado Greater Sage Grouse Conservation Plan (April, 2008). The main difference between the processes was that the consensus on management direction was harder to reach and took many more years in Moffat County. In that Moffat County has the bulk of the sage grouse population in Colorado, they have been dealing with grouse issues much longer than most other areas. The advantage of the Northwest Plan over the PPR plan is that during the additional years it took to complete, many of the conservation strategies in the Northwest Plan were implemented and have seen measureable positive effects. Given the presence of many localized conservation plans which come with some level of public acceptance, it seems that an alternative that embraces these plans collectively would be an efficient and effective approach to management overall.	CO	Both	emc0061RM
1521.	The Resource Management Plan Amendment for the White River Field Office of the BLM (Feb 2012) was issued as a Draft for comment to Cooperating Agencies last month. Because of the draft to those with Cooperating Agency status, I will not go details of the alternatives. However, the options for management actions presented therein are far less severe than those presented in the Report on National Greater Sage-Grouse Conservation Measures. In that these RMPA alternatives are being developed with local input and the knowledge and expertise of a local biologist, the WRFO RMPA alternatives should be given priority in the development of this EIS.	CO	Both	emc0061RM
1522.	Another localized plan that took considerable time and resources to develop is the Roan Plateau Resource Management Plan Amendment and EIS (August 2006). In the Roan Plateau Plan, sage grouse were not a major factor. However, the approach to timing limitations and surface occupancy taken in this plan, with phasing and rolling disturbance thresholds, is a creative approach that should be considered in the Sage Grouse EIS.	CO	Both	emc0061RM

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1523.	WSCOGA believes that the failure to provide the public ample opportunity to review and comment on the priority 1 maps represents a critical stumbling in the required public process and may have future consequences as the amendment process proceeds.	CO	BLM	emc0062RM
1524.	Because designation of sage-grouse habitat will be a principle decision making mechanism for the agency as it relates to conservation implementation, BLM cannot rely upon these maps to determine the precise lands to be affected by the RMP amendments until the public has had an opportunity to fully evaluate, critique and understand the criteria used in establishing those maps, the basis for the criteria used in establishing those maps and the data used to develop those maps. To this end, the agency must extend the scoping period for the NW Colorado Sage-Grouse EIS to allow interested parties the appropriate forty-five day period for scoping. The agency should also accept and consider comments on the habitat designations during the public comment period provided on any draft EIS.	CO	BLM	emc0062RM
1525.	The National Technical Team (NTT) recommendations, which for practical purposes function as the foundation of BLM's approach, state that "the conservation strategy most likely to meet the objective of maintaining or increasing sage-grouse distribution and abundance is to exclude energy development and other large scale disturbances from priority habitats." NTT, 21. In our view, reliance on the NTT report (the "Report") and, in particular this recommendation, inappropriately narrows the purpose and need for the RMP amendments in a manner that that may violate the National Environmental Policy Act (NEPA). WSCOGA concerns are elevated as it relates to the BLM's reliance on the Report when the Report was in no way subjected or exposed for public review and comment. In our view, the lack of public involvement with respect to the Report exacerbates the perception that the narrow purpose and need was tailored to a pre-determined outcome. "Land use plans ensure public lands are managed in accordance with the intent of Congress as stated in FLPMA (43 U.S.C. § 1701 et seq.), under the principles of multiple use and sustained yield." See BLM Handbook H-1610-1, Land Use Planning and 43 U.S.C. § 1712(c)(1). As required by BLM policy and the Federal Land Policy and Management Act (FLPMA), public lands must be managed in a manner that: protects the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; that will provide for outdoor recreation and human occupancy and use; and that recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands by encouraging collaboration and public participation throughout the planning process. Land use plans are one of the primary mechanisms for guiding BLM activities to achieve the mission and goals outlined in the Department of the Interior (DOI) Strategic Plan. As such, land use plans must consider not merely one aspect of BLM's multiple-use mandate, but all aspects, including human occupancy and use and mineral development.	CO	BLM	emc0062RM
1526.	The agency must broaden the scope of its purpose and need, and incorporate sufficient alternatives and resource analyses, so as not to commit to indefensible predetermined outcomes at the expense of one resource value over another.	CO	BLM	emc0062RM
1527.	The proposed EIS and SEIS will cover a significant portion of Western Colorado's counties; the center of which are Moffat and Jackson counties, there is major impact in Garfield, Rio Blanco, Grand and Routt Counties as well as a more limited impact in Mesa and Summit Counties. Ranching, natural resource development and tourism are major economic drivers for the communities and residents of these counties. For decades, these communities have worked with BLM to develop responsible RMP's to protect the public lands in these areas while working with organizations to allow for reasonable	CO	Both	emc0068RM

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	economic growth and stimulation.			
1528.	CLUB 20 believes that local, state, and range-wide plans should work in cooperation with existing land uses to manage sage grouse and sage grouse habitat. Due to interdependence between varying land uses, it is imperative that sage grouse management does not take an overriding role and is balanced with existing land uses. Successful grouse conservation is dependent upon the mutual well-being of the human communities that live in Western Colorado. Sage grouse conservation goals must sustain the social, cultural, and economic lives of the citizens of Western Colorado, as grouse and humans are mutually dependent upon the habitat.	CO	Both	emc0068RM
1529.	The objective to disturb no more than 3% of habitat regardless of ownership is totally objectionable. Areas of private ownership should not be considered in this 3%. The area covered by the 3% is not defined - is it 3% of the entire map or 3% of a section? Livestock should not be included in this.	CO	Both	emc0069RM
1530.	I would request that BLM/FS consider the conservation plans that local groups have completed in planning conservative measures for sage grouse. These groups need to be involved in all future discussions and decisions.	CO	Both	emc0069RM
1531.	TC recognizes the need to develop a plan that will be effective in protecting and conserving the Greater sage grouse, so that future listing as threatened or endangered is unnecessary. We also recognize the value, however, of the many voluntary efforts already underway through the various initiatives, conservation plans, candidate conservation plans with assurances, and local working groups that have converged to protect and conserve the sage grouse population. It is, therefore, important that the BLM recognize and build on the extensive planning efforts that have already taken place including the Moffat County Land Use Plan, the NW Colorado Greater Sage Grouse Conservation Plan, and the Little Snake Field Office Resource Management Plan. It is our understanding that efforts initiated under the North Park Sage Grouse Working Group, and implemented through the CORMS's coal mine reclamation program have achieved some success (Borg Strip Mine, Canadian, Strip, and Marr Mine) in both reestablishing sage grouse habitat, and encouraging grouse utilization of reclaimed mined lands. A wide range of public input was received in the drafting of these plans with broad stakeholder participation and submission of scientific evidence. The recommendations and results achieved through these plans provide a practical, workable alternative to the exclusionary approach advocated by the National Technical Team Report in areas such as grazing, wildfire, mineral and non- mineral leases, and wildlife management. Whereas the locally developed plans emphasis co-existence between sage grouse conservation and other necessary uses of the land, the Technical Team report emphasizes sage grouse protection above all, in an exclusionary approach. Because of the unique situation which occurs in Northwest Colorado, where entire counties may be impacted, we urge the BLM to provide alternatives which emphasize multiple use of the lands with compensatory mitigation.	CO	Both	emc0071RM
1532.	In conclusion, Twentymile Coal, LLC urges a balanced approach in preparing an Environmental Impact Statement which presents a wide range of alternatives that recognize and give effect to not only conservation of the sage grouse, but allow for continued economic activity in Northwest Colorado. This region contains a high percentage of federal lands, but also is heavily dependent on the use of those lands for mining, oil and gas development, grazing, and recreation to sustain the population that lives in the area. We appreciate the opportunity to comment on this proposal, and urge your careful and thoughtful consideration of the considerations outlined in this letter as you move forward.	CO	Both	emc0071RM

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1533.	Wexpro and its predecessor operating companies have operated and developed oil and gas leases in the Hiawatha and Powder Wash areas since the late 1920's. During this time we have been able to work in cooperation with both federal and state agencies to further development while protecting wildlife habitat and preserving archeological finds during site construction. Recently, the Little Snake Field Office and the Colorado Parks and Wildlife department consulted with Wexpro in adjusting some proposed staked sites for future drilling. Habitat will be preserved in this instance through the cooperation of Wexpro and these agencies. Specifically, of four staked locations, one was moved closer to a county road, two will be accessed from a reasonable expansion of existing locations, and only one site was left as proposed. With the new Sage Grouse proposed EIS, and specifically the Priority Habitat mapping in our existing fields, Wexpro is concerned that we may lose the flexibility to work with these same agencies where ground-level decisions are more in the public interest and are generally more effective in protecting Sage Grouse habitat. Wexpro will always be willing to adjust its development and take any mitigation measures necessary to protect wildlife and the environment in general, through location changes, wildlife timing stipulations, and proactive reclamation.	CO	Both	emc0073RM
1534.	The bright line prohibitions mandated by "no surface occupancy" areas where "no future development" can occur may seem reasonable on paper, but may actually be counterproductive when compared to boots-on-the-ground oversight. We believe that a more reasonable approach would be to designate sensitive habitat areas, and then only allow development in or around such designations after review by BLM and state stewards with the operator as described in the recent examples above. This would not only better protect Sage Grouse habitat, but would also be more in keeping with the multiple use and public interest standards traditionally underpinning recent RMP and EIS documents issued in the State of Colorado.	CO	BLM	emc0073RM
1535.	There are five Resource Management Plans that outline the regulatory framework for sagegrouse conservation on BLM lands in Colorado. The Little Snake Plan was finalized on October 17, 2011. The remaining plans are currently under revision. The Final Little Snake RMP, and the draft RMPs issued through the remaining planning processes to-date, do not contain adequate regulatory mechanisms to conserve greater sage-grouse. Implementation of these plans as they currently stand will increase the need to protect the greater sage-grouse under the Endangered Species Act. It is imperative that sage-grouse conservation measures in all five Colorado RMPs be substantially improved through the national planning process.	CO	BLM	emc0051RM
1536.	The Little Snake Field Office (LSFO) has the distinction of being home to not only the largest greater sage-grouse population in Colorado, but also part of the most important population in the eastern half of the species' range, the Wyoming Basin regional population. Greater sage-grouse habitat in the LSFO includes a small area that supports an especially high abundance of breeding birds per unit area, relative to the entire eastern range of sage-grouse. The final LSFO RMP includes protections for greater sage-grouse that are an improvement over those outlined in any other final RMP to-date in Colorado. However, these measures are far from adequate regulatory mechanisms to conserve this important population, as evidenced by concerns expressed by both state and federal wildlife agencies, referenced throughout this letter.	CO	BLM	emc0051RM
1537.	Major concerns about the proposed LSFO plan include the following: 1. The plan does not set any high-priority habitat aside from development. 2. The plan does not adequately protect greater sage-grouse from the impacts of oil and gas development. a. The plan relies on voluntary measures to protect habitat on existing oil and gas leases. b. The surface disturbance caps and other measures proposed to limit the impacts of oil and gas development are inadequate. 3. The plan does not include measures to protect greater sage-grouse from impacts of activities other than oil and gas development. 4.	CO	BLM	emc0051RM

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	Provisions for monitoring and adaptive management are insufficient.			
1538.	The plan does not set any high-priority habitat aside from development. The U.S. Fish and Wildlife Service (FWS) and Colorado Parks and Wildlife (CPW)2 have both recommended that high priority habitat in the Little Snake Field Office be set-aside from development and managed as protected core areas. FWS comments on the proposed plan state that, "For high priority habitats, we recommend avoiding energy development and similar activities, and instead, managing them as protected core areas."3 CPW further emphasizes this, stating that, "…establishment of large greater sage-grouse refuges …may ultimately prove to be the only effective means of conserving greater sage-grouse populations in areas of extensive oil and gas development." CPW goes on to recommend that the LSFO preserve options for establishment of future refuges by retaining unleased minerals, and avoiding the re-leasing of minerals in high priority habitats.4 The final LSFO plan fails to set-aside high priority sagegrouse habitat from development, or preserve options to set-aside core areas in the future.	CO	BLM	emc0051RM
1539.	The plan does not include measures to protect greater sage-grouse from impacts of activities other than oil and gas development. The final RMP does not include any specific measures to protect greater sage-grouse from the impacts of non-oil and gas related activities (e.g. transmission lines, wind energy developments, mining, etc.), even in high priority sage-grouse habitats. The 0.6 mile lek buffer and surface disturbance restrictions apply only to oil and gas development activities. The final RMP includes language stating that BLM may hold non-oil and gas related development to a higher standard in high and medium priority habitats. It states that BLM may require avoidance or additional mitigation, and that BLM may not approve projects in high and medium priority habitats.25 The FWS comments on the proposed plan suggest that the FWS does not consider this type of language to be an adequate regulatory mechanism, as it does not provide a high degree of certainty regarding what specific measures are likely to be implemented in the future to protect sage-grouse from the likely adverse effects of a variety of potentially harmful activities	CO	BLM	emc0051RM
1540.	Provisions for monitoring and adaptive management are insufficient. The proposed plan does not establish an effective monitoring and adaptive management process with performance based standards. The plan does not spell out triggers for adaptive management, and clearly specify the consequences that will result if triggers are reached. 27 Monitoring and adaptive management are not required or adequately funded. It is clear that the LSFO plan does not currently include adequate regulatory mechanisms to conserve greater sage-grouse.	CO	BLM	emc0051RM
1541.	The five Colorado RMPs within the range of the greater sage-grouse must be amended to include adequate protections for greater sage-grouse populations. It is critical that the Little Snake RMP be amended through the national planning process, to address the concerns outlined above, in order to provide adequate regulatory mechanisms to protect the largest population of greater sage-grouse in Colorado. Similarly, the Kremmling, Colorado River Valley, White River and Grand Junction Field Offices have not yet incorporated adequate regulatory mechanisms for greater sage-grouse through their ongoing planning processes. For example, the greater sage-grouse protections in the preferred alternatives of the draft Kremmling and Colorado River Valley Resource Management Plans have some improved protections when compared with existing plans, but still fail to provide adequate regulatory mechanisms to address threats to greater sage-grouse populations.	CO	BLM	emc0051RM
1542.	We feel that the national planning process provides an important opportunity to implement meaningful protections to ensure long-term conservation of greater sage-grouse in Colorado. We ask that all five Colorado field offices be included in	CO	Both	emc0051RM

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	one of the regional EISs that will be prepared as part of the national planning process, and that all five RMPs be amended through the national planning process to include adequate protections to maintain and increase greater sagegrouse distribution and abundance in Colorado.			
1543.	The MPSGWG believes strongly that the EIS should utilize existing management plans at the state and local working group levels. These plans contain a wealth of area-specific information on grouse populations and habitat management, and represent years of cooperative planning and management by a diverse group of local stakeholders with vested interests in healthy sage grouse communities. The Colorado local working group plans and the Colorado Sage-Grouse Conservation Plan (CCP) are posted for download on the greater sage-grouse webpage on the Colorado Parks and Wildlife website: (http://wildlife.state.co.us/WildlifeSpecies/RecoveryConservationPlans/Pages/RecoveryConservationPlans.aspx). Each population faces unique threats and requires particular management options that can only specifically be identified by the local working groups, including issues and threats specific to the local populations that may not be identified in the NTT report or be considered important at the rangewide level. A list of ranked issues (threats) to the Middle Park sage-grouse population as identified by the MPSGWG in 2009 is provided in Appendix I. The ranking of these threats differ from those provided by the Colorado Statewide Committee (not attached) and the FWS list as provided in Appendix L-1 in the CCP. The impacts of these identified threats should be analyzed both individually and cumulatively for each population, specifically Appendix I, Tier 1. For example, housing development is a high priority threat for the Middle Park population but probably is not identified as a threat for other populations in Colorado. The threats should be analyzed cumulatively because in one area you may have recreational activities, energy development leases and a utility right of way. These impacts individually may pose a far greater threat than when all activities are combined and analyzed for an area.	CO	Both	emc0063RM
1544.	The EIS should consider both individually and cumulatively impacts from road development and infrastructure associated with housing development, recreation and energy development. With increased housing development, energy development and recreational activities comes increased road development, wildlife disturbances, habitat degradation, habitat fragmentation and infrastructure (including powerlines and fences). The MPSG Plan supports restricting motorized travel to designated roads and to minimize new road development as stated in the NTT report. In addition, seasonal wildlife closures are supported by the MPSG Plan as a management tool if a problem is identified at a local area. MPSGWG supports fence marking in high risk areas that are identified by local field staff or a property owner (in close proximity to leks or along ridge tops where roosting occurs) but does not support marking of all fences on public lands within sage-grouse range. The MPSGWG supports exceptions to right-of-ways (ROWs) listed in the NTT report in the Rights of Way Section. However, any effective mitigation should be done in proximity to the disturbance and within the impacted population. At a minimum, buffers around leks should be established and followed when designing and constructing infrastructure ROWs (see Appendix II). ROWs should be clustered or limit new development to existing ROWs. MPSGWG supports the ranching lifestyle and grazing on BLM allotments. Due to the high mountain basin characteristics of Middle Park the majority of the rangeland supports a diverse forb/grass community under a sagebrush canopy. Typically livestock graze in the spring on lower private lands and are moved to higher elevation public lands as the summer progresses. The sagebrush community across Middle Park is geologically fragmented causing a varying degree of sagebrush quality for sage-grouse due to slope, aspect and topography. This landscape feature fragments sagebrush systems and puts a higher importance on the gentler sloped lands	CO	Both	emc0063RM

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	for use by sage-grouse. The MPSGWG supports rehabilitation of disturbed areas and reestablishment of native sagebrush communities utilizing native grasses and forbs species that are beneficial to sage-grouse habitat and structure where introduced perennial grasses are not an integral part of livestock management as stated in the NTT report.			
1545.	I feel that a one size fits all approach will do more harm than good. I think that the range managers and the private land owners will need a plan that will benefit the Sage Grouse and still allow grazing. Aggressively changing in grazing on BLM Property could actually do more harm than good. By changing the grazing rules, ranchers would have to change grazing practices on private property that could negatively impact Sage Grouse summer habitat.	CO	Both	emc0077RM
1546.	I would also request that the BLM analyze the impacts which over regulation might have on the cooperative and voluntary efforts to conserve sage grouse. Regulating all uses on BLM so they benefit sage grouse over other uses may have an increased negative effect on sage grouse because people will no longer voluntarily engage in proactive practices for the benefit of the sage grouse.	CO	Both	emc0077RM
1547.	There is an urgent need for BLM to develop and implement substantive conservation measures between now and 2015, when the U.S. Fish and Wildlife Service (FWS) will again consider whether the greater sage-grouse needs the protection of the Endangered Species Act (ESA). At the national level, through the establishment of the National Sage-Grouse Planning Strategy, the Bureau of Land Management has committed to a new paradigm in managing the sagebrush landscape. If BLM succeeds in its regional goal of improving management of the sagebrush landscapes across the West, this has the potential to not only conserve the greater sage-grouse and ensure that the species does not need to be protected under the Endangered Species Act, but also effectively conserve sagebrush natural areas, big game herds and 350 other species that rely on sagebrush landscapes, all while benefiting western economies and communities.	CO	BLM	emc0070RM
1548.	However, the National Planning Strategy will fail to achieve its ultimate goals if the BLM's individual state offices and field offices do not fully embrace the National Sage-Grouse Planning Strategy. Each state office and field office must do its part if the National Sage-Grouse Planning Strategy is to succeed. Though Colorado BLM has worked to include sage-grouse conservation measures in its Resource Management Plans in recent years, these measures are not adequate to conserve sage-grouse, prevent the need for the sage-grouse to be protected under the Endangered Species Act, or effectively conserve sagebrush natural areas. It is critical that Colorado BLM fully commit to BLM's new national paradigm in managing the sagebrush landscape. This process offers a unique opportunity to make the National Planning Strategy successful, and conserve Colorado's greater sage-grouse and sagebrush natural areas. It would be very unfortunate if BLM's National Planning Strategy fails to achieve its objectives due to BLM State and Field office level resistance to implementation of meaningful changes in management of sagebrush landscapes.	CO	BLM	emc0070RM
1549.	Recommendations: We implore Colorado BLM actively take part in this national effort and make meaningful changes in its management of greater sage-grouse and sagebrush landscapes through this process in all five Resource Areas that are responsible for managing greater sage-grouse habitat in Colorado.	CO	BLM	emc0070RM
1550.	2. Goals and objectives for managing Colorado's six populations of sage-grouse. Colorado BLM should plan for sage-grouse recovery. The goal of the planning process should be to maintain AND increase current sage-grouse populations and distribution in Colorado by conserving, enhancing and restoring the sagebrush ecosystem. Populations must be restored to levels that can survive local extirpation events. To achieve these goals, the BLM and Forest Service must develop	CO	BLM	emc0070RM

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	management prescriptions that are supported by the best available science. The December 2011 Sage-Grouse National Technical Team's Report on National Greater Sage-Grouse Conservation Measures2 (hereafter referred to as NTT Report) constitute the findings of an expert team of professionals, including many of BLM's own scientists, regarding the management prescriptions that should be applied in order to ensure that this planning process ultimately results in regulatory mechanisms that maintain and increase greater sage-grouse populations. BLM Colorado should incorporate the goals and objectives outlined in the NTT report.			
1551.	BLM Colorado should strive to implement conservation measures that will maintain AND enhance each of the six greater sage-grouse populations in Colorado (Northwest Colorado, Parachute Piceance/Roan, Meeker/White River, Northern Eagle/Southern Routt, Middle Park and North Park). It is necessary for BLM to strive to maintain AND enhance each of these populations in order to achieve the goals of the National Planning Process.	CO	BLM	emc0070RM
1552.	Recommendations: It is critical to ensure that the Middle Park, Eagle, South Routt, Meeker/White River, and Parachute Piceance/Roan populations be effectively conserved. This will require implementation of adequate regulatory mechanisms to conserve these populations in the Little Snake, White River, Colorado River Valley, Kremmling and Grand Junction Field Offices. The goals and objectives of the plan amendment process for each of these plans amendments must be to maintain AND enhance each of these populations. This goal should be achieved through implementing the recommendations of the National Technical Team Report to the fullest extent possible, and specifically addressing all of the threats identified by the U.S. Fish and Wildlife Service (FWS) in their 2010 listing decision.13	CO	BLM	emc0070RM
1553.	3. There is significant new information that must be considered as part of this process. In order to satisfy the "hard look" requirement, the BLM must supplement its existing environmental analyses when new circumstances "raise[] significant new information relevant to environmental concerns . . . ." Portland Audubon Soc'y v. Babbitt, 998 F.2d 705, 708 (9th Cir. 2000). Agencies are required to "prepare supplements to either draft or final environmental impacts statements if . . . There are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts." 40 C.F.R. § 1502.9©(1)(ii) (2009). The Supreme Court has held that a supplemental EIS must be prepared if "new information is sufficient to show that the remaining action will 'affec[t] the quality of the human environment' in a significant manner or to a significant extent not already considered . . . ." Marsh v. Or. Natural Res. Council, 490 U.S. 390, 374 (1989); see 42 U.S.C. § 4332(2)©	CO	BLM	emc0070RM
1554.	3. There is significant new information that must be considered as part of this process. a. National Technical Team Report The December 2011 Sage-Grouse National Technical Team's Report on National Greater Sage-Grouse Conservation Measures outlines significant new information and circumstances that must be considered through this planning process.14 This report reviews the most recent research on greater sage-grouse and outlines the findings and recommendations of an expert team, including many of BLM's own scientists, regarding the management measures that should be applied to ensure that this planning process ultimately results in adequate regulatory mechanisms to conserve greater sage-grouse. Neither this report, nor the recent science that are summarized in the report, were considered in any of the draft or final Resource Management Plans in Colorado. All of the information and recommendations outlined in this report must be considered carefully through this planning process.	CO	BLM	emc0070RM

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1555.	3. There is significant new information that must be considered as part of this process. B. FWS Finding The March 2010 FWS listing decision for the greater sage-grouse also outlines significant new information and circumstances that must be considered through this planning process. The FWS finding stated that listing was "warranted but precluded" due to higher listing priorities under the Endangered Species Act (ESA). This decision confirms long-standing concerns about this iconic western species. Based on current estimates, greater sage-grouse populations in North America have declined as much as 93% from presumed historic levels and have been extirpated from approximately 44% of their former range.15 Sage-grouse are thought to have declined at an overall rate of 2 percent per year from 1965 to 200316, likely as a result of habitat loss, fragmentation, and degradation. The 2010 "warranted" finding and supporting analysis cited a host of scientific data and literature, representing some of the most recent scientific information on current populations, habitat trends, and threats. These include the 2004 WAFWA Conservation Assessment, and the suite of articles published as an extensive monograph in the peer-reviewed journal Studies in Avian Biology.17 To preclude listing under the ESA, the FWS must determine that threats to the species are effectively addressed by science-based conservation measures and that comprehensive regulatory mechanisms are in place to ensure that those actions occur. The FWS has identified the principal regulatory mechanism for the BLM as conservation measures in Resource Management Plans (RMPs). The FWS findings identified the top five threats in the eastern range as: oil and gas development, infrastructure, invasive species, wildfire, and livestock grazing/agricultural conversion. In addition renewable energy development is on the rise throughout the species' range; including proposals for associated transmission and rights-of-way (ROW) infrastructure.18	CO	BLM	emc0070RM
1556.	3. There is significant new information that must be considered as part of this process. c. CPW maps of preliminary priority and preliminary general habitat. Colorado Parks and Wildlife (in cooperation with BLM) recently delineated preliminary priority and general habitat.19 These maps have been updated based on recent science, from previous CPW maps of greater sage-grouse core areas and seasonal habitat. CPW's previous maps were used as a basis for delineation of: 1) high and medium priority habitat in the Little Snake RMP, 2) habitat that would be managed for greater sage-grouse in the draft Kremmling and Colorado River Valley RMPs, and 3) in the development of not-yet-published alternatives for the White River Oil and Gas Amendment, and the Grand Junction RMP. CPW's preliminary priority and general habitat maps differ from previous maps because of significant new information on the location of seasonal habitats used by greater sage-grouse.	CO	BLM	emc0070RM
1557.	Recommendations: None of the draft or final Colorado Resource Management Plans have taken a "hard look" at significant new information included in the: 1) National Technical Team Report, 2) March 2010 FWS listing decision for the greater sage-grouse, or 3) Colorado Parks and Wildlife's maps of preliminary priority and general habitat and the research used to delineate this habitat. In order to adequately consider this significant new information, BLM must amend the five Colorado RMPs within greater sage-grouse habitat in one comprehensive, sage-grouse specific EIS (See section 4 of these comments for further discussion).	CO	BLM	emc0070RM
1558.	4. The BLM should amend five RMPs to conserve greater sage-grouse in one comprehensive EIS. We recommend that the BLM amend all five Colorado RMPs within the range of the greater sage-grouse, via one comprehensive greater sage-grouse specific EIS rather than attempting to incorporate adequate regulatory mechanisms into the five Resource Management Plans through ongoing planning processes. We recommend this approach for the reasons outlined below. IM 2012-04420 provides direction to BLM for considering conservation measures recommended by the National Technical Team (NTT)	CO	BLM	emc0070RM

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	Report.21 The IM directs BLM to appropriately consider and analyze the conservation measures developed by the NTT, through the land-use planning process, in all BLM State and Field Offices that contain occupied greater sage-grouse habitat.22 Thus, in each Colorado RMP, the BLM is required to consider an alternative that includes the conservation measures outlined by the NTT (See further discussion in section 6 of these comments).			
1559.	Four of the five Colorado RMPs that contain occupied greater sage-grouse habitat are currently undergoing revision (Kremmling, Colorado River Valley, White River oil and gas amendment, and Grand Junction). The National Technical Team's recommended conservation measures are not within the range of alternatives in the Draft Kremmling and Colorado River Valley RMPs. The Grand Junction draft Resource Management Plan, and the White River draft resource management plan amendment have not yet been completed and published. However, in both cases, the agency is near completion of draft alternatives, and could not incorporate the National Technical Team's recommendations as an alternative, without a significant delay in the planning process, unless the alternative was incorporated only as a "straw man" conservation alternative (See further discussion in section 6 below), which is unacceptable. Developing a greater sage-grouse RMP Amendment/EIS that amends all five of the relevant Colorado RMPs to incorporate adequate regulatory mechanisms to conserve greater sage-grouse, will allow for consideration of an adequate range of alternatives. (See further discussion in section 6 below).	CO	BLM	emc0070RM
1560.	In addition, there is significant new information that must be considered in amending each of these plans to conserve greater sage-grouse, which was not available to either the agency or the public during any of the ongoing planning processes to-date. This information includes the National Technical Team's Report, the U.S. Fish and Wildlife Service March 2010 listing decision, and release of updated maps of greater sage-grouse habitat in Colorado (See further discussion in section 3c of these comments). It will be difficult for the agency to effectively incorporate this significant new information into any of the ongoing planning processes at this late stage in the four ongoing planning processes. Developing a greater sage-grouse RMP Amendment/EIS that amends all five of the relevant Colorado RMPs to incorporate adequate regulatory mechanisms to conserve greater sage-grouse will allow the agency to take a single, effective 'hard look' at significant new information, and how best to incorporate this information into the amendment in ways that will best conserve the species across its range in Colorado.	CO	BLM	emc0070RM
1561.	Finally, it is important for Colorado BLM to assess the cumulative impacts of its management on greater sage-grouse across the state, to ensure that management of greater sage-grouse habitat is consistent across Field Office boundaries, and to ensure that its Resource Management Plans collectively implement adequate regulatory mechanisms to conserve greater sage-grouse in Colorado. Developing a greater sage-grouse RMP Amendment/EIS that amends all five of the relevant Colorado RMPs to incorporate adequate regulatory mechanisms to conserve greater sage-grouse, is the most effective and straightforward way to achieve all of the above goals.	CO	BLM	emc0070RM
1562.	Recommendations: BLM should amend all five Colorado RMPs within the range of the greater sage-grouse, via one comprehensive greater sage-grouse specific EIS rather than attempting to incorporate adequate regulatory mechanisms into the five Resource Management Plans through ongoing planning processes.	CO	BLM	emc0070RM
1563.	5. Priority and general habitat for the purposes of this planning process should include all BLM managed lands delineated as preliminary priority and general habitat by CPW. a. Priority and general habitat should be delineated based on biology.	CO	BLM	emc0070RM

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	Greater sage-grouse preliminary priority and general habitat in Colorado, as defined by BLM in its National Planning Strategy, has recently been delineated on maps by Colorado Parks and Wildlife. These maps are based on the best available science, and incorporate the most recent research available on greater sage-grouse habitat in Colorado. Priority habitat for the purposes of this planning process, in a given Field Office, should include all of the area managed by the Field Office delineated as preliminary priority habitat by Colorado Parks and Wildlife. Similarly, general habitat for the purposes of this planning process, in a given Field Office, should include all of the area managed by the Field Office delineated as preliminary general habitat by Colorado Parks and Wildlife.			
1564.	Colorado BLM and/or individual BLM Field Offices should not remove areas from priority and general habitat in the absence of data suggesting that these areas do not meet the biological definition of priority or general habitat as outlined by the BLM National Planning Strategy and Colorado Parks and Wildlife.23 For example, an area that meets the definition of priority habitat from a biological standpoint should not be removed because of the existence of valid existing rights or development that does not absolutely preclude any current or future use of the habitat by greater sage-grouse. If the BLM chooses to delineate priority or general habitat in a given field office in a manner that excludes areas identified as priority or general habitat by Colorado Parks and Wildlife, the BLM must disclose the rationale for doing so to the public. Again, this should not be contemplated without a biological basis, and where there is disagreement between BLM and Colorado Parks and Wildlife on the biological basis for including/excluding areas from priority or general habitat, BLM must explain why it disagrees with Colorado Parks and Wildlife and provide any relevant research/evidence to the public. If there are legal or other conflicts with managing priority or general habitat as delineated by Colorado Parks and Wildlife in accordance with the National Technical Team's recommendations, the BLM should address these through considering adjustments to management proposed for specific areas as part of the planning process, not by adjusting the maps of priority and general habitat.	CO	BLM	emc0070RM
1565.	Recommendations: Priority habitat for the purposes of this planning process, in a given Field Office, should include all of the area managed by the Field Office delineated as preliminary priority habitat by Colorado Parks and Wildlife. Similarly, general habitat for the purposes of this planning process, in a given Field Office, should include all of the area managed by the Field Office delineated as preliminary general habitat by Colorado Parks and Wildlife.	CO	BLM	emc0070RM
1566.	6. The BLM must analyze an adequate range of alternatives. a. Legal requirements The alternatives section is "the heart of the environmental impact statement" and an agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action (40 C.F.R. § 1502.14).24 Accordingly, the BLM must ensure that an adequate range of alternatives is presented in the DEIS. The consideration of a range of environmentally protective alternatives is consistent with the Federal Land Policy and Management Act requirement that the agencies "minimize adverse impacts on the natural, environmental, scientific, cultural, and other resources and values (including fish and wildlife habitat) of the public lands involved" (43 U.S.C. §1732(d)(2)(a)). The BLM must consider alternatives reflecting the full suite of appropriate management prescriptions that weigh the relative values of resources while contributing towards the greatest conservation of the greater sage-grouse and its habitat. The multiple conservation alternatives should incorporate a full range of policies targeting specific habitat types and a broad spectrum of protective measures. The range of alternatives should include those outlined below. An agency violates its obligation to consider a reasonable range of alternatives and to take NEPA's hard look at environmental impacts when it only looks at "straw men" for comparison, which the agency has no	CO	BLM	emc0070RM

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	intention of accepting and are put forth only to lead to the agency's already foregone conclusion.25			
1567.	b. All alternatives except no action must include strong protections for greater sage-grouse. All of the alternatives (other than the 'no action' alternative) must include strong protections to conserve the greater sage-grouse. At a minimum, all action alternatives should include science-based conservation measures that address all of the primary threats to greater sage-grouse.	CO	BLM	emc0070RM
1568.	Each alternative should designate areas of contiguous sage-grouse habitat, not currently subject to mineral leases or other valid existing rights for permanent protection. These remaining refugia can provide intact, diverse, high quality sagebrush habitat, vital to sage-grouse and other sagebrush obligate species. Colorado BLM should identify contiguous areas of habitat that are not subject to valid existing rights in Colorado and set these areas aside from development, in all alternatives (Wyoming BLM proposed a similar action in Instruction Memorandum WY-2010-013).26 Colorado BLM could identify a minimum size for a contiguous area that should be set-aside from development, such that set-aside areas are large enough to be used by greater sage-grouse. This should be done in consultation with Colorado Parks and Wildlife and U.S. Fish and Wildlife Service. Colorado has relatively small and fragmented populations, and few large contiguous areas that are not developed or subject to valid existing rights. In Colorado, it may be necessary to set all areas not subject to valid existing rights aside from development, in order to conserve small isolated populations and provide refugia adjacent to areas likely to be developed. These identified, contiguous areas of undeveloped land should be considered for designation as Areas of Critical Environmental Concern in all alternatives. (See Section 8 on ACECs for further discussion). The plan amendment should ensure that ACECs will be managed appropriately.	CO	BLM	emc0070RM
1569.	In addition, each plan should preserve options to set areas that are currently subject to valid existing rights, but not intensively developed, aside from future development. All alternatives should include this provision in areas of contiguous priority habitat that have not yet been intensively developed. For example, all alternatives in each plan should specify that, when valid existing rights in contiguous priority habitat areas that are not intensely developed, expire (e.g. existing oil and gas leases), these areas will be set-aside from future development. This is especially important in areas where a substantial proportion of the priority habitat is under valid existing rights.	CO	BLM	emc0070RM
1570.	All alternatives should include strong baseline protections for priority and general habitat, that address each of the threats outlined in the U.S. Fish and Wildlife Service's finding. These protections must be consistent with the most recent research on impacts of various land uses and protective measures on greater sage-grouse.	CO	BLM	emc0070RM
1571.	All alternatives should address the concerns outlined by Colorado Parks and Wildlife and the U.S. Fish and Wildlife Service comments on the preferred alternatives outlined in previous draft and final RMPs.	CO	BLM	emc0070RM
1572.	All alternatives must protect a sufficient amount of priority and general habitat to meet the goal of maintaining and enhancing sage-grouse populations while allowing appropriate resource use.	CO	BLM	emc0070RM
1573.	All alternatives should include adequate science-based prescriptions in general habitat and linkage areas, which should be developed based on the report by the National Technical Team27, and in consultation with U.S. Fish and Wildlife Service and Colorado Parks and Wildlife.	CO	BLM	emc0070RM
1574.	Recommendations: All action alternatives must include adequate baseline protections, including the following: 1) limit	CO	BLM	emc0070RM

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	development to areas which have low conflicts with sage-grouse conservation, 2) full, permanent protections for contiguous, undeveloped priority habitat, 3) strong protections for other key habitat if some development might be allowed, 4) designate Areas of Critical Environmental Concern and provide assurances that they will be managed appropriately, 6) preserve options to set priority habitat currently under valid existing rights aside from development in the future, 7) address any concerns stated by CPW and FWS in their comments on the current or draft preferred alternative in each plan, and 7) provide scientifically valid protections for priority and general habitat and linkages. All alternatives should advance sage-grouse conservation and establish a comprehensive regulatory framework to prevent the need to list the greater sage-grouse under the ESA.			
1575.	c. Each plan must take a "hard look" at implementation of the conservation measures outlined in the NTT report and incorporate these measures in more than one alternative. IM 2012-04428 provides direction to BLM for considering conservation measures recommended by the National Technical Team (NTT) Report.29 The IM directs BLM to appropriately consider and analyze the conservation measures developed by the NTT, through the land-use planning process, in all BLM State and Field Offices that contain occupied greater sage-grouse habitat30. To achieve the goal of maintaining and increasing greater sage-grouse populations, the BLM must develop management measures that are supported by the best available science. The NTT recommendations constitute the findings of an expert team of professionals, including many of BLM's own scientists, regarding the management prescriptions that should be applied in order to ensure that this planning process ultimately results in regulatory mechanisms that maintain and increase greater sage-grouse populations. The IM notes that there may be some adjustments to these conservation measures in order to address ecological site variability. In the event of possible inconsistencies between the recommendations and applicable statutes and regulations, BLM is to consider the conservation measure(s) to the fullest extent possible as range-wide standards, consistent with its legal authority.	CO	BLM	emc0070RM
1576.	The following recommendations must be analyzed as a starting point for effective conservation: Apply the NTT recommendations to the preliminary priority habitat, general habitat and linkages, as delineated by Colorado Parks and Wildlife. Priority habitat areas must be large enough to achieve the goal of maintaining and increasing current sage-grouse abundance and distribution.	CO	BLM	emc0070RM
1577.	The following recommendations must be analyzed as a starting point for effective conservation: Fully protect priority habitat from large scale disturbances (e.g., transmission lines, oil and gas wells, graded roads, etc.) that will affect population distribution and abundance at any level.	CO	BLM	emc0070RM
1578.	The following recommendations must be analyzed as a starting point for effective conservation: If priority habitat cannot be fully protected from energy development due to valid existing rights, minimize impacts by limiting permitted disturbances to one per section with no more than 3% surface disturbance. Ensure that small scale disturbances do not cumulatively disturb more than 3% of each priority area.	CO	BLM	emc0070RM
1579.	The following recommendations must be analyzed as a starting point for effective conservation: Increase the amount of protected priority habitat by aggressively pursuing available tools, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts.	CO	BLM	emc0070RM

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1580.	We recognize the challenge inherent in full implementation of the NTT's recommendations, given social, political and legal factors associated with the need to maximize greater sage-grouse conservation efforts while providing for an appropriate level of continued energy development and other activities on our public lands. We are committed to working closely with the BLM and to achieve this balance. However, given the sage-grouse's current precarious position, it is critical for BLM to be proactive in its protection efforts. We strongly encourage BLM to avoid making proposed modifications to the NTT recommendations and to keep any such adjustments within the narrowest possible range. Any proposed deviations from the NTT's recommendations should be clearly outlined by the BLM, and resulting management prescriptions should be consistent with the best available science and the goal of maintaining and increasing greater sage-grouse populations. For instance, in areas with relatively small surviving sage-grouse populations and high levels of ongoing energy development, fully protecting remaining birds and remnant habitat should be the management priority.	CO	BLM	emc0070RM
1581.	In addition, aspects of the recommendations should be considered in all alternatives. The NTT recommendations should not be simply considered and rejected as a whole, since they provide a range of uses and management approaches. It is critical for BLM Colorado to seriously consider an alternative that incorporates the "full recommendations" of the NTT, and to include aspects of the NTT recommendations in all alternatives. BLM must not simply analyze the "full recommendations" alternative, along with the current preferred alternative in existing and draft RMPs, and then select the current preferred alternative and reject the "full recommendations" alternative as a "straw man".	CO	BLM	emc0070RM
1582.	Recommendations: The EIS should analyze at least one alternative for each RMP that incorporates all of the NTT's recommendations, as required in IM 2012-244. The "full recommendations" alternative should be seriously considered, and not simply rejected as a "straw man." The remaining alternatives in the EISs should incorporate portions of the NTT's recommendations.	CO	BLM	emc0070RM
1583.	d. Each plan should consider an alternative that applies the NTT recommendations in a subset of priority habitat. In addition to an alternative implementing the NTT's recommendations across all priority habitat, the agencies should analyze an alternative that fully incorporates the recommended conservation measures across a large proportion of priority habitat. The subset of priority habitat must be of sufficient size to meet the goal of maintaining and enhancing greater sage-grouse populations. Application of these measures in a subset of priority habitat should be combined with the measures recommended previously for consideration in all alternatives. An alternative limiting application of the recommendations to only a subset of priority habitat should not be selected unless qualified scientists, including FWS and CPW professionals, agree that the priority habitat so protected will achieve the goal of maintaining and increasing greater sage-grouse populations.	CO	BLM	emc0070RM
1584.	Recommendations: The EIS should analyze at least one alternative for each RMP that fully incorporates the NTT's recommendations across a subset of priority habitat.	CO	BLM	emc0070RM
1585.	e. Each plan should analyze a conservation alternative that provides more protection than that afforded by implementation of the NTT's recommendations.	CO	BLM	emc0070RM
1586.	The BLM should consider a 'conservation alternative' that: • Includes conservation measures recommended by the NTT Report, with improvements, including, but not limited to the following: o Avoid sagebrush reduction/ treatments to increase livestock or big game forage in priority habitat and include plans to restore high-quality habitat in areas with invasive	CO	BLM	emc0070RM

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	species. O Implement range management practices outlined by the NTT, with addition of further conservation measures, including avoiding new range and water developments that negatively impact sage-grouse and applying the 3% disturbance cap to certain range developments. O Design fuel treatments to protect existing sagebrush ecosystems (including avoiding such treatments where they will harm sagebrush ecosystems) and prioritize fire suppression to conserve the highest quality habitat. O Ensure that disturbance or uses that are permitted adjacent to priority habitat don't negatively impact sage-grouse populations in priority habitat,31 thus negating the value of designated priority habitats. Include small or isolated populations (such as those along the periphery of the greater sage-grouse's range) in priority habitat, and protect and enhance such populations with science-based prescriptions. • Combines this with designations of a subset of priority habitat as Areas of Critical Environmental Concern that receive a higher level of protection than that recommended by the NTT.			
1587.	Recommendation: The EIS should analyze an alternative for each RMP that includes protective conservation measures that go beyond those in the NTT Report, including, but not limited to ACEC designations and the other improvements described above.	CO	BLM	emc0070RM
1588.	Therefore, in order to maximize conservation benefit given other competing values, we recommend protective management of preliminary priority habitat delineated by Colorado Parks and Wildlife, along with designation of ACECs informed by the following additional criteria: Prioritize providing resources to ACEC designation, plan development and plan implementation.	CO	BLM	emc0070RM
1589.	9. Current final and draft CO RMPs do not contain adequate regulatory mechanisms to conserve greater sage-grouse. Colorado BLM has developed greater sage-grouse conservation measures in the final Little Snake Field Office Resource Management Plan, and the preferred alternatives in the draft Colorado River Valley and Kremmling Resource Management Plans. We appreciate the fact that Colorado BLM took the initiative to begin improving its greater sage-grouse conservation measures prior to the commencement of the National Planning Process. However, the final Little Snake Field Office Resource Management Plan, and the preferred alternatives in the draft Colorado River Valley and Kremmling Resource Management Plans, do not account for significant new information (see previous discussion in section 3 of these comments), and need to be substantially improved in order to achieve the goals of the National Planning process. Though the draft White River Oil and Gas Amendment and the draft Grand Junction RMP have not yet been published, they may also need to be updated to include significant new information, and improved to meet the goals of the National Planning Process.	CO	BLM	emc0070RM
1590.	a. Little Snake Field Office Resource Management Plan. The final LSFO RMP includes protections for greater sage-grouse that are an improvement over those outlined in any other final RMP to-date in Colorado. However, these measures are far from adequate regulatory mechanisms to conserve this important population, as evidenced by concerns expressed by both state and federal wildlife agencies, referenced below.	CO	BLM	emc0070RM
1591.	i. The plan does not set aside any high-priority habitat aside from development. The U.S. Fish and Wildlife Service (FWS) and Colorado Parks and Wildlife (CPW)36 have both recommended that high priority habitat in the Little Snake Field Office be set-aside from development and managed as protected core areas. FWS comments on the proposed plan state that, "For high priority habitats, we recommend avoiding energy development and similar activities, and instead, managing them as protected core areas."37 CPW further emphasizes this, stating that, "…establishment of large greater sage-grouse	CO	BLM	emc0070RM

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	refuges…may ultimately prove to be the only effective means of conserving greater sage-grouse populations in areas of extensive oil and gas development." CPW goes on to recommend that the LSFO preserve options for establishment of future refuges by retaining unleased minerals, and avoiding the re-leasing of minerals in high priority habitats.38 The final LSFO plan fails to set-aside high priority sage-grouse habitat from development or preserve options to set-aside core areas in the future.			
1592.	iii. The plan does not include measures to protect greater sage-grouse from impacts of activities other than oil and gas development. The final RMP does not include any specific measures to protect greater sage-grouse from the impacts of non-oil and gas related activities (e.g. transmission lines, wind energy developments, mining, etc.), even in high priority sage-grouse habitats. The 0.6 mile lek buffer and surface disturbance restrictions apply only to oil and gas development activities. The final RMP includes language stating that BLM may hold non-oil and gas related development to a higher standard in high and medium priority habitats. It states that BLM may require avoidance or additional mitigation, and that BLM may not approve projects in high and medium priority habitats.59 The FWS comments on the proposed plan suggest that the FWS does not consider this type of language to be an adequate regulatory mechanism, as it does not provide a high degree of certainty regarding what specific measures are likely to be implemented in the future to protect sage-grouse from the likely adverse effects of a variety of potentially harmful activities.60	CO	BLM	emc0070RM
1593.	iv. Provisions for monitoring and adaptive management are insufficient. The proposed plan does not establish an effective monitoring and adaptive management process with performance based standards. The plan does not spell out triggers for adaptive management, and clearly specify the consequences that will result if triggers are reached. 61 Monitoring and adaptive management are not required or adequately funded.	CO	BLM	emc0070RM
1594.	Recommendations: The BLM must amend the Little Snake RMP through this process, and must ensure that amendments address the concerns outlined above, as well as taking a "hard look" at the alternatives described in Section 6 of these comments and considering the significant new information and circumstances outlined in Section 3 of these comments.	CO	BLM	emc0070RM
1595.	v. Kremmling and Colorado River Valley Draft Resource Management Plans The preferred alternatives in the draft Kremmling and Colorado River Valley Draft Resource Management Plans contain improved conservation measures for greater sage-grouse. We commend BLM for its proactive effort to incorporate improved conservation measures into these plans prior to announcement of the National Planning Process. Please see the Conservation Community's Public Scoping Comments on Rocky Mountain Region Greater Sage-Grouse EISs and Supplemental EISs, submitted by Rocky Mountain Wild and others, for a summary of the conservation measures in the KFO RMP that we support. A copy of these Rocky Mountain Region Comments is available at: http://rockymountainwild.org/_site/wp-content/uploads/EISs-Eastern-Regional-SG-Comments_Consv.Community.pdf However, the preferred alternatives in these plans still do not currently contain adequate regulatory mechanisms to conserve greater sage-grouse. Please see a summary of our concerns with the preferred alternatives in these plans at: http://rockymountainwild.org/_site/wp-content/uploads/CRVFO_KFO_RMPs_GSG_Analysis.docx	CO	BLM	emc0070RM
1596.	Recommendations: The BLM must improve the greater sage-grouse conservation measures in the CRVFO and KFO RMPs are improved through this process, and must address the concerns about the current preferred alternatives in these plans, as well as taking a "hard look" at the alternatives described in Section 6 of these comments and considering the significant	CO	BLM	emc0070RM

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	new information and circumstances outlined in Section 3 of these comments.			
1597.	10. Interim Management We are very concerned that CO BLM Field Offices are not operating in accordance with the Interim Management laid out in Greater Sage-Grouse Interim Management Policies and Procedures Instruction Memorandum No. 2012-043. For example, the BLM's White River and Little Snake Field Offices recently proposed leasing of oil and gas lease parcels in preliminary priority and general greater sage-grouse habitat without going through the process laid out in IM 2012-043. Please see our protest of the proposed leasing for details.62 Recommendations: It is critical for Colorado BLM to operate in accordance with IM 2012-043 for any action proposed in preliminary priority or general habitat delineated by Colorado Parks and Wildlife.	CO	BLM	emc0070RM
1598.	11. Additional comments. Please refer to the Conservation Community's Public Scoping Comments on Rocky Mountain Region Greater Sage-Grouse EISs and Supplemental EISs, submitted by Rocky Mountain Wild and others, for additional comments. A copy of these Rocky Mountain Region Comments is available at: http://rockymountainwild.org/_site/wp-content/uploads/EISs-Eastern-Regional-SG-Comments_Consv.Community.pdf	CO	BLM	emc0070RM
1599.	First, the IM requires the BLM to map "priority preliminary habitat" (PPH) and "general preliminary habitat" (GPH) for sage-grouse and manage those habitats according to the procedures outlined in the IM. We believe strongly that until PPH and GPH are mapped, the BLM must manage all Greater sage-grouse habitat in Colorado as PPH. This will ensure that habitat most critical to recovering the species is protected from ongoing and proposed actions (such as oil and gas leasing) that were identified as threats in the U.S. Fish & Wildlife Service's March 2010 finding. This will also further the overarching purpose of the IM: to "promote[] sustainable Greater sage-grouse populations and conservation of its habitat while not closing any future options before the planning process can be completed ." IM 2012- 043 (emphasis added).	CO	BLM	rmc0006RM
1600.	Colorado Parks and Wildlife (CPW) appreciates the opportunity to work with the Bureau of Land Management (BLM) and the United States Forest Service (USFS) as a Cooperating Agency on the Greater Sage-Grouse Programmatic Resource Management Plan/Environmental Impact Statement (PRMP/EIS).	CO	Both	emc0072RM
1601.	CPW prepared, in collaboration with the BLM, the Preliminary Priority Habitat (PPH) and Preliminary General Habitat (PGH) maps; the map also depicts "linkages" that show potential movement corridors between populations. Specific conservation measures for linkages or connectivity between populations are not discussed in the BLMs Instructional Memorandum# 2012-043 (IM) or the Sage-Grouse National Technical Team report dated December 21 , 2011. Therefore, these linkages do not have management or policy recommendations for protection strategies or actions. CPW recommends that the "linkage" depicted habitats be given the at least the same level of protections as the PGH. These maps reflect the most current knowledge of habitats and bird distribution and use the best available science. CPW strongly recommends that the PPH and PGH maps be described in the PRMP as a designation of habitat boundary and not as "The Habitat Map". CPW requests the habitat be depicted as a boundary designation for two reasons: (1) a habitat designation will, over time, allow for bird distribution, lek status, and habitat conditions to change across the landscape. For example, as the status and distribution of leks change over time, dynamic mapping of habitat boundaries will reflect those changes in a timely, relevant manner; (2) this will allow BLM to change habitat boundaries through a more timely administrative process rather than a lengthy RMP revision or amendment process.	CO	Both	emc0072RM

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1602.	BLM and USFS are signatory to the 2008 Colorado Greater Sage-Grouse Conservation Plan. Threats identified in the 2008 plan remain valid today and should be included in the PRMP review process.	CO	Both	emc0072RM
1603.	The Colorado Greater Sage-Grouse Conservation Plan identifies six populations of greater sage-grouse in Colorado and describes the efforts of five local area working groups, as well as strategies developed at the state and local level to minimize impacts to grouse based on the requirements of individual populations and local conditions. The local working groups, including CPW, BLM and other agencies, have invested an extensive amount of time to develop local conservation plans. The plans contain many of the threats and risks that are identified range-wide; however, they have specific strategies developed for the grouse population based on local conditions. CPW has benefited from working with local working groups to develop conservation plans with local emphasis and to develop strong working relationships with local communities and local governments. Local conservation plans should be carefully examined for strategies that can be incorporated by BLMIUSFS to make the range of alternatives in the PRMP analysis more robust.	CO	Both	emc0072RM
1604.	CPW recommends that BLM!USFS clearly define the specific anthropogenic disturbances to be included in measurement of the overall disturbance (e.g. 3% threshold). CPW also recommends that the BLM/USFS conduct and publish a thorough baseline current condition disturbance measurement.	CO	Both	emc0072RM
1605.	CPW recommends that categorical exclusions (CX) not be used to facilitate NEPA processes for projects within PPH or PGH areas. Proposed projects should be evaluated on a case-by-case basis because of the significance of being located in greater sagegrouse habitat.	CO	Both	emc0072RM
1606.	Will the BLM!USFS propose (in the PRMP/EIS) to provide exemptions to stipulations in the proposed alternatives? CPW recognizes the importance of exemptions, waivers or modifications in limited situations. However, the granting of exemptions, waivers or modifications outside of extraordinary situations will raise doubt about the validity of the proposed protections proposed in the PRMP/EIS. In general, CPW believes that exemptions, waivers or modifications should be avoided; however, when necessary, they should be balanced with appropriate greater sage-grouse mitigation of equal or greater value. CPW should be consulted prior to granting exemptions, waivers and modifications within PPH and PGH.	CO	Both	emc0072RM
1607.	CPW believes that BLM and the Colorado Oil and Gas Conservation Commission (COGCC) should closely coordinate the final adopted PRMP outcomes, especially the PPH and GPH maps and habitat designations. Coordination is important so that the COGCC oil and gas Rules, as amended by House Bill 1298 and the July 2009 agreement entitled Memorandum of Understanding Among Bureau of Land Management, Colorado State Office, U.S. Forest Service, Rocky Mountain Region, and Colorado Oil and Gas Conservation Commission Concerning Oil and Gas Permitting on BLM and NFS Lands in Colorado are consistent. Concurrent habitat designations can provide a fluid avenue for BLM and COGCC to commit to consistent protective measures within these habitat designations that would result in greater certainty for oil and gas operators working with federal and state regulatory agencies and enhanced conservation of greater sage-grouse.	CO	BLM	emc0072RM
1608.	CPW recognizes that the Routt National Forest has relatively little total acreage within mapped PPH and PGH compared to the BLM Field Offices. However, CPW recommends that the USFS provide protection for sage-grouse habitat on the Routt National Forest. CPW requests that the USFS address sage-grouse habitat needs for projects planned in PPH and PGH. The largest portion of sage-grouse habitat on the Routt National Forest is mapped as PGH in California Park and Slater Park. Although the areas are mapped as PGH, CPW believes that Slater Park and California Park provide an important movement	CO	USFS	emc0072RM

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	corridor from the large sage-grouse populations in the Little Snake Valley to the smaller population areas in the Elkhead Valley. CPW recommends maintaining these habitats for movement corridors and potential breeding and brood rearing habitat. CPW has worked with the USFS on previous efforts to restore sagebrush and understory communities in California Park to benefit both greater sage-grouse and Columbian sharp-tailed grouse. CPW recommends that the USFS continue these restoration efforts.			
1609.	Even though the Routt National Forest has relatively little total acreage within mapped PPH and PGH compared to the BLM Field Offices CPW welcomes their participation. Why aren't other National Forests in Colorado with greater sage-grouse populations and habitats participating in Plan revisions, such as the White River National Forest? CPW encourages all appropriate land management agencies to participate so that the most defensible results can be produced.	CO	USFS	emc0072RM
1610.	Due to the biases and inadequacies described on page one and two of these comments, Moffat County requests the BLM not use the Technical Team Report, in its current form, as an alternative to be considered in the EIS. However, knowing that that BLM has indicated they will use the Technical Team Report as an alternative, Moffat County requests BLM utilize a full range of alternatives to represent the range of possible management actions in its EIS. We recognize that the Technical Team Report, although highly inadequate, does represent, one extreme sideboard. We specifically request that the other sideboard opposite the Technical Team Report analyze a scenario where Sage-grouse are not given special management considerations and one scenario where BLM utilizes the existing RMP stipulations, including the 5% disturbance proposal, to manage the resource. If BLM merely considers the RMP, or the 'existing condition' as the opposite sideboard to the Technical Team Report, it does the alternative process injustice. Considering the Technical Team Report on one extreme, and merely the existing condition as the other, then the scale is weighted unjustly toward pedestaling the grouse above other uses. The Little Snake RMP and the NW Colorado Sage-grouse Management Plan both prioritize grouse management, while still allowing other uses such as grazing, recreation, and energy development to simultaneously occur. Grouse in Moffat County have sustained themselves with positive numbers overall with this philosophy of management and Moffat County is not supportive of shifting this balance where our local economy suffers.	CO	BLM	emc0076RM
1611.	Consistency with Local Planning Efforts Moffat County appreciates BLM extending the invitation for Cooperating Agency Status. One issue that arose with the publishing the Technical Team Report, is the inconsistency of that report with the Moffat County Master Plan, which contains the Moffat County Land Use Plan, the NW Colorado Greater Sage-grouse Conservation Plan, and the Little Snake Field Office Resource Management Plan. The above mentioned documents were all drafted with a record setting public input process, involving a wide range of stakeholders and scientific evidence. These documents are in direct conflict with the Technical Team Report in areas such as grazing, wildfire, mineral and non mineral leases, and wildlife management. We hope that there is a middle (not sideboard) alternative in the EIS that is consistent with the above mentioned documents regarding grouse management. In general these documents have been designed with a 'live and let live' philosophy that carefully allows other uses of the rangelands that co-exist with Sage-grouse. The Technical Team Report diminishes these other uses, by placing grouse management above these other uses. Federal Land Management Policy Act 43 USC 1712©(9) provides the mechanism for BLM to coordinate closely with the local governments in the development of alternatives and the EIS. Moffat County requests BLM honor the consistency requirements with existing local planning documents and we look forward to this participation. There is a general concern that BLM reports it will	CO	BLM	emc0076RM

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	compile information from the five RMP's affected by the EIS. The Little Snake BLM Field Office has a very current RMP that carefully considered regulation of activity in Sage-grouse areas. Considering vegetation communities and general habitat vary widely throughout the five field offices, Moffat County encourages BLM to evaluate the grouse protection measures in each RMP separately, realizing that mechanisms in the Little Snake RMP likely won't work in other field offices. While we acknowledge the need to evaluate the net effect of the five different RMP's, we urge BLM to also acknowledge area-specific grouse management strategies identified in the Little Snake RMP.			
1612.	In the Draft RMP for the Kremmling (CO) Field Office31, Alternative C would commit the BLM to: ...proactively identify, protect, and improve wildlife habitat, including treatments for the benefit of sagebrush-dependent species, especially in areas identified as historical habitats. Alternative C would include establishing reference areas that would be used as control groups for evaluating management activities in sagebrush habitat. In sage-grouse core areas within the Planning Area, BLM-managed public lands would be closed to oil and gas leasing. Draft RMP32 at 2-24. Alternative B (preferred alternative) would prohibit surface occupancy or use in core habitat. Draft RMP at 2-55 – 2-56. Alternative C would prohibit oil and gas leasing in core sage-grouse habitat. Draft RMP at 2-55. Alternative C would also limit surface disturbance in core habitat to one percent at any one time, while Alternative B would limit surface disturbance to three percent at any one time. Draft RMP at 2-74.	CO	Both	emc0089RM
1613.	Recommendations: The Lander (WY) and Kremmling (CO) Field Offices' Draft RMPs contain important conservation measures that should be applied, where appropriate, to other land use plans, specifically, Alternatives B and D in Wyoming and Alternatives B and C in Colorado. Many of these management prescriptions recognize the relative value of other resources while contributing to the conservation of greater sage-grouse and sage-grouse habitat.	CO	Both	emc0089RM
1614.	CMA recognizes the need to develop a plan that will be sufficient to conserve the species so that future listing as threatened or endangered is unnecessary. We support the many voluntary efforts already underway through the various initiatives, conservation plans. candidate conservation plans with assurances, and local working groups that have converged in this state to protect and conserve the sage grouse population. It is important that BLM recognize and build upon themany planning efforts that have already taken place including the Moffat County Land Use Plan. the NW Colorado Greater Sage Grouse Conservation Plan, and the Little Snake Field Office Resource Management Plan. It is our understanding that efforts through the North Park Sage Grouse Working Group have achieved some success. A wide range of public input was received in the drafting of these plans with broad stakeholder participation and submission of scientific evidence. The recommendations in these plans directly conlict with the National Technical Team Report in areas such as grazing. wildfire, mineral and non-mineral leases, and wildlife management. Whereas the locally developed plans emphasis co-existence between sage grouse conservation and other necessary uses of the land, the Technical Team report emphasizes sage grouse protection above all in an exclusionary approach. Because of the unique situation which occurs in NW Colorado where some entire counties may be affected, we urge the BLM to provide alternatives which emphasize multiple use of the lands with compensatory mitigation.	CO	Both	emc0143RM
1615.	Alternatives presented in an EIS should balance the need for sage-grouse protection with due regard for multiple use mandates contained in other federal law including the Multiple Use Sustained Yield Act of 1960, 16 U.S.C. §§ 528-31; the Forest and Rangeland Renewable Resources Planning Act of 1974, 16 U.S.C. §§ 1600-l4; and the national Forest Management	CO	Both	emc0143RM

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	Act of 1976, 16 U.S.C. §§ 1600 et seq. For lands managed by the BLM. the Federal Land Policy and Management Act provides in Section 302 that "[t]he Secretary' shall manage the public lands under principles of multiple use and sustained yield." 42 U.S.C. § 1732(a). Furthermore, FLPMA requires management ofthe public lands ""in a manner which recognizes the Nation's need for domestic sources of minerals." 43 U .S.C. § 170 1 (11)-(12). In 2006, the importance of mining on public lands was acknowledged and BLM endorsed multiple use for land use management in its 2006 Energy and Non-energy Mineral Policy, which states that, with few exceptions. mineral exploration and development can occur concurrently or sequentially with other resource uses and further indicates that the least restrictive stipulations that effectively accomplish the resource objectives or uses will be used. See BLM 2006 policy at p. 2. CMA believes that the numerous directives in federal land management statutes and agency policy continue to be honored in any alternatives crafted to protect the greater sage-grouse.			
1616.	CMA is concerned that the two Instructional Memoranda, if taken to their furthest extent, could effectively result in a moratorium on new activities conducted on public lands which have been identified as sage grouse habitat. We urge the BLM to defer action until a full and transparent public process has been completed to address sage grouse conservation. Existing measures, we believe. are more than adequate to address interim concerns until a specific plan is adopted through a public process.	CO	Both	emc0143RM
1617.	IV. ADOPT THE RECOMMENDATIONS OF THE NATIONAL TECHNICAL TEAM, AND CONSIDER ADDITIONAL PROTECTION. The undersigned believe that the recommendations of NTT, 2011, constitute the best available science and provide the best set of measures for ensuring the conservation and recovery of GSG. Though outcomes are not guaranteed, we believe that implementing the strong protective measures embodied in the NTT Report gives GSG the greatest chance of survival and recovery. Therefore, at least one alternative in the NEPA analysis must propose to apply the NTT recommendations.	CO	USFS	emc0175RM
1618.	(One of the most important NTT recommendations for Routt NF) "Do not use Categorical Exclusions (CXs) including under the Energy Policy Act of 2005, Section 390 in priority sage-grouse habitats due to resource conflicts." Ibid.	CO	USFS	emc0175RM
1619.	1. Apply NTT recommendations to some general GSG habitat. The NTT recommendations apply primarily to priority habitat. Thus the Routt National Forest should adopt these recommendations for any priority habitat on the Forest At least one alternative in the NEPA document should also propose to apply them to some or all general habitat in areas adjacent to or near priority habitat, whether that priority habitat is on national forest or land in other ownership. Also propose to apply it to areas of historic habitat that form sufficiently sized blocks and are, or could become, reasonably well connected to other GSG habitat.	CO	USFS	emc0175RM
1620.	4. Require strong mitigation where needed. If the three percent surface disturbance limitation is exceeded, e. g., due to exercise of valid existing rights for gas leases, require mitigation, preferably for the same population and the same type(s) and quality of GSG habitat that are affected. Actions that may require mitigation should be avoided to the greatest extent possible. The principles described in Doherty et al., 2010 3 should be used in planning mitigation. BLM and FS should consider using the approach outlined in this paper to develop methods to forecast population losses that will result from unavoidable development of valid existing rights, and to ensure that offsite mitigation permanently reduces similar risks to other sage-grouse populations of equal size. The analyses and recommendations in this paper should be carefully considered when	CO	USFS	emc0175RM

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	designing conservation strategies that include mitigation.			
1621.	2. Assign occupied GSG habitat to existing, protective Forest Plan management areas. a. Designate research natural areas for some GSG habitat. Establishing one or more research natural areas (RNAs) in GSG habitat would help conservation of the species by 1) providing protective measures, 2) establishing one or more areas where research could be conducted on sage grouse use of habitat and/or restoration or enhancement of historic or potential habitat. For occupied GSG habitat that provides at least some of the species' needs in all seasons, RNA designation would be appropriate because such area(s) could "serve as reference areas for evaluating the range of natural variability and the impacts of management in similar environment (sic)". Forest Plan at 2-22, Management Area 2.2. One or more RNAs would also help "protect and maintain representative and key elements of biological diversity.." and "serve as study areas for ecosystems and ecological processes". Ibid. Even some unoccupied habitat could be designated as an RNA so that experimental restoration on a small scale could be tested and observed. RNA designation would protect sage grouse because oil and gas leasing and recreational motorized use are not allowed in these areas. Plan at 2-23, 2-24. However, control of non-native plants is encouraged (id. at 2-23), thus exotic species like cheatgrass, which is a pervasive plague on GSG range throughout the west, could be treated. RNA designation would provide a golden opportunity to conduct scientific research that should help conserve GSG.	CO	USFS	emc0175RM
1622.	b. Designate some or all occupied sage grouse habitat as special interest areas. Management Area 2.1, Special Interest Areas (SIAs) could also be used to protect GSG habitat. The Forest Plan states that: SIAs can be designated to protect and manage threatened, endangered, and sensitive species and other elements of biological diversity.. Id. at 2-19. Other components of this management prescription would allow management to protect GSG: Vegetation manipulation may be used to maintain or restore natural conditions [and] to protect threatened, endangered, and sensitive species... Ibid. Use only those vegetation management practices necessary to meet specific resource objectives of maintaining or restoring the values for which the SIA was identified. ... Allow recreational use emphasizing interpretation and education when it does not threaten the values for which the area was identified. Id. at 2-21. The following provision of management prescription 2.1 would need to be adjusted for any SIA designated to protect GSG: Allow oil and gas leasing with controlled surface-use stipulation, unless further restricted by other conditions in the SIA. Id. at 2-20. There is strong evidence from published research that GSG avoid infrastructure associated with energy development. See NTT at 19-20. Thus all sage grouse habitat must be off-limits to leasing.	CO	USFS	emc0175RM
1623.	3. Consider composing and applying a new management area prescription that will focus on protecting and restoring, as appropriate, occupied, historic and potential GSG habitat. The two areas identified as "draft core areas" on the Routt NF on the "Core Area Overview" map that accompanies the SRC are both assigned to management area 5.41, deer and elk winter range. This prescription would provide some protection for GSG, but only in the winter. All types of GSH habitat, not just winter range, will need to be protected to ensure conservation and recovery of the species. Maintaining winter range for big game may involve retaining some tree stands for hiding and thermal cover. See Plan at 2-47, Desired Condition for management area 5.41. Obviously, this is inappropriate for GSG habitat, because this species will stay out of a considerable area around any trees in order to avoid predators. Even if trees are not present now, they could invade in the future, leading to a degradation of GSH habitat, even if they might be desirable for big game cover. Indeed, encroachment of conifers (mainly pinon-juniper) is a factor in degradation of GSG habitat. 75 Fed Red at 13937-13939 The National Technical Team	CO	USFS	emc0175RM

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	recommends removing standing and encroaching trees within 100 meters of occupied sage-grouse habitat, to reduce availability of perch sites for avian predators. See NTT at 71, point 12 The limitation on oil-gas leasing in management prescription 5.41 is insufficient, as it would allow leasing with timing stipulations "unless further restricted by other conditions". Plan at 2- 48. This would allow activities and structures within GSG habitat, rendering that habitat useless to the species. Thus the 5.41 prescription is not at all adequate or appropriate for occupied GSG areas. It must be changed. To emphasize the rather urgent need to protect GSG, a new management prescription could be composed and applied, at a minimum, to occupied habitat and some historic habitat. To prevent activities on adjacent areas, such as motorized recreation and oil-gas leasing and operations, it should also be applied to areas adjacent to habitat, including areas of national forest land that are adjacent to GSG habitat in other land ownerships. See discussion in section III above on the need for protecting areas adjacent to GSG habitat. Management prescriptions must not be the only mechanism to protect GSG habitat on the Routt, unless all occupied, historic, and potential habitat is assigned to a sufficiently protective prescription. More likely would be a scenario where any management prescriptions used to conserve GSG would cover less than all the habitat the species might use in the future. That is why it is important to have strong forest-wide standards for protection of GSG.			
1624.	CONCLUSION. The Forest Service must do its part in ensuring the conservation of GSG. Strong protective measures must be adopted into the management plan, including, but not necessarily limited to, forest-wide standards. The NTT recommendations should be adopted as forest plan standards.	CO	USFS	emc0175RM
1625.	The Routt amendment must apply to all existing and potential GSG habitat. Land that is not currently habitat for GSG but is adjacent to such habitat, even that on other land ownerships, must be protected to ensure that activities on national forest land do not lead to a further decline of GSG or thwart its recovery to full viable populations. A strong monitoring program is critical to the success of management in conserving GSG.	CO	USFS	emc0175RM
1626.	Second, on a related note, the BLM must work proactively with Colorado Parks & Wildlife to finalize the PPH and GPH maps as soon as possible. Only once those maps are finalized can the BLM fully implement the IM's policies and procedures. Additionally, the BLM must make the final maps and associated GIS data available to the public in a timely fashion and on a central website location, as it has done for the Idaho and southwestern Montana sub-region. Please note that because the habitat maps have not been finalized for Colorado and several other states in the region, the public is unable to review and comment on them during the current scoping periods for the range-wide planning process. As a consequence, we have formally asked the Interior Department for additional time to review and comment on the habitat maps once they are released to the public.	CO	BLM	rmc0006RM
1627.	Finally, the BLM must follow the policies and procedures of the national IM and not the preexisting state-level IM concerning the management of sage-grouse (IM C0-2010-028). While the national IM authorizes states to follow state-level IMs in limited circumstances, those circumstances do not exist in Colorado. Consequently, Colorado BLM must at all times comply with the national IM.	CO	BLM	rmc0006RM
1628.	Given the limited time frame available to the BLM to analyze and implement Sage-grouse amendment to the identified Resource Management Plans and Land and Resource Management Plans, we strongly recommend that the agency tier to existing RFDs from the last round of completed planning documents in Wyoming, Utah and Colorado. While several of	CO	BLM	emc0340GB

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	Colorado and Montana RMPs have yet to be finalized and implemented, many have already completed preparation of their planning RFDs, which should be used as part of the Sage-grouse amendment process. In so doing, BLM will have the benefit of local information and expertise rather than attempting to prepare an additional regional RFD.			
1629.	The Conservation Districts are proponents of good resource management for multiple uses of our public lands. We strongly believe that all land use decisions should be made at the local level where the people most affected and hands-on land managers are involved daily with the land so they can make the most informed decisions. Therefore, we applaud Colorado for developing the Northwest Colorado Sage-Grouse EIS in an effort to gather more local data and information.	CO	Both	emc0178RM
1630.	We respectfully request that BLM consider alternatives in this EIS that use a common sense and local approach. With the current threat of listing, it is easy for BLM to overreact and implement regulations and restrictions greater than listing of the sage-grouse may implement. Therefore, we caution BLM in implementing more restrictive regulations than would be in place should the sage-grouse be listed.	CO	Both	emc0178RM
1631.	It is critical that the BLM not take a top down strategy with a one size fits all philosophy. There has been a huge amount of time and resources dedicated to understanding and improving Sage-grouse habitat in Northwestern Colorado. Other areas have their own unique challenges, but the cooperative efforts that have been on-going for the past 10 years in Colorado have done more research and strategizing for the benefit of the sage grouse than this EIS will provide. It is a waste of taxpayer funds to try to duplicate those efforts and the timeline of this EIS will not allow the necessary research. Therefore, it is absolutely critical that the BLM utilize these groups' data and information as they conduct the EIS and select an alternative.	CO	Both	emc0178RM
1632.	Documents that are essential to include in the EIS are: Parachute-Piceance-Roan Greater Sage Grouse Conservation Plan (April 29, 2008), Northwest Colorado Greater Sage-grouse Conservation Plan (April 2008), and the Little Snake Field Office RMP. These local planning efforts should be strongly considered as one of the alternatives in this EIS.	CO	Both	emc0178RM
1633.	These localized conservation plans have had a great deal of coordination and cooperation by local, state, and federal agencies as well as all other stakeholders. Therefore, the Districts respectfully request that at least one of the EIS alternatives include these plans.	CO	Both	emc0178RM
1634.	While we understand the Technical Team Report (TTR) will be one of the alternatives considered in this EIS, the Districts strongly encourage a critical look at the biases and inadequacies of the TTR report. Specific considerations include but are not limited to: a. No acknowledgement of the grouse predation issues that are significantly impacting the grouse populations. b. Lack of information on the symbiotic relationships and dependence between livestock grazing and Sage-grouse. The report also overlooks the grouse benefits of range improvements developed by the permittees. c. Inadequate credit given to local plans developed that are positively affecting grouse habitat. d. No acknowledgment of the need for addressing localized habitat requirements and circumstances. One size does not fit all. e. Lack of acknowledging the on-the-ground conservation practices which are effectively working to improve grouse habitat in Northwestern Colorado. f. Lack of local economic and social impacts to each local community and their unique circumstances. g. Lack of positive statements about the effects of fire on Sage-grouse habitat while some of the best leks are located on old fire scares.	CO	Both	emc0178RM
1635.	At least one of the alternatives considered in the EIS should include a scenario where Sage-grouse are not given special management considerations. For example, when BLM manages for any one species you begin to manage that species or others to extinction because of unintended consequences.	CO	Both	emc0178RM

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1636.	Preliminary Priority Habitat Maps appear to be very arbitrary. The Districts respectfully request that care is taken to ground-truth the priority habitat for the grouse to reduce the unnecessary intrusive footprint created by drawing circles four miles around each lek. There may be valuable habitat beyond the four mile radius in one portion of the landscape and it may be significantly less in other areas.	CO	Both	emc0178RM
1637.	The White River and Douglas Creek Conservation Districts support the BLM and various area-specific groups in their efforts to ensure the continued survival and strengthening of Sage-grouse populations and habitat. We encourage BLM to keep in mind that private land owners and managers are your best partners in this endeavor as they manage a significant portion of the grouse habitat. The grouse knows no private/public land boundaries and we always encourage strong cooperation and coordination with private land managers.	CO	Both	emc0178RM
1638.	The following comments relate to the BLM's management prescriptions for sage-grouse habitat on the lands it manages in northwestern Colorado by the Little Snake Field Office. We strongly urge that, in developing its west-wide strategy for protecting and enhancing sage-grouse habitat, the BLM withdraw from the mineral leasing and mining laws, all BLM lands harboring priority sage-grouse habitats managed by the BLM within the Little Snake Area. Unfortunately, though the Little Snake Field Office adopted a new Resource Management Plan just last year, that plan did not adequately protect sage-grouse habitats on BLM lands from inappropriate mining and mineral activities, such as oil and gas leasing, exploration and development, and hard rock mining. We share in the USFWS's concerns that the 5 and 1 percent disturbance factors, including providing exceptions to seasonal restrictions, will not be protective enough to ensure the long-term conservation of sagegrouse.	CO	BLM	emc0329GB
1639.	The following comments relate to the BLM's management prescriptions for sage-grouse habitat on the lands it manages in northern Colorado by the Kremmling Field Office. We strongly urge that, in developing its west-wide strategy for protecting and enhancing sage-grouse habitat, the BLM withdraw from the mineral leasing and mining laws, all BLM lands harboring priority sage-grouse habitats managed by the BLM within the North Park area managed by the Kremmling Field office. Although Alternative C of the proposed Resource Management Plan under consideration makes significant strides towards conserving greater sage-grouse habitat in North Park, the other proposed alternatives do not adequately protect sage-grouse habitats on BLM lands from inappropriate mining and mineral activities, such as oil and gas leasing, exploration and development, and hard rock mining. Although Alternative C prudently withdraws "priority" sage-grouse habitat, we strongly urge that, in developing its west-wide strategy for protecting and enhancing sage-grouse habitat, the BLM withdraw from the mineral leasing and mining laws, all BLM lands harboring identified sage-grouse habitat, including winter concentration areas, managed by the BLM within the Kremmling Resource Area.	CO	BLM	emc0329GB
1640.	The NESRSGWG has been working to conserve greater sage-grouse in Southern Routt and Northern Eagle Counties since 1998. We finalized a local Northern Eagle/Southern Routt Greater Sage-Grouse Conservation Plan in 2004 that was signed by local landowners, County Commissioners, Colorado Division of Wildlife, the BLM, the USFS, the Natural Resources Conservation Service (NRCS), and The Nature Conservancy. Landowners in the area have been implementing voluntary conservation actionson private land to maintain greater sage-grouse habitat. Some land owners may be less inclined to implement beneficial actions on private land if they feel they are losing options on the BLM and USFS grazing permits.	CO	Both	fxc0003RM

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1641.	The NESRSGWG reviewed the Preliminary Priority Habitat (PPH) and Preliminary General Habitat (PGH) maps provided by CPW. The Work Group is concered that the majority of the sage-grouse habitat in Souther Routt and Northern Eagle is shown as PPH.	CO	Both	fxc0003RM
1642.	The Work Group Does not believe that as large an area (as proposed by CPW) should be mapped as priority habitat in the Northern Eagle/Southern Routt (NESR) population.	CO	Both	fxc0003RM
1643.	The NESRSGWG is concerned that the PPH maps will likely be used by parties other than the BLM to pressure private land owners to comply with additional regulations on private land to benefit sage-grouse habitat. The NESRSGWG Conservation Plan inclused many voluntary conservation actions for private land.	CO	Both	fxc0003RM
1644.	Please clearly analyze and publish in the draft EIS the baseline (Current) amount of disturbance within the Northern Eagle and Southern Routt sage-grouse population area.	CO	Both	fxc0003RM
1645.	Please also analyze the potential impacts to the Colorado River Valley and Little Snake Resource Areas if the 3% threshold is exceeded and the BLM is not able to allow anything considered an anthropogenic disturbance within the PPH.	CO	Both	fxc0003RM
1646.	Should people help sagehens because we don't want just a scanty few on the endangered species list facing local extinction? Do sagehens have a right to life just as humans do because they have been in North Park millions of years and Europeans only 150? In any event, if something isn't done to help the birds, they will be placed on a list that is the law of this land and will have consequences for some coal mining, livestock grazing, vehicle riding and much more.	CO	Both	rmc0016RM
1647.	Tri-State requests th at the ELM include electric utility industry representatives in this communication process, in order to collaborate regarding the siting of electrical tran smission corridors (i.e., based on system needs) , while incorporating sage-grouse conservation. Identifying energy corridors that will not meet transmission system requirements or selecting transmission paths that are infeasible for construction will significantly impact electrical providers like Tri-State, who are obligated to serve rural communities and customers throughout the Rocky Mounta in West. It is criti cal that the ELM understands electric utilities other federal requirements, policies and guidelines defined by the North American Electric Reliability Corporation (NERC) and the Federal Regulatory Energy Commission (FERC) for the safe and reliab le operation of tran smission systems. Tri-State recommends that the DEIS and supplemental EIS documents includ e a documented process for unders tanding electrical energy demands in areas where sage-grouse occur and evaluating utility corridors and ROWs for transmission line development, in coordination with local utility owners, operators, and local govemments and municipalities. The outcome of this approach will be a better understanding of future energy demands and a balanced approach to conserving sage-grouse and th eir habitat and identifying corridors.	CO	BLM	rmc0019RM
1648.	We request that the BLM clarify in the DEIS and land use plans what is meant by " the extent allowed by law" in order for applicants to better understand the potential impacts to existing uses and authorizations on BLM administered lands.	CO	Both	rmc0019RM
1649.	Tri-State is concerned th at if improving an existing access road exceeds the 3% disturbance allowance for any given area, access could be restricted by the BLM. Tri-State currently builds access roads to the minimum standard required for operation and maintenance purposes and complies with seasonal rest rictions in sensitive areas. Additional mitigation for existing access rights or prohibiting access improvements will affect our ability to safely maintain and operate existing facilities.	CO	BLM	rmc0019RM

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1650.	The Sage-Grouse National Technical Team Report (2011) specifies the BLM should "Allow no upgrading of existing routes that would change route category or capacity unless the upgrading would have "minimal" impact on sage-grouse habitat, is necessary for motorist safety, or elimin ates the need to construct a new road." Could the BLM define in the DEIS analysis what will constitute a "minimal" impact? Tri-State requests that the BLM guidance document acknowledges the necessity of providing authorized access to existing facilities. In cases of emergency, a utility will be required to access the line and repair the damage to restore power immediately. We believe that having a permitted func tional access route will minimize overall environmental impacts by keepin g our maintenance c rews in pre-approved designated areas and minimize unauthori zed off-road travel by the public.	CO	BLM	rmc0019RM
1651.	Tri-State is concerned that some of the management recommendations in the Greater SageGrouse Interim Management Polic ies and Procedures are not feasible management options and may conflict with standards and federal regulations that utilities are required to comply with for safe and reliable delivery of power. For example, throughout the interim guidance document, the BLM ca lls for co-locating power lines within existing rights-of-way (ROWs). For operational and safety reasons, utilities cannot co-locate faci liti es within existing ROWs. Utilities are required to maintain clearances identified in the National Electric Safety Code for the safe and reliable operat ion of our transmission system . Tri-State requests the guidance and policy language is c1m ·itied to state that lin ear facilities should be placed adjacent to or parallel ex isting ROWs (not co-located within) to the greatest extent feasible, in order to make this a viable management option and complies with utilities ' operation standards and guid elines.	CO	BLM	rmc0019RM
1652.	It also is important to understand the limited feas ibility of certain protection measures initially iden tified in the BLM's Instructional Memo No. 2012-043, dated December 22, 2011 and the National Technical Team's Report (2011). Specifically, relevant guidance for " Rights-o f-Way (e .g., Renewable Energy Projects, Roads, Power Lines, and Pipelines)" contains some language th at could be problematic for both utility implementation and BLM enforcement. While many of the recommended measures identified in this section are viable approaches to protect sage-grouse in prox imity to power line ROWs, an example that may not be feasible includes; "Id entify technica lly feas ible best management practi ces, conditions, etc. (e.g., siting, buryi ng power lines) that may be implemented in order to eliminate or minimize impacts." A number of factors influence the feasibility of burying power lines, including voltage, land use, terrain, soils and geology of the area, density of ex isting buried facilities (water gas, etc), highway crossings, surface water cross ings, floodplain s, and presence of other biological and cultural resources of concern . Burying high voltage transmission lines poses a significant operational issue for utilities and would substantially increase the cost of constructing high voltage transmission lines, which is then passed on to our customersDue to engineering constraints and the way power is transmitted and di stributed , the potential for burying power lines is limited by a number of factors, including certain vo ltage classes, location s, size of line, length of line, load serving characteristics etc, Tri-State has a Board Policy that states we will only consider burying transmission lines if the landowners andlor local jurisdictions agree to pay the difference in cost from overhead construction. Tri-State's Board Policy also states that we will not construct underground high voltage lines in areas that would compromise the reliability of the transmission system. Examples of these scenarios include: constructing through difficult telTain, surface water crossings, floodplains, or areas with seasonally restricted access or uncertain geological conditions.	CO	BLM	rmc0019RM
1653.	Direct impacts to sagebrush habitats increase when burying a transmission line versus building an overhead line. The ROW	CO	BLM	rmc0019RM

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	required to construct and operate an underground transmission line is generally wider and would result in more direct impacts to sagebrush habitats, increasing habitat fragmentation for grouse. The Colorado Greater Sage-Grouse Conservation Plan (2008) also acknowledges this issue and states, "Burying transmission lines can result in greater ground disturbance and more regular maintenance in seeding and weed prevention. In addition, because of the inh erent limitations with bUlying power lines this approach could only apply to certain project scenarios and line voltages." This approach also fails to address the conservation of other federally and state listed species of concern associated with sagebrush habitats that would be affected from ground disturbance from burying a transmission line. Restoring sagebrush habitat and weed control in a wide linear corridor is inherently difficult and the BLM has acknowledged that sagebrush restoration can take decades to reach pre-construction results/co nditions. Minimizing impacts to sagebrush habitats is identified in the interim policies and guidance, but the recommendation to bury transmission lines contrad icts this approach.			
1654.	The DEIS should address how these conservation measures and plans can be viably implemented in a manner that will also comply with the Energy Act of 2005, which requires all state and federal agencies to grant utility access permits to promote reliable, renewable, energy production and transmission. The guidance as written, as well as the preliminary priority habitat maps created to support this effort would seem to exclude all development in large pOl1ions of northwestern Colorado and Wyoming and potentially conflict with the Energy Act of2005.	CO	BLM	rmc0019RM
1655.	The BLM should identify which entity would be responsible for improving habitats to the 3% threshold level, to allow for additional development, grazing, recreation, etc in the priority habitat area. The DE[S should address how the final conservation measures address sage-grouse management on a landscape level, taking into account these variables.	CO	BLM	rmc0019RM
1656.	Tri-State encourages the BLM to consider that conservation measures and mitigation alternatives should include additional research projects and funding to understand how linear above-ground features affect sage-grouse populations and reproduction.	CO	BLM	rmc0019RM
1657.	Tri-State requests that the BLM's DEIS and supplemental EISs for sage-grouse management review the results of these studies and incorporate adaptive management to iden tify appropriate and effective mitigation measures for potential impacts associated with tall structures. The National Techni cal Team states that tall structures "may" negatively impact grouse popUlations. The availability of the sc ience to date does not provide sufficient infonnation for land management agencies across the West to make educated decisions relative to sage-gro use and their responses to aboveground structures. This lack of data has resulted in and could continue to exacerbate agency deci sions that are not only infeasible for the electric utility induslly (e.g., burying power lines), but also are not structured to support grouse in the long tenn. Increased communication among all the stakeholders is encouraged in order to identify how this process to obtain the app licable data should move forward.	CO	Both	rmc0019RM
1658.	Tri-State requests th at the BLM engage with members of industry to have a better understanding of utility construct ion and operational constraints relative to the recommended conservat ion meas ures to ensure they are reasonable and feasible given other fed eral and state requirements as well as general operational requirements.	CO	BLM	rmc0019RM
1659.	The BLM approach does not satisfy BLM's mUltiple-use mandate, including the development of energy resources on public lands, and does not comply with the National Environmental Policy Act ("NEPA"). In the Sage-Grouse NOI, BLM articulates the purpose of the RMP amendments stating that Jhe RMP and LMP amendments/revisions will be limited to making land use	CO	BLM	rmc0021RM

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	planning decisions specific to the conservation of greater sage-grouse habitats." 76 Fed. Reg. at 77011 (emphasis added). Through the Sage-Grouse NOI, BLM reveals that the purpose and need for the amendments to the RMPs is not to evaluate the appropriateness of conserving greater sage-grouse habitats in light of BLM's mUltiple-use mandate-including the high-priority development of energy resources on public landsbut solely to conserve greater sage-grouse habitat. The Fact Sheet also explains that this is the intent, stating: "[t]he BLM is evaluating where the sage-grouse conservation measures in each Field Offices' plans are consistent with [the] National Technical Team's recommendations, and where we may need to consider Plan Amendments through this sage-grouse EIS." See Fact Sheet at http://www . B 1m. Gov lpgd a tal etcl m e d ia l1 blb l ml colp rogra mslwi l d life. Par.4 7886. File.d a tl sage%20gro use %20fact%20sheet%203-13-12.pdf. In fact, the Fact Sheet requests comments on how BLM can "incorporate (the Technical Report] into our NW Colorado Resource Management Plans." !!L Thus, the Fact Sheet assumes that the Technical Report recommendations are appropriate and should be included in the RMPs. Moreover, in the Sage-Grouse NOI and Technical Report, there is no suggestion of the need to consider competing public policy imperatives, or of resource management objectives which may be reflected in current RMPs. There are several problems with this narrow approach			
1660.	The Technical Report states its overall objective is "to protect priority sage-grouse habitats from anthropogenic disturbances that will reduce distribution or abundance of safe-grouse." NTI at 7. With respect to mineral development, the Technical Report steps even further, stating "the conservation strategy most likely to meet the objective of maintaining or increaSing sage-grouse distribution and abundance is to exclude energy development and other large scale disturbances from priority habitats." NTI at 21. Thus, the Sage-Grouse NOI and BLM reliance upon the recommendations in the Technical Report demonstrate that BLM seeks to inappropriately narrow the purpose and need for the RMP amendments in a manner that not only fails to appropriately consider BLM's multiple use mandate, but violates NEPA.	CO	BLM	rmc0021RM
1661.	BLM should evaluate, rely upon, or draw from existing conservation plans during this NEPA and RMP amendment process. The Sage-Grouse NOI and the Technical Report's proposal to broadly revise all of the RMPs containing greater sage-grouse habitat ignore existing sage-grouse conservation plans and strategies. Both the State of Colorado and BLM itself have developed and adopted well-recognized programs for the conservation of greater sage-grouse habitat. See Colorado Greater Sage-Grouse Conservation Plan at http://wildlife.state.co.us/W i l d l ifeS pecies/S peciesO fCo nce ro/B ird sIP ages/G rea terSa geG ro u seCo ns Pia n 2 .aspx; see also Parachute-Piceance-Roan Greater Sage Grouse Conservation Plan at httD:l/WWW.google.com/url?sa=t&rct-i&g=&esrc-s&frm-1&source-web&cd-1&ved=OCCQQFjAA&urlhttp% 3A%2F%2Fwildlife . state. co. u s%2 FSiteCo llection Do cume nts%2 FDOW%2 FWi ld l ifeSDeci es%2 FSDeci e sOfCo n cer n %2 FG rea te rSageG ro u se%2 FG rea terSa ge G ro use P PR Co n se rva tio n Pia n .Dd f&e i = RodgT6uYLsit r AeDvcCTAg&usg=AFQjCNFuxxAyOEuliEaubw-rsIlZtS6fSw&sig2=8vibDblYPBMRu8WvJJVW8A. In other settings, including the State of Wyoming, BLM has explicitly adopted and deferred to state conservation programs. Indeed, compatibility between resource management strategies on public and adjoining private lands will be essential to the success of any greater sage-grouse conservation program.	CO	BLM	rmc0021RM
1662.	BLM's proposed overhaul of the RMPs to conserve sage-grouse essentially ignores this welldeveloped and well-supported conservation plan - relying almost solely on the Technical Report - a report completed by technical and scientific advisors, after less than 10 days of meetings, with no input from the public. Oxy respectfully disagrees with such an approach and	CO	BLM	rmc0021RM

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	respectfully submits that BLM's failure to account for existing resource protection plans in the Sage-Grouse NOI and Technical Report requires BLM to revise the Sage-Grouse NOI and scoping plan-and recirculate it for public commentrequesting public comment on the effectiveness and reliance upon such plans for conservation of the sage grouse and its habitat. Additionally, Oxy respectfully submits that BLM's review of the RMPs and associated NEPA analysis must consider, as an alternative, deference to and reliance on existing conservation plans, such as the PPRSG Plan, in lieu of amendments to the RMPs. Instead of relying solely upon the recommendations contained within the Technical Report, BLM should evaluate the PPRSG Plan and the measures in the PPRSG Plan (as well as other similar plans) that reflect the myriad of approaches available for conservation of sage-grouse habitat while recognizing BLM's multiple use mandate. In particular, BLM should avoid a "one-size-fits-all" approach - such as that recommended in the Technical Report - and instead consider conservation measures that can be tailored to specific sites and locales; considering both the geography and diversity of land uses in particular areas. Reliance on the site-specific expertise of state and local wildlife authorities is a centerpiece of the PPRSG Plan, and a principal reason for its broad acceptance. Amendment of the RMPs to include the precepts of the PPRSG Plan would be preferable to establishment of a second, perhaps conflicting, conservation strategy.			
1663.	A failure to recognize the PPRSG either for the well-developed conservation measures established in that plan or in lieu of BLM's proposed RMP amendments could jeopardize the wellestablished coordination among the state (e.g., CDOW), local government (e.g., Garfield County) and other interested stakeholders (e.g., landowners, mineral developers and the conservation community).	CO	BLM	rmc0021RM
1664.	As described above, Oxy has significant concerns that BlM's narrowly tailored purpose and need, combined with its premature reliance on the Technical Report, precludes conservation measures that provide for co-existence between the sage-grouse and mineral development. Oxy has developed fluid minerals in the Grand Junction RMP and Colorado River Valley RMP area for more than twenty years, working collaboratively with BLM, other state and federal agencies, local landowners, and stakeholders to ensure the efficient and responsible development of such minerals under its valid and existing lease rights. The greater sage-grouse is not listed as a threatened or endangered species, and no decision to that end is expected earlier than 2015. Though Oxy supports reasonable efforts by BLM and others to avoid a listing of the species as endangered or threatened, the Sage-Grouse NOI and Technical Report do not reflect a reasonable approach to conservation of the sage-grouse. Rather, the Technical Report and the aggressive approach proposed by BLM, presents a significant challenge and impediment toi mplementing successful efforts that would preserve the viability of the sage-grouse and the integrity of energy development.	CO	BLM	rmc0021RM
1665.	The copy of the December 2L 2011 Sage Grouse 01ational Technical Team ·'Report on National Greater Sage-Grouse Conservation Measures ·' as I understand will be used in part or whole to develop the EIS, as an alternative for the EIS, or preferably not used at all.	CO	Both	rmc0050RM
1666.	As an agency we have supported sage grouse conservation and protection in accordance with the on the Colorado Greater Sage-grouse Working Group Conservation Plan (a cooperative effort) developed in 2008 and the Little Snake RMP. It appears that this 2008 plan would be sufficient with possible minor tweaking. And could be used as an EIS alternative.	CO	Both	rmc0050RM
1667.	Brush treatment, water development and other positive impacts to sage-grouse should be noted as a part of the tech report and be included in the EJS evaluation.	CO	Both	rmc0050RM

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1668.	I ask that Colorado BLM demonstrate a real commitment to updating the standards in its management plans to conserve sage-grouse based on the latest science.	CO	BLM	flm0000RM
1669.	The BLM should focus the strongest protections on the most important sage-grouse habitats, which is often where the largest number of grouse are found this increases chances for success. The BLM should protect a large enough area of priority habitat, to maintain AND increase sage-grouse populations.	CO	BLM	flm0000RM
1670.	I ask that Colorado BLM demonstrate a real commitment to updating the standards in its management plans to conserve sage-grouse based on the latest science.	CO	BLM	fll0000RM
1671.	The BLM should update standards based on the latest science. A scientific panel selected by the BLM outlined conservation measures that are an important starting point for effective conservation, in the 2011 'Report on National Greater Sage-Grouse Conservation Measures'. These conservation measures should be put into practice to the fullest extent possible, with some refinements to better address local issues.	CO	BLM	fll0000RM
1672.	The December 9,2011 NO! published by BLM is unclear as to how the Resource Management Plan (RMP) revision process for greater sage-grouse conservation ongoing in Wyoming will be incorporated into the proposed Rocky Mountain Regional effort. For project applicants, such as PCW and its affiliates, with significant undertakings in Wyoming, this creates uncertainty as projects proceed through the ROW application review process. In addition, a duplication of effort by applicants is necessary as participation in both processes is required.	East	Both	emc0399GB
1673.	BLM's 1M 2012-043 "Greater Sage-Grouse Interim Management Policies and Procedures" specifically excludes Wyoming because af Governor Meads Executive Order 2011-5 "Greater Sage-Grouse Core Area Protection." If that is the case, why is BLM including it in the Eastern Region Greater Sage-grouse Planning Strategy?	East	Both	emc0228GB, emc0093rm
1674.	WWF believes that the aforementioned threats to greater sage-grouse should be given special consideration during the development of the Environmental Impact Statement for the Eastern Region of sage-grouse habitat. Using the best-available data on the impact of these threats to greater sage-grouse, we encourage the BLM to incorporate regulations and management practices that avoid these threats in sage-grouse core areas and mitigate the impacts of these threats across the remaining sage-grouse habitat.	East	Both	emc0034RM
1675.	On behalf of our organizations and hundreds of thousands of concerned members across the region and the nation, we commend the BLM and the FS for their recent efforts to coordinate resources and develop range-wide, science-based strategies for sage-grouse conservation. At this crucial point in protection efforts, it is clear that: 1) past efforts have failed to sufficiently conserve sage-grouse and their habitat, resulting in the 2010 finding by the U.S. Fish and Wildlife Service (USFWS) that listing the greater sage-grouse is "warranted but precluded"; and 2) there is an urgent need to develop and implement substantive conservation measures between now and 2015, when the USFWS will reconsider the species' status.	East	Both	emc0089RM
1676.	Department of the Interior and Department of Agriculture leadership in committing to rangewide planning based on sound science is greatly appreciated, especially as development pressures on our public lands are expected to increase. We are committed to working constructively with responsible officials toward policies designed to maximize the chances for successful long-term conservation of the species and its habitat. The land management agencies will play a crucial role in species and habitat protection efforts. Accordingly, application of management prescriptions in the Resource Management	East	Both	emc0089RM

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	Plan (RMP) and Land and Resource Management Plan (LMP) revisions and amendments will determine whether negative trends in greater sage-grouse populations can be reversed. At the same time, the BLM and FS will need the support of many other agencies and stakeholders to achieve success. These include USFWS, state fish and game agencies, conservation and wildlife groups, private landowners, industry partners and federal permittees, and elected officials at all levels across the region.			
1677.	The eastern/Rocky Mountain region map of regional breeding densities, when compared to historical maps of the bird's range and the extent of healthy sagebrush ecosystems, illustrates: 1) the challenge we face in coming years and; 2) the urgency of achieving effective sage-grouse conservation by incorporating science-based recommendations that were unavailable only a few years ago. It is critical to achieve success in conserving the greater sage-grouse, dozens of sagebrush obligate species, and the vital ecosystem on which these species depend. Wyoming's Core Areas Strategy, established with diverse and committed stakeholder support, can help to inform efforts as management policies are developed for other populations in the region. This regional effort provides a critical opportunity to build upon Wyoming's approach, scaling it to the unique circumstances of adjacent states, where smaller sage-grouse populations and less remaining habitat heighten the importance of applying strong, science-based protections.	East	Both	emc0089RM
1678.	The recent report released by the BLM's Sage-grouse National Technical Team, A Report on National Greater Sage-Grouse Conservation Measures, provides important biologically-based guidance on how the agency can meet its multiple use and sustained yield mission. The Technical Team Report provides an excellent summary of the latest science regarding the status of greater sage-grouse populations, habitat threats, and management strategies to reverse the precipitous decades-long decline in populations and habitat function. The BLM and FS recognize the urgent need to incorporate recommendations from the best available science to establish a comprehensive regulatory framework, in coordination with USFWS, that will reverse sage-grouse population declines.	East	Both	emc0089RM
1679.	The guiding principle of these planning efforts for each covered federal planning unit (RMPs and LMPs listed in the Federal Register Notice) must be to develop permanent policies committed to maintaining and increasing the abundance and distribution of greater sage-grouse both within the planning area and on adjacent lands and habitat. This effort will require the development of strategies to conserve, enhance and restore the sagebrush ecosystem across the species' range.	East	Both	emc0089RM
1680.	History has taught us that landscape approaches must be informed by a comprehensive analysis of the potential direct, indirect, and cumulative impacts of all known and reasonably foreseeable threats to the bird and its habitat. Although the BLM, FS and other federal land managers are central to this conservation effort, successful efforts to sustain and increase sage-grouse populations will also depend on management strategies and conservation efforts on state and private lands within the bird's range. Protecting migration corridors and maintaining habitat connectivity will play an essential role in successful conservation strategies.	East	Both	emc0089RM
1681.	Our groups are committed to working constructively with BLM, FS, state agencies, and other entities to develop and implement successful conservation strategies that are a win-win for the American West and a model for how proactive, science-based, collaborative management policies can address the threats to an imperiled endemic ecosystem.	East	Both	emc0089RM
1682.	The March 2010 USFWS listing decision for the greater sage-grouse stated that listing was "warranted but precluded" due to higher listing priorities under the Endangered Species Act (ESA). This decision confirms long-standing concerns about this	East	Both	emc0089RM

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	iconic western species. The Western Association of Fish & Wildlife Agencies (WAFWA) has recognized greater sagegrouse as challenged since 1954. Based on current estimates, greater sage-grouse populations in North America have declined as much as 93% from presumed historic levels and have been extirpated from approximately 44% of their former range (Schroeder et al. 2004, Braun 2006). Sage-grouse are thought to have declined at an overall rate of 2 percent per year from 1965 to 2003 (Connelly et al. 2004), likely as a result of habitat loss, fragmentation, and degradation. The 2010 "warranted" finding and supporting analysis cited and followed a host of scientific data and literature, representing some of the most recent scientific information on current populations, habitat trends, and threats. These include the 2004 WAFWA Conservation Assessment, the suite of articles published as an extensive monograph in the peer-reviewed journal Studies in Avian Biology (Knick and Connelly 2011), as well as the December 2011 Sage-grouse National Technical Team's Report on National Greater Sage-Grouse Conservation Measures. When reconsidering the status of the species, the USFWS must examine whether threats to the species are effectively addressed by science-based conservation measures and comprehensive regulatory mechanisms are in place to ensure that those actions occur. The USFWS has identified the principal regulatory mechanism for the BLM as conservation measures in Resource Management Plans (RMPs). The USFWS findings identified the top five threats in the eastern range as: oil and gas development, infrastructure, invasive species, wildfire, and livestock grazing/agricultural conversion. In addition renewable energy development is on the rise throughout the species' range; including proposals for associated transmission and rights-of-way (ROW) infrastructure (Exhibits 1-3).			
1683.	As the BLM and FS proceed with regional conservation efforts, an open and transparent process is fundamentally important. The agencies should maintain a publicly available consolidated clearinghouse of essential data and information, including all state-level Preliminary Priority and General Habitat data and maps, as well as any other high-level mapping and modeling information that facilitates public involvement in these planning processes and allows stakeholders to evaluate proposed conservation measures. Failure to make such information publicly available undermines the National Environmental Policy Act (NEPA)1 , and failure to address this issue could undercut the National Greater Sage-Grouse Planning Strategy by preventing stakeholders from constructively engaging in this process.	East	Both	emc0089RM
1684.	Both the BLM National Greater Sage-Grouse Land Use Planning Strategy Instruction Memorandum (IM) No. 2012-044 and the Greater Sage-Grouse Interim Management Policies and Procedures Instruction Memorandum No. 2012-043 reference Preliminary Priority Habitat and Preliminary General Habitat data to identify key sage-grouse habitat, dictate management prescriptions and analyze conservation actions within those areas.2 Unfortunately, despite BLM's strong coordinating effort with the states and its inclusion of some information on its national sage-grouse website, the information cited by the IMs is currently unavailable to the public. Although the Instruction Memoranda suggest that non-BLM personnel may access this information through the respective state agencies;3 our experience is that such availability is severely limited or nonexistent, depending on the state agency involved. To remedy this deficiency, the BLM and FS should incorporate procedures to guarantee that geospatial and ecological data and maps are completed in a timely fashion and are available to the public in a comprehensive central clearinghouse. Habitat data, maps, and ecological modeling information will facilitate informed decisionmaking and meaningful public involvement. Although these habitat maps are expected to play a central role in implementation of the IMs and management decisions made as part of the national planning process, they are yet to be completed for all of the states. This information is urgently needed to facilitate constructive public engagement.	East	Both	emc0089RM

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1685.	The BLM and FS should ensure that all geospatial data and modeling information used to develop sage-grouse conservation measures be made publicly available as soon as possible. Such information includes, but is not limited to: • Priority and general habitats delineated by BLM and the state wildlife agencies; • Seasonal habitats beyond breeding areas (e.g., winter concentration areas); • Complementary delineations of priority habitats across state borders; • Important corridors and transition habitat, including those that might not be identified on state maps; • Valid existing federal mineral lease rights, including oil and gas, other leasable minerals, and locatable minerals; and • Other valid existing rights (e.g., rights-of-way)	East	Both	emc0089RM
1686.	Recommendations: The BLM and FS should provide a publicly available, comprehensive clearinghouse of essential data, maps and other information detailed above. Because some habitat maps have not yet been developed, the BLM and FS should provide adequate time for review and comment following completion and once they have been made available to the public.	East	Both	emc0089RM
1687.	4. THE AGENCIES SHOULD COMMIT TO IDENTIFICATION OF YEAR-ROUND HABITAT REQUIREMENTS According to the NTT report, "priority sage-grouse habitats are areas that have the highest conservation value to maintaining or increasing sage-grouse populations. These areas would include breeding, late brood-rearing, winter concentration areas, and where known, migration or connectivity corridors." Often transitional habitat, such as migration or connectivity corridors, necessary for sage-grouse to travel through the landscape (Knick and Hanser 2011) to vital seasonal habitat, is not adequately recognized and incorporated into sage-grouse conservation and management. The interim guidance released by BLM in December, 20114 does little to provide guidelines for the preservation or inventory of important sage-grouse transition habitat, and our organizations seek to assure that the full suite of habitat requirements is incorporated into the final guidance on RMP revisions for sage-grouse.	East	Both	emc0089RM
1688.	Recommendations: According to the Technical Team's report, "Sage-grouse dispersal (permanent moves to other areas) is poorly understood" and that it "appears to be sporadic." BLM should provide guidelines for the preservation or inventory of important sage-grouse transition habitat. BLM should also create management policies that are low-risk and will protect areas that may likely serve as important corridors and transition habitat due to the proximity of these areas to highly productive habitat and lek sites.	East	Both	emc0089RM
1689.	5. THE AGENCIES MUST ANALYZE AN ADEQUATE RANGE OF REASONABLE ALTERNATIVES The alternatives section is "the heart of the environmental impact statement" and an agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action (40 C.F.R. § 1502.14).5 Accordingly, the BLM and FS need to ensure that an adequate range of alternatives is presented in the DEIS. The consideration of a range of environmentally protective alternatives is consistent with the FLPMA's requirement that the agencies "minimize adverse impacts on the natural, environmental, scientific, cultural, and other resources and values (including fish and wildlife habitat) of the public lands involved" (43 U.S.C. §1732(d)(2)(a)). The BLM and FS must consider alternatives reflecting the full suite of appropriate management prescriptions that weigh the relative values of resources while contributing towards the greatest conservation of the greater sage-grouse and its habitat. The multiple conservation alternatives should incorporate a full range of policies targeting specific habitat types and a broad spectrum of protective measures. The range of alternatives should include those outlined below. An agency violates its obligation to consider a reasonable range of alternatives and to take NEPA's hard look at environmental impacts when it only looks at "straw men" for comparison, which the agency has no intention of accepting and are put forth only to lead to the agency's already foregone conclusion. See, e.g., California v. Block,	East	Both	emc0089RM

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	690 F.2d 753 (9th Cir. 1982); Blue Mountains Diversity Project v. U.S. Forest Service, 229 F.Supp.2d 1140 (D.Or. 2002); Oregon Natural Desert Association v. Singleton, 47 F.Supp.2d 1182 (D.Or. 1998).			
1690.	i. All alternatives should include strong protections for greater sage-grouse All of the alternatives (other than the 'no action' alternative) must include strong protections to conserve the greater sage-grouse. At a minimum, all action alternatives should include sciencebased conservation measures that address all of the primary threats to greater sage-grouse.	East	Both	emc0089RM
1691.	Each alternative should designate areas of contiguous sage-grouse habitat not currently subject to mineral leases or other valid existing rights for permanent protection. These remaining refugia can provide intact, diverse, high quality sagebrush habitat, vital to sage-grouse and other sagebrush obligate species. In Instruction Memorandum WY-2010-013, the Wyoming BLM proposed 11 contiguous square miles or sections as an appropriate minimum size for an area of habitat to qualify for being set-aside from development.6 The Wyoming BLM recognized these large unleased contiguous blocks as opportunities for grouse conservation. This number should be scaled to allow for protecting smaller contiguous areas in states with smaller populations than Wyoming's, or in areas where there are few remaining contiguous 11-square-mile areas that are not subject to valid existing rights. These identified, contiguous areas of undeveloped land should be considered for designation as Areas of Critical Environmental Concern in all alternatives. (See Section 8 on ACECs for further discussion)	East	Both	emc0089RM
1692.	All alternatives should include baseline protections for priority and general habitat. General sage-grouse habitat is defined as occupied seasonal or year-round habitat outside of priority habitat. Improved guidelines must be developed to ensure that science-based prescriptions protect general habitat. Additionally, a sufficient amount of greater sage-grouse habitat must be protected to meet the goal of maintaining and enhancing sage-grouse populations while allowing appropriate resource use. This is essential in order to maintain connectivity and sustain and increase sage-grouse populations into the future. These protections will differ based upon the local sage-grouse populations and the cumulative threats on the landscape. All alternatives must also address smaller, isolated populations using an appropriately scaled response.	East	Both	emc0089RM
1693.	Recommendations: All action alternatives must include adequate baseline protections including the following: 1) limit development to areas with low conflicts with sage-grouse conservation, 2) full, permanent protections for contiguous priority habitat, 3) stringent protections for other key habitat if some development might be allowed, 4) designate Areas of Critical Environmental Concern and provide assurances that they will be managed appropriately and 5) provide baseline protections for priority and general habitat. All alternatives should advance sage-grouse conservation and establish a comprehensive regulatory framework to provide the best opportunity to prevent the need to list the greater sage-grouse under the ESA.	East	Both	emc0089RM
1694.	ii. BLM and FS must take a 'hard look' at implementation of the conservation measures outlined in the National Technical Team Report and incorporate these measures in more than one alternative. IM 2012-0447 provides direction to BLM for considering conservation measures recommended by the National Technical Team (NTT) Report.8 The IM directs BLM to appropriately consider and analyze the conservation measures developed by the NTT, through the land-use planning process, in all BLM State and Field Offices that contain occupied greater sage-grouse habitat9. To achieve the goal of maintaining and increasing greater sage-grouse populations, the BLM and FS must develop management prescriptions that are supported by the best available science. The NTT recommendations constitute the findings of an expert team of professionals, including many of BLM's own scientists, regarding the management prescriptions that should be applied in	East	Both	emc0089RM

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	order to ensure that this planning process ultimately results in regulatory mechanisms that maintain and increase greater sage-grouse populations. The IM notes that there may be some adjustments to these conservation measures in order to address ecological site variability. In the event of possible inconsistencies between the recommendations and applicable statutes and regulations, BLM is to consider the conservation measure(s) to the fullest extent possible as range-wide standards, consistent with its legal authority.			
1695.	The following recommendations must be analyzed as a starting point for effective conservation: Designate priority habitat to include breeding, late-brood rearing and winter concentration areas, as well as migration and connectivity corridors. Priority habitat areas must be large enough to achieve the goal of maintaining and increasing current sage-grouse abundance and distribution.	East	Both	emc0089RM
1696.	The following recommendations must be analyzed as a starting point for effective conservation: Fully protect priority habitat from large scale disturbances (e.g., transmission lines, oil and gas wells, graded roads, etc.) that will affect population distribution and abundance at any level.	East	Both	emc0089RM
1697.	The following recommendations must be analyzed as a starting point for effective conservation: If priority habitat cannot be fully protected from energy development due to valid existing rights, minimize impacts by limiting permitted disturbances to one per section with no more than 3% surface disturbance. Ensure that small scale disturbances do not cumulatively disturb more than 3% of each priority area.	East	Both	emc0089RM
1698.	The following recommendations must be analyzed as a starting point for effective conservation: Increase the amount of protected priority habitat by aggressively pursuing available tools, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts.	East	Both	emc0089RM
1699.	We recognize the challenge inherent in full implementation of the NTT's recommendations, given social, political and legal factors associated with the need to maximize greater sage-grouse conservation efforts while providing for an appropriate level of continued energy development and other activities on our public lands. We are committed to working closely with the BLM and FS to achieve this balance. However, given the sage-grouse's current precarious position, the BLM and FS have an opportunity to be proactive in their protection efforts. We strongly encourage BLM and FS to avoid making proposed modifications to the NTT recommendations and to keep any such adjustments within the narrowest possible range. Any proposed deviations from the NTT's recommendations should be clearly outlined by the agencies, and resulting management prescriptions should be consistent with the best available science and the goal of maintaining and increasing greater sage-grouse populations. For instance, in areas with relatively small surviving sage-grouse populations and high levels of ongoing energy development, fully protecting remaining birds and remnant habitat should be the management priority.	East	Both	emc0089RM
1700.	In addition, various aspects of the recommendations should be considered. They should not be simply considered and rejected as a whole, since the recommendations provide a range of uses and management approaches.	East	Both	emc0089RM
1701.	Recommendations: The EISs should analyze at least one alternative for each RMP and LMP that incorporates all of the NTT's recommendations, as required in IM 2012-244. The "full recommendations" alternative should be seriously considered, and not simply rejected as a "straw man." The remaining alternatives in the EISs should incorporate portions of the NTT's recommendations.	East	Both	emc0089RM

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1702.	iii. BLM and FS should consider an alternative that applies the recommendations of the National Technical Team in a subset of priority habitat. In addition to an alternative implementing the NTT's recommendations across all priority habitats, the agencies should analyze an alternative that fully incorporates the recommended conservation measures across a large proportion of priority habitat. The subset of priority habitat must be of sufficient size to meet the goal of maintaining and enhancing greater sage-grouse populations. Application of these measures in a subset of priority habitat should be combined with the measures recommended previously for consideration in all alternatives. An alternative limiting application of the recommendations to only a subset of priority habitat should not be selected unless qualified scientists, including USFWS professionals, agree that the priority habitat so protected will achieve the goal of maintaining and increasing greater sagegrouse populations.	East	Both	emc0089RM
1703.	Recommendation: Each RMP and LMP should analyze at least one alternative that incorporates the NTT's recommendations across a subset of priority habitat.	East	Both	emc0089RM
1704.	iv. The BLM and FS should analyze an alternative that provides more protection than that afforded by implementation of the National Technical Team's Recommendations. The BLM and FS should consider an alternative that: • Includes conservation measures recommended by the NTT Report. • Combines this with designations of a subset of priority habitat as Areas of Critical Environmental Concern that receive a higher level of protection than that recommended by the NTT. • Incorporates improvements to the NTT's recommendations, including the following: o Avoid sagebrush reduction/ treatments to increase livestock or big game forage in priority habitat and include plans to restore high-quality habitat in areas with invasive species. O Implement range management practices outlined by the NTT, with improvements, including avoiding new range and water developments that negatively impact sage-grouse and applying the 3% disturbance cap to certain range developments. O Design fuel treatments to protect existing sagebrush ecosystems (including avoiding such treatments where they will harm sagebrush ecosystems) and prioritize fire suppression to conserve the highest quality habitat. O Ensure that disturbance or uses that are permitted adjacent to priority habitat don't negatively impact sage-grouse populations in priority habitat,10 thus negating the value of designated priority habitats. O Include small or isolated populations (such as those along the periphery of the greater sage-grouse's range) in priority habitat, and protect and enhance such populations with science-based prescriptions.	East	Both	emc0089RM
1705.	Recommendation: Each RMP and LMP should analyze an alternative that includes protective conservation measures that go beyond those in the NTT Report, including ACEC designations and the other improvements enumerated above.	East	Both	emc0089RM
1706.	The BLM released IM 2010-012 on January 4, 2010. In it, the BLM committed to management prescriptions that were outlined in the 2008 Wyoming Executive Order (EO), and set thresholds for energy development densities and cumulative surface disturbance in core areas, that would protect grouse habitat over the long term. This approach was first developed in 2008 and subsequently updated by Wyoming's Sage-Grouse Implementation Team (SGIT) – a task force convened by former Governor Freudenthal, and comprised of a diverse group of stakeholders. The SGIT's recommendations were formalized in a series of EOs that affirm the core areas conservation strategy. Established with broad bipartisan support, this science-based strategy focused on conserving sage-grouse by providing the species with additional protections in areas with the highest remaining concentrations. Wyoming's Governor Mead revised and reauthorized the strategy in EO 2011-5, issued on June 2, 2001. 2011. Since the Wyoming Core Area Strategy was developed relatively recently, it has yet to be	East	Both	emc0089RM

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	formally adopted by any federal RMP or LRP in Wyoming. BLM field offices are now in the process of revising or amending RMPs to incorporate the Core Area Strategy. The BLM Wyoming State Office is the first in the region to initiate a planning effort to amend six RMPs (Casper, Kemmerer, New Castle, Pinedale, Rawlins, and Green River) to incorporate conservation policies based on BLM Wyoming's IM 2010-012 and on the Core Area Strategy, as formalized in the Wyoming Eos. The area under revision includes approximately 11 million acres of public land surface and 20 million acres of federal mineral estate. In addition, four other field offices (Bighorn Basin, Buffalo, Lander, and Rock Springs) have RMPs that currently are being revised, providing managers with a timely opportunity to implement needed changes in the management and conservation of greater sage-grouse habitat.			
1707.	ii. Support from USFWS BLM Wyoming State Office's decision to adopt the Core Area Strategy followed the USFWS's endorsement. In a July 2009 letter from USFWS to the Director of Wyoming Game and Fish Department (WGFD), former USFWS Field Supervisor Brian Kelly stated that: "the Strategy is a science-driven, outcome-based and adaptive approach to the conservation of a species and its habitat"11. Kelly continued, "In the context of a potential listing under the ESA, the State's sagegrouse Strategy provides a useful framework to show how the threats to the species are being managed; and if the Strategy is adopted across different land ownerships in the state, could provide an important regulatory mechanism as well." In a June 2011 letter from USFWS to Governor Mead's office, USFWS Field Supervisor Mark Sattelberg confirmed continued support. "The Service believes the [latest] Executive Order can result in the long-term conservation of the Greater sage-grouse and thus reduce the need to list the species under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). If fully implemented, we believe the Executive Order can provide the conservation program necessary to achieve your goal of precluding listing of the Greater sage-grouse in Wyoming."12 However, USFWS cautioned that "[t]o be effective, State, Federal, and private landowners must all implement this Executive Order." As manager of nearly one third of the state's land and nearly two-thirds of the mineral estate, BLM became proactive in addressing sage-grouse conservation in Wyoming. The success of these efforts will depend on continued willingness to adhere to stringent, science-based strategies, to carefully implement protection measures, and to retain stakeholder support.	East	BLM	emc0089RM
1708.	iii. Strong components of Wyoming's approach Wyoming's Executive Order was developed with consistent support from the Governor's office, based on the realization that proactive, science-based conservation strategies were urgently needed to conserve sage-grouse. The SGIT was charged with developing recommendations for a Wyoming approach. The group's initial core area boundaries were largely based on regional breeding densities of sage-grouse, giving a scientific basis to the conservation strategy. Core area boundaries were then modified based on input from local working groups (in which WGFD was involved), which made adjustments to exclude lands that historically did not support grouse, had isolated or small scattered leks, or were undergoing or slated to undergo intensive development and/or urbanization based on valid existing rights. Excluding high development areas reflected the understanding that highly disturbed areas are generally not suitable as core grouse habitat, and are unlikely to retain healthy grouse populations long-term.	East	Both	emc0089RM
1709.	iii. Strong components of Wyoming's approach Importantly, Wyoming's designated core areas include connectivity areas, breeding areas, and late brood-rearing habitat (all of which are stressed by the NTT). The Core Area Strategy also recognized the importance of winter concentration areas. Wyoming Executive Order 2011-05 states, "While the bulk of winter habitat necessary to support core sage-grouse populations likely occurs inside Core Population Areas, seasonal	East	Both	emc0089RM

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	stipulations (December 1 to March 14) should be considered in locations outside Core Population Areas where they have been identified as winter concentration areas necessary for supporting biologically significant numbers of sage-grouse nesting in Core Population Areas. All efforts should he made to minimize disturbance to mature sagebrush cover in identified winter concentration areas."			
1710.	iii. Strong components of Wyoming's approach Priority habitats should be large enough to stabilize sage-grouse populations in the short term and enhance grouse populations over the long term. Wyoming's Core Area Strategy is designed to protect 83% of the greater sage-grouse population within approximately 25% of the state's land mass.	East	Both	emc0089RM
1711.	iii. Strong components of Wyoming's approach Wyoming's strategy emphasizes stronger protections within core areas, with less stringent protections and greater management flexibility in non-core areas as an incentive for development to leave core areas intact. While this strategy acknowledges that non-core area grouse populations will likely decline due to loss and fragmentation of habitat, monitoring must take place to prevent the extirpation of populations and maintain connectivity among subpopulations. In non-core areas, lek persistence must be maintained over the long term, with sufficient proportions of sage-grouse populations remaining to maintain connectivity and movements.	East	Both	emc0089RM
1712.	iii. Strong components of Wyoming's approach Within core areas, stipulations on BLM, FS, Wind River Indian Reservation, and State of Wyoming lands limit the number of projects and the amount of allowed disturbance (no more than 5%13) allowed per square mile or 640 acres. Surface disturbance is prohibited within a 0.6 mile buffer around active leks (no surface occupancy - NSO), which includes roads during the breeding, nesting and brood-rearing periods (mid-March through end of June). In addition, a March 15 to June 30 timing limitation stipulation is required within nesting habitat within 4 miles of leks. Main roads used to transport production and/or waste products must be more than 1.9 miles from the perimeter of occupied grouse leks. Other roads used for access or maintenance must be more than 0.6 miles from the perimeter of occupied leks. Noise levels at the perimeter of a lek should not exceed 10 dBA above ambient noise from 6 pm to 8 am, so as not to disturb breeding activities (March 1 - May 15). Finally, proponents of new projects are expected to coordinate with the permitting agency and WGFD biologists to determine which leks need to be monitored and what data should be collected/reported. The Executive Order clearly identifies thresholds and outline adaptive management responses if declines in sage-grouse numbers occur14. However, in non-core areas, the EO recommends a 2-mile seasonal buffer around occupied leks and a 0.25 mile NSO buffer around active leks. Research has shown that the latter stipulation is inadequate and scientifically without merit. In addition, a surface disturbance cap is lacking from non-core area stipulations.	East	Both	emc0089RM
1713.	iii. Strong components of Wyoming's approach The Wyoming strategy provides that "[t]he protective stipulations outlined in this Executive Order should be reevaluated on a continuous basis and at a minimum annually, as new science, information and data emerge regarding Core Population Areas and the habitats and behaviors of the Greater Sage-Grouse." Wyoming EO 2011-5 at 4.	East	Both	emc0089RM
1714.	iii. Strong components of Wyoming's approach Of particular importance are the following statements from the 2009 USFWS letter signed by former USFWS Field Supervisor Kelly, "Potential benefits of the Strategy will only be realized if the integrity of the core area approach is maintained. The Service feels that the greatest threats to the integrity of the core areas are: (1) not adhering to science-based conservation measures associated with development, and (2) allowing mitigation for impacts to core population areas as an option if the proposed development is counter to accepted conservation measures	East	Both	emc0089RM

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	or when impacts are not known."			
1715.	Recommendations: Wyoming's Core Area Strategy, established with diverse and strong stakeholder support in Wyoming and endorsed by the USFWS, can inform regional sagegrouse conservation efforts as management policies are tailored for other habitat and populations in the region. However, the successful implementation of Wyoming's core area strategy will be critical to the success of the strategy in Wyoming and critical to the applicability and success of this model if it is to be applied regionally. In addition, the regional sage-grouse conservation effort provides a critical opportunity to appropriately scale Wyoming's approach. Other states have unique circumstances, such as smaller populations and lower quality, fragmented habitat, heightening the importance of adopting stronger, science-based protections to increase the chances of conserving and recovering habitat and populations that may be less robust than those in Wyoming.	East	Both	emc0089RM
1716.	As we have not yet seen maps of priority habitat for most states, it is difficult to comment on how ACECs should be designated in relation to priority habitat. Ideally, priority habitat will be delineated to encompass breeding, late-brood rearing and winter concentration areas, as well as migration and connectivity corridors - consistent with the NTT's Report. Priority protected habitat areas must be large enough to maintain and increase current sage-grouse abundance and distribution. For the purposes of the discussion below, we assume that priority habitat will encompass sufficient habitat to maintain at least 80-90% of the current sage-grouse population in each state. If priority habitat is of sufficient size, then ACECs may be a subset of priority habitats in most states. The NTT's recommendations should be used as a starting point for achieving effective conservation in priority habitats. BLM should strive to implement them to the fullest extent possible as range-wide standards in each RMP, while refining them further to better address specific issues (such as vegetation management and energy development) consistent with the best available science. ACECs should prescribe maximum protections for, and comprehensive monitoring of, sage-grouse populations.	East	Both	emc0089RM
1717.	Therefore, in order to maximize conservation benefit given other competing values, we recommend protective management of priority habitat (which should include enough habitat to conserve at least 80-90% of the existing population), along with designation of ACECs informed by the following additional criteria: Prioritize providing resources to ACEC designation, plan development and plan implementation.	East	Both	emc0089RM
1718.	Sage-grouse populations are dependent upon healthy sagebrush ecosystems. Reclaiming or recovering sagebrush habitats is extremely challenging. Efforts should be directed towards improving our ability to effectively reclaim degraded habitat, which requires gathering sitespecific baseline (pre-treatment) data to adequately evaluate success. Reclamation should be mandatory and managers must recognize that methods for achieving success vary by region and are site-specific. Reclamation efforts should be monitored and results maintained in a single database to improve public understanding and effectiveness of efforts. A process should be established to identify and address failed reclamation projects and to adjust management prescriptions in the affected area.	East	Both	emc0089RM
1719.	10. THE AGENCIES SHOULD REQUIRE MONITORING AND ADAPTIVE MANAGEMENT Implementation of an effective monitoring and adaptive management process with performance-based standards for each RMP is critical to the success of this effort. In addition to developing management prescriptions for sage-grouse, plans should establish triggers and thresholds for adaptive management throughout the species' range.23 Consequences that will result if triggers or thresholds	East	Both	emc0089RM

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	are reached must be clearly outlined. Triggers could include sage-grouse population target ranges, target levels of survival and recruitment in particular areas, measures of the cumulative level of surface disturbance, and oil-gas well densities in core areas. Consequences that would result if triggers are reached would include increases in protective measures. Monitoring must be required and adequately funded.			
1720.	11. THE AGENCIES SHOULD CAREFULLY CONSIDER USE OF MITIGATION AND ENSURE THAT MITIGATION GENERATES NET CONSERVATION BENEFITS BLM's habitat mitigation policy, codified at 43 C.F.R. § 1508.20, lists habitat mitigation actions in descending order of preference: avoidance, minimization, rectification, reduction, and compensation. As BLM considers the siting and impacts of proposed new energy projects, it must keep in mind this mitigation hierarchy and consider "avoidance" the foremost objective. The BLM and FS should require off-site mitigation for impacts which cannot be mitigated onsite, or where landscape approaches to mitigation offer opportunities to address conservation needs on a larger scale while generating net conservation benefits for sage-grouse. Off-site mitigation should follow these guidelines: 1) be a "net conservation benefit" requirement for resources and values; 2) a requirement for project developers to fund mitigation efforts based on the amount and value of the land impacted from development; 3) a centralized body should be established to oversee the funds and maximize the effectiveness of their use; and 4) off-site mitigation should be required to take place in the same ecoregion as the project site. The increase in compensation and offsite mitigation will require careful management and new approaches. The importance of mitigation was reinforced on January 14, 2011, with the release of the new CEQ Guidance on "Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated Findings of No Significant Impact."	East	Both	emc0089RM
1721.	NEPA requires that BLM discuss mitigation measures in an EIS. (40 C.F.R. §§ 1502.14, 1502.16.) In order to show that mitigation will reduce environmental impacts to an insignificant level, BLM must discuss the mitigation measures "in sufficient detail to ensure that environmental consequences have been fairly evaluated." 25 Simply identifying mitigation measures, without analyzing the effectiveness of the measures, violates NEPA. Agencies must "analyze the mitigation measures in detail [and] explain how effective the measures would be . . . A mere listing of mitigation measures is insufficient to qualify as the reasoned discussion required by NEPA."26 NEPA also directs that the "possibility of mitigation" should not be relied upon as a means to avoid further environmental analysis.27 Further, general statements that BLM will conduct monitoring are also not an appropriate form of mitigation. Simply monitoring for expected damage does not actually reduce or alleviate any impacts.	East	Both	emc0089RM
1722.	Key considerations for off-site mitigation should include: • Identification of uses, resources and values associated with the project site. Establishing the connection between off-site mitigation and the resources of the public lands will require detailed understanding and knowledge of the values and uses present on the project site before development occurs, such as wildlife habitat, various recreational uses (ranging from hunting to bird watching to all terrain vehicle use) and scenic values. BLM should require that necessary inventory of the project site be completed prior to developing off-site mitigation measures. • Requirements for project developers to fund mitigation efforts based on the amount and value of the land impacted from development. Project developers should be required to make deposits to a mitigation fund based on the amount of land used for the project and the fair market value of that land, the costs of any restoration or enhancement actions necessary to produce a net conservation benefit, and the stewardship costs necessary to maintain conservation benefits over time. • If	East	Both	emc0089RM

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	funds are received as a part of mitigation, a centralized body should be established to oversee the funds and maximize the effectiveness of their use. BLM should establish a centralized body comprised of BLM staff, and other federal and state agencies with expertise and interest to oversee the distribution of funds and maximize the effectiveness of their use. This body should be required to take into consideration recommendation from the public in the distribution of funds.			
1723.	Mitigation protections will require additional and ongoing monitoring to determine effectiveness. There is an important distinction between the monitoring required to assess effectiveness of mitigation, and research or monitoring completed in lieu of on-the-ground mitigation. We do not support research funding as a substitute for compensatory habitat mitigation applied on the ground.	East	Both	emc0089RM
1724.	BLM and FS should put in place a "net conservation benefit" requirement for the mitigation of impacts to resources and values. BLM should ensure that any loss of resources or values on a development site is compensated with the addition and protection of equivalent or better resources and values offsite with appropriate assurances that conservation values will be maintained for at least as long as project impacts persist. BLM and FS should also make a determination about the value of the habitat to be impacted and adopt direction for mitigation requirements for the specific habitat types impacted. For example, for high quality habitat which is relatively scarce or becoming scarce on a national basis or in the ecoregion section 28, BLM policy should ensure a net gain of in-kind habitat value. Additions of lands and resources should exceed the value of any resources lost. Additions could be gained through restoration and research efforts to improve the quality and quantity of equivalent resources and values off-site. Mitigation for impacts to water resources could be addressed by purchase and retirement of water rights to offset groundwater pumping by the project.	East	Both	emc0089RM
1725.	Recommendations: Greater sage-grouse efforts and mitigation strategies should be designed and continuously monitored to ensure that they are effective and generate net benefits. Mitigation requirements should emphasize avoidance and minimization of impacts. Actions to offset unavoidable impacts should generate net conservation benefits for sage grouse populations and habitats consistent with the conservation purposes and principles of the National Sage-grouse Planning Strategy.	East	Both	emc0089RM
1726.	12. THE AGENCIES SHOULD CONSIDER MITIGATION STRATEGIES ACROSS JURISDICTIONAL BOUNDARIES BLM and FS policies are critical but they cannot sustain or enhance sage-grouse populations by themselves. Greater sage-grouse conservation efforts and habitat protection must extend across jurisdictional boundaries. At the federal level, sage-grouse habitat and populations occur on FS lands, generally located adjacent to BLM habitat and/or private land. The USFWS responsibilities include management of National Wildlife Refuges and ensuring ESA compliance. State fish and game agencies are already developing policies to conserve remaining habitat, protect existing populations, obtain crucial scientific information, and develop maps to inform protective policies. WGFD has exhibited leadership in the development of Wyoming's Core Areas Strategy and associated sage-grouse distribution and habitat maps. State wildlife areas will play an important role in sage-grouse conservation, and management of these areas must be integrated with policies on adjacent federal or private lands.	East	Both	emc0089RM
1727.	Overall, maintaining migration corridors and habitat connectivity across jurisdictional boundaries (including state lines) will play an essential role in successful conservation strategies. Care must be taken to ensure that each proposed ROW project is informed by adequate site-specific impacts analysis including cumulative impacts of multiple lines and current information	East	Both	emc0089RM

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	on habitat and other ecological values.			
1728.	The NTT report recognizes that BLM is committing "to a new paradigm in managing the sagebrush landscape." NTT at 6. The report further recognizes that: [The] new paradigm will require collaborative conservation efforts among private, state, tribal, and other federal partners to conserve sage-grouse. Land uses, habitat treatments, and anthropogenic disturbances will need to be managed below thresholds necessary to conserve not only local sage-grouse populations, but sagebrush communities and landscapes as well. The NTT also observed that "development on private lands, which is not subject to mitigation, will focus greater needs for conservation of sage-grouse and sagebrush on public lands." Report at 12. The point is well taken that the remaining habitat on federal lands must be prioritized for protection because we have less control over management decisions on private holdings.	East	Both	emc0089RM
1729.	We believe that federal agencies should consider three viable options for furthering habitat conservation efforts on private lands. First, the agencies' approach can be integrated with private land conservation benefits provided by the National Resource Conservation Service's Sage Grouse Initiative (SGI): BLM's new policy facilitates closer integration of sage grouse conservation between these two Federal Agencies. The sage-grouse Breeding Bird Density maps, produced by BLM, provide NRCS with an efficient mechanism for targeting Farm Bill resources to benefit birds through the USDA's Sage Grouse Initiative (SGI). Although most of the Sage Grouse Initiative funds are invested on private lands, they can also be used to implement conservation measures on BLM's public grazing lands. Match requirements that can be paid by Non-Governmental Organizations, provide yet another innovative opportunity to expand partnerships regardless of ownership. Working proactively, regardless of administrative boundaries, will result in conservation to benefit sage-grouse across their range.29	East	Both	emc0089RM
1730.	We believe that federal agencies should consider three viable options for furthering habitat conservation efforts on private lands. First, the agencies' approach can be integrated with private land conservation benefits provided by the National Resource Conservation Service's Sage Grouse Initiative (SGI): Second, biodiversity offsets for greater sage-grouse are discussed in Doherty et al. (2010b): "The simplest and most cost effective first step in conservation is to halt the large-scale actions that further reduce or eliminate the largest populations in the best remaining landscapes." BLM and FS should consider using the approach outlined in this paper to develop methods to forecast population losses that will result from unavoidable development of valid existing rights, and to ensure that offsite mitigation permanently reduces similar risks to other sage-grouse populations of equal size. The analyses and recommendations in this paper should be carefully considered when designing conservation strategies and taking account of cross-jurisdictional issues.	East	Both	emc0089RM
1731.	We believe that federal agencies should consider three viable options for furthering habitat conservation efforts on private lands. First, the agencies' approach can be integrated with private land conservation benefits provided by the National Resource Conservation Service's Sage Grouse Initiative (SGI): Third, another potential resource to consider when developing a collaborative approach to conservation across boundaries is the Framework for Mitigation of Impacts from Infrastructure on Sage-grouse and Their Habitats, developed by the Sage-Grouse Mitigation Subcommittee of the Idaho Sage-Grouse State Advisory Committee. The Idaho Mitigation Framework (December 6, 2010) is labeled a "Discussion Paper Final Draft" but has not yet been adopted. This draft framework, the result of a stakeholder process, may offer some	East	Both	emc0089RM

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	guidance and helpful concepts for habitat conservation on non-federal lands, thereby complementing conservation strategies on federal lands. According to the summary: [T]the Mitigation Framework would serve as a science-based "mitigation module" that project developers and government regulators could use to achieve compensatory mitigation objectives called for in project plans and permits. While compensatory mitigation may help offset certain impacts arising from infrastructure projects, mitigation should not be considered a substitute for first avoiding and then minimizing impacts. In addition, it is important to recognize that federal and state regulatory or land-management agencies, and county or local governments may also require additional stipulations, conditions of approval or other requirements as well as on-site mitigation, in accordance with applicable law, regulation or policy. Discussion Paper Final Draft at 1.			
1732.	Regarding the potential for direct, indirect, and cumulative impacts to habitat and populations, BLM and FS must strive to fully consider all current and reasonably foreseeable impacts. Landscape-scale planning across jurisdictional and other boundaries will be needed to achieve sage-grouse conservation goals. The agencies' analysis should be informed by the recent federal court ruling regarding BLM's Pinedale RMP and the greater sage-grouse. Western Watersheds Project v. Salazar, Case No. 4:08-CV-516-BLW, 2012 WL 32714 (D. Idaho 2011). This decision remanded the Pinedale RMP for violations of NEPA and FLPMA regarding analysis of energy development and other activities. The decision is a wake-up call that past management measures have failed to stem negative trends for the sage-grouse and its habitat, and that strong mandatory policies based on the best available science are needed.	East	Both	emc0089RM
1733.	Recommendations: Greater sage-grouse conservation efforts and habitat protection must extend across jurisdictional boundaries, and include consideration of all stakeholders (including private landowners).	East	Both	emc0089RM
1734.	13. THE AGENCIES SHOULD CONSIDER INCORPORATING PROTECTIVE MEASURES THAT ARE ALREADY BEING EVALUATED OR IMPLEMENTED IN OTHER RMPS Numerous land use plans within the eastern/Rocky Mountain range are currently being revised. Several of these plans are worth referencing for their important greater sage-grouse protective measures. Two of these, Wyoming's Lander Field Office and Colorado's Kremmling Field Office, are described here in detail.	East	Both	emc0089RM
1735.	i. Lander, WY RMP We applaud the statement within the Draft EIS: "management actions that conserve, protect, and maintain habitat for greater sage-grouse are a priority in this (core) area" (DEIS at 865).	East	Both	emc0089RM
1736.	i. Lander, WY RMP Record #4095, for Alternative D, prohibits surface-disturbing and/or disruptive activities from March 1 to July 15. This change from March 15 is beneficial to sage-grouse.	East	Both	emc0089RM
1737.	i. Lander, WY RMP Reclamation should be mandatory and managers must recognize that methods for achieving success vary by region and are site-specific. Reclamation efforts should be monitored and results maintained in a single database to improve our understanding about effectiveness of such efforts. In addition, a process should be established to identify and address failed reclamation projects. Successful reclamation of surface disturbance is necessary to establish connectivity within previously fragmented habitats and to achieve and maintain ecosystem function (DEIS at 864).	East	Both	emc0089RM
1738.	ii. Kremmling, CO RMP In the Draft RMP for the Kremmling (CO) Field Office31, Alternative C would commit the BLM to: …proactively identify, protect, and improve wildlife habitat, including treatments for the benefit of sagebrush-dependent species, especially in areas identified as historical habitats. Alternative C would include establishing reference areas that would be used as control groups for evaluating management activities in sagebrush habitat. In sage-grouse core areas within the Planning Area, BLM-managed public lands would be closed to oil and gas leasing. Draft RMP32 at 2-24. Alternative B	East	Both	emc0089RM

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	(preferred alternative) would prohibit surface occupancy or use in core habitat. Draft RMP at 2-55 – 2-56. Alternative C would prohibit oil and gas leasing in core sage-grouse habitat. Draft RMP at 2-55. Alternative C would also limit surface disturbance in core habitat to one percent at any one time, while Alternative B would limit surface disturbance to three percent at any one time. Draft RMP at 2-74.			
1739.	Recommendations: The Lander (WY) and Kremmling (CO) Field Offices' Draft RMPs contain important conservation measures that should be applied, where appropriate, to other land use plans, specifically, Alternatives B and D in Wyoming and Alternatives B and C in Colorado. Many of these management prescriptions recognize the relative value of other resources while contributing to the conservation of greater sage-grouse and sage-grouse habitat.	East	Both	emc0089RM
1740.	14. BLM SHOULD DESIGNATE AND/OR PROVIDE GUIDELINES FOR WIND ENERGY DEVELOPMENT ZONES THAT WILL PROTECT SAGE-GROUSE HABITAT On December 29, 2011, the BLM issued an Advance Notice of Proposed Rulemaking Regarding a Competitive Process for Leasing Public Lands for Solar and Wind Energy Development 76 Fed. Reg. 81906. The notice describes one of the main goals as "establish[ing] competitive bidding procedures for lands within designated solar and wind energy development leasing areas." Notably, while BLM is in the process of designating solar energy zones in a Solar Energy Development Programmatic EIS (PEIS), the BLM has not designated or undertaken a process to designate specific leasing areas for wind energy development. While the BLM completed a PEIS for wind energy development in 2005, the PEIS only generally identified lands available for wind energy rights-of-way. Much additional research on the impacts of wind energy on wildlife has occurred since that time. The solar energy zones that the BLM will designate in the Solar PEIS are those places that the agency believes best suited to utility scale development, based on quality of solar resources, low conflict with other values, and proximity to transmission. Similarly, the BLM now has data on the quality of wind resources (compiled during the preparation of the Wind PEIS), potential conflicts with other resources and values, and the availability of transmission (also evaluated during the Solar PEIS, as well as transmission-specific planning efforts), which the agency can use to make similar designations of wind energy zones for leasing. In addition to the benefits of facilitating renewable energy development in areas with high solar and wind resources and few conflicts with natural and cultural resources, designation of zones can also aid in planning for future transmission development by identifying areas to be prioritized for access when planning new lines. BLM's 2012 Budget Justification included a $3,000,000 increase for the Renewable Energy Management to conduct studies and prepare regional planning studies and environmental reviews of potential wind energy zones, specifically in Nevada and Oregon. This is in addition to wind studies underway in New Mexico, California, and Wyoming and will support an update to the Wind Programmatic EIS completed in 2005. We recognize, however, that while designating renewable energy zones can facilitate wind energy development nationwide, individual wind farms and wind turbines must be sited appropriately after careful consideration and evaluation of the potential site-specific impacts on wildlife and other resources.	East	Both	emc0089RM
1741.	15. THE IMPORTANT ROLE OF THE FOREST SERVICE IN SAGE-GROUSE CONSERVATION The Forest Service has an important role in sage-grouse conservation and recovery. The agency manages 8 percent of current sage-grouse habitat, or 12.8 million acres (75 Fed. Reg.13979). There are 32 national forests and grasslands across the range of sage-grouse, and twenty-six of them contain moderately to highly important seasonal habitat for the species (USFS 2008, Appendix 2, Table 2; 75 Fed. Reg.13979).33 The current planning process will only affect the following FS Land Use Plans: Rocky Mountain	East	USFS	emc0089RM

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	Region: • Routt National Forest, CO • Ashley National Forest, UT • Manti-LaSal National Forest, UT • Uintah National Forest, UT • Thunder Basin National Grassland, WY • Bridger-Teton National Forest, WY • Medicine Bow National Forest, WY Great Basin Region: • Boise National Forest, ID • Salmon National Forest, ID • Challis National Forest, ID • Targhee National Forest, ID • Curlew National Grassland, ID • Caribou National Forest, ID • Sawtooth National Forest, ID • Beaverhead-Deerlodge National Forest, MT • Humboldt National Forest, NV • Toiyabe National Forest, NV • Dixie National Forest, UT • Fishlake National Forest, UT The planning process should include all FS units with sage-grouse habitat. As the USFWS noted in its "warranted, but precluded" determination, although the sage-grouse is designated a Forest Service "sensitive species" across its range, that status provides various levels of protection depending on the forest plan and/or project plan and other local factors. Fourteen national forests identify sage-grouse as a "management indicator species," but 16 of the 32 forests and grasslands with sage-grouse habitat have not developed any specific conservation measures for sage-grouse (75 Fed. Reg. 13979). Failure to include all affected USFS units in the planning process could hinder conservation and recovery of the species, particularly at the periphery of its range. (See Exhibit 4)			
1742.	Recommendations: The FS should consider the following three mechanisms, in no order of priority, to provide adequate regulatory mechanisms in Land Management Plans to conserve greater sage-grouse: 1) designating Research Natural Areas in areas with high priority greater sage-grouse habitat and intact sagebrush ecosystems (see section 8 of these comments); 2) developing and applying a new management prescription focused on conservation of greater sage-grouse and sagebrush ecosystems, which implements the National Technical Team recommendations as minimum standards; and 3) developing and applying new forest-wide standards that implement the recommendations of BLM's National Technical Team as minimum standards for protecting and recovering habitat for the species. In addition, the agency must help protect sage-grouse populations by carefully managing activities and projects on national forest lands that are adjacent to lands with occupied sage grouse habitat in other ownerships, using any or all of the above mechanisms, as appropriate for site-specific areas.	East	USFS	emc0089RM
1743.	As implied by the initiation of this planning process, persistence of greater sage-grouse populations depend on conservation of large interconnected expanses of sagebrush habitat (Connelly et al. 2011b). Although cooperation among many federal and state agencies and private land owners will be necessary to conserve sage-grouse and sagebrush habitat, the federal government and federal public lands are key to conserving greater sage-grouse and sagebrush habitat. Federal and agencies manage more than 70 percent of remaining sagebrush steppe habitat, yet very little of these lands has been protected. Knick estimates that less than 1 percent of sage-grouse current range is within wilderness or other protected areas (Knick, 2011). Given the importance of public lands to sage-grouse conservation; the sensitivity of these lands to disturbance, longer recovery periods and variable response to restoration; and their susceptibility to invasion by exotic plants (Knick, 2011) uses that negatively affect these lands should be restricted or eliminated in key habitat areas to conserve sage-grouse habitat. If sage-grouse are to persist outside of small, relic populations, the agencies must implement stronger management prescriptions for land uses and related effects that harm sagebrush habitat, including, but not limited to: extirpation or conversion of sagebrush; oil, natural gas, and coal extraction; wind energy; fencing for livestock management; off-highway vehicle use; and prescribed burns. As noted by the U.S. Fish and Wildlife Service ("FWS") in its "12-Month Findings for Petitions to List the Greater Sage-Grouse", none of the state or federal regulations, plans, and strategies, alone or in	East	Both	emc0167RM

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	aggregate, will adequately prevent the continued decline of sage-grouse (70 FR 2244).			
1744.	A. The EISs Must Comply with the National Environmental Policy Act Enacted upon "recognizing the profound impact of man's activity on the interrelations of all components of the natural environment," the National Environmental Policy Act (NEPA) seeks to "promote efforts which will prevent or eliminate damage to the environment." 42 U.S.C. § 4331; id. § 4321. NEPA implements its environmental protection objectives by requiring federal agencies to analyze the environmental impacts of a particular action before committing resources to the project. 42 U.S.C. § 4332(2)(C). "By focusing both agency and public attention on the environmental effects of those proposed actions, NEPA facilitates informed decision-making by agencies and allows the political process to check those decisions." New Mexico v. Bureau of Land Mgmt., 565 F.3d 683, 703 (10th Cir. 2009). Additionally, "NEPA imposes procedural requirements designed to force agencies to take a 'hard look' at environmental consequences." Earth Island Institute v. U.S. Forest Serv., 351 F.3d 1291, 1300 (9th Cir. 2003). Specifically, the regulations also require that an EIS discuss and fully analyze all direct, indirect, and cumulative impacts of the proposed action and all alternatives that undergo detailed study. Id. § 1502.16.	East	Both	emc0167RM
1745.	B. The EISs Must Comply with the Federal Land Policy and Management Act Through guidelines of the Federal Land Policy and Management Act (FLPMA), the Bureau of Land Management has an obligation to protect and manage greater sage-grouse habitat. FLPMA mandates that BLM public lands shall be managed "for multiple use and sustained yield," and to prevent "unnecessary or undue degradation" of public lands. 43 U.S.C. § 1732(a) & (b). FLPMA directs that "the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values . . . ." Id. § 1701(a)(8). And "where appropriate," BLM "will preserve and protect certain public lands in their natural condition." Id. Greater sage grouse conservation clearly qualifies as an "historical, ecological and environmental" value. Pursuant to this statutory authority, under Section 6840 of BLM's Manual, BLM has adopted a Special Status Species Policy which mandates that the BLM "shall ensure that actions authorized, funded or carried out by the BLM do not contribute to the need for the species to become listed." BLM Manual 6841.06C. This provision highlights the BLM's responsibility to prevent proposed actions from adversely impacting existing sage-grouse populations and habitat. The provision also requires that new EIS's consider a full range of off-site mitigation measures, including sage-grouse habitat restoration and compensated grazing retirement. Under the authority of the Special Status Species Policy, BLM State Directors may designate "sensitive" species that are native species of concern under the circumstances that the species "could become endangered or extirpated from a state, or within a significant portion of its distribution in the foreseeable future"; are "under status review" by U.S. Fish and Wildlife Service; or are "undergoing significant current or predicted downwards trends in population or density. . . ." BLM Manual 6840.06.E. Greater sage-grouse are designated as a "sensitive" species by Wyoming BLM; sage grouse have also been determined by the FWS to be a "candidate" species that "warrants" listing under the Endangered Species Act. The sage grouse EIS must fully comply with the sensitive species policy and ensure that BLM actions do not adversely affect sage grouse.	East	Both	emc0167RM
1746.	The emphasis of protecting a diversity of plant and animal communities is clearly a primary objective of the NFMA process and efforts to conserve greater sage-grouse habitat should be a high priority at this point in time. Similarly, the regulations also call for special protections for threatened and endangered species and their habitat. Id. § 219.19(a)(7); see also id. § 219.27(a)(8) (management prescriptions shall "[i]nclude measures for preventing the destruction or adverse modification of	East	Both	emc0167RM

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	critical habitat for threatened and endangered species"). All regulations must be thoroughly considered for sage grouse management as this EIS process moves forward.			
1747.	While the "precluded" status was determined by higher priority species needing attention and limited funding availability to pursue an immediate listing action, a litigation settlement requires that a listing decision be made by the FWS no later than September 2015. Because the greater sage grouse is a species that has been proposed for listing--and in fact is a candidate species for which listing is warranted--all federal agencies must confer with the Secretary on any agency action which is likely to jeopardize the continued existence of greater sage grouse or result in the destruction or adverse modification of critical habitat proposed to be designated for greater sage grouse. 16 U.S.C.A. § 1536(a)(4).	East	Both	emc0167RM
1748.	In order to meet its obligation to conserve greater sage-grouse, the BLM and Forest Service must integrate and apply the scientific opinion of the NTT in land use planning range-wide. To reach the overall objective for sage grouse conservation, the NTT outlined several sub-objectives that should be met in priority habitat. Page 7 lists these objectives, which seek to: • Designate priority sage-grouse habitats for management zones1 across the current geographic range of sage-grouse that are large enough to stabilize populations in the short term and enhance populations over the long term • Maintain or increase current populations and manage or restore priority areas so that at least 70 percent of the land cover provides adequate sagebrush habitat to meet sage-grouse needs • Develop quantifiable habitat and population objectives • Develop a monitoring and adaptive management strategy to record outcome of objectives, and allow for revisions to management approaches if outcomes are not reached • Manage priority sage-grouse habitats so that discrete anthropogenic disturbances2 cover less than 3 percent of the total sage-grouse habitat regardless of ownership • Prohibit further anthropogenic disturbances in priority habitats where the 3 percent disturbance threshold is already exceeded from any source	East	Both	emc0167RM
1749.	IV. THREATS AND MITIGATIONS In the December 2011 Notice of Intent, the BLM identified the following preliminary issues relating to the conservation of the greater sage-grouse and its habitat that will influence the scope of the environmental analysis, including alternatives, and guide the process for developing the EISs/Supplemental EISs (76 FR 77008) : • Greater Sage-grouse Habitat Management • Fluid Minerals • Coal Mining • Hard Rock Mining • Mineral Materials • Rights-of-Way (including transmission) • Renewable Energy Development • Fire • Invasive Species • Grazing • Off Highway Vehicle Management and Recreation Missing from this list, and suggested for inclusion, are: pinyon-juniper encroachment, infrastructure related to energy development and urbanization, fencing, roads and railroads, power lines, and climate change. An expert panel convened by the FWS ranked threats to the species in the following order: invasive species, infrastructure related to energy (natural gas and oil) development and urbanization, wildfire, agriculture, grazing, energy development, urbanization, strip/coal mining, weather, and pinyon-juniper encroachment (70 FR 2267). However, some threats are more significant in the eastern region than the west. The expert panel identified energy development as the most significant extinction risk to the greater sage-grouse in the eastern portion of its range: Colorado, Wyoming and Montana. The rapidity of development and persistent demand for petroleum products were primary concerns. Some members of the panel also identified the effects of infrastructure, particularly related to energy development and urbanization, as greater concerns in the eastern part of the species' range. Disease, predation, hard-rock mining, hunting and environmental contaminants were not identified as primary threats to sage-grouse, according to the panel (70 FR 2267). Federal agencies must fully analyze	East	Both	emc0167RM

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	these threats, develop conservation and mitigation measures, and apply them range wide to conserve and recover sage-grouse. As the FWS indicated in the "12-Month Findings for Petitions to List the Greater Sage-Grouse (Centrocercus urophasianus) as Threatened or Endangered", the BLM and Forest Service RMPs and LRMPs are mechanisms through which adequate protections for greater sage-grouse could be implemented, however "the extent to which appropriate measures to conserve sage-grouse have been incorporated into those planning documents, or are being implemented, varies across the range. We conclude that existing regulatory mechanisms are inadequate to protect the species. The absence of adequate regulatory mechanisms is a significant threat to the species, now and in the foreseeable future." (70 FR 2267).			
1750.	A. All RMPs and Forest Plans Must Include Consistent, Enforceable Standards One of the overarching issues with current agency policies is that they vary from forest to forest and from one RMP to another. Thus, sage-grouse might be better protected during the spring, but once they move to their wintering habitat to a different land management area, protection may be weakened or lost. This approach of variable management is inadequate to ensure the conservation and persistence of sage-grouse on public lands. Rather, all Forest Plans and RMPs should contain consistent conservation standards that direct activities within priority sage-grouse habitat, within currently occupied sage-grouse habitat, and within habitat capable of supporting sage-grouse. These directives must not only be consistent across landscapes, but they must include mandatory, binding, enforceable standards. Guidance and policies that are discretionary or unenforceable have led to the current dire situation for the sage-grouse, and thus do not constitute adequate regulatory mechanisms to protect the species. Similarly, implementing exceptions for otherwise mandatory standards can destroy the binding and non-discretionary nature of the directive, thus leading to inconsistent management and inadequate regulatory mechanism. Such weak management will fail to protect sage-grouse and will likely lead to the listing of the sage-grouse under the Endangered Species Act. In short, the BLM and Forest Service must include enforceable, binding standards that are consistent in all RMPs and Forest Plans. These standards must direct what activities can be undertaken in sage-grouse habitat, how and when those activities can be undertaken in relation to sage-grouse habitat, including leks, nesting grounds, brood rearing habitat, and wintering habitat, and a clear statement that these standards are not guidelines that are suggestive in nature, but rather are requirements that are mandatory in nature. The agencies must not formulate exceptions or waivers for any activity that may harm sage-grouse or sage-grouse habitat, for doing so leads to inconsistent management and will lead to listing of the sage-grouse, at which time all activities that harm sage-grouse will be forced to cease.	East	Both	emc0167RM
1751.	All standards and directives implemented in these RMPs and Forest Plans must be based upon the best available science concerning sage-grouse, sage-grouse habitat, and how activities on public lands may impact sage-grouse and their habitat. Of relevance, NEPA requires that analysis of impacts must be "of high quality" and contain "[a]ccurate scientific analysis" (40 C.F.R. § 1500.1(b)). Likewise, FLPMA requires BLM to use an integrated consideration of physical, biological, economic and other sciences in developing RMPs that will direct land management activities (43 U.S.C. § 1712©(2)). In finding that listing for sage-grouse is warranted under the ESA, the FWS noted its concern with the non-scientific nature of some of the current policies guiding activities in sage-grouse habitat. Because of the non-scientific nature of many of these policies and guidelines, it was not surprising that many of these guidelines proved insufficient to truly protect sage-grouse and their habitat. The agencies must gather the most current science on the issue and review it thoroughly before implementing standards. Throughout the process, as other relevant information becomes available, BLM and the Forest Service must also consult all	East	Both	emc0167RM

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	new data to ensure that the best available science is used to formulate and amend appropriate and protective standards to support sage-grouse persistence.			
1752.	In concert with these identification efforts, the agencies must provide the public with high-quality user-friendly maps. These maps should be included within each RMP and Forest Plan, and should document priority sage-grouse habitat, currently occupied sage-grouse habitat, and unoccupied but suitable sage-grouse habitat. Maps should be provided showing occupied habitat during each season and stage of a sage-grouse's life, including lekking areas, nesting habitat, brood rearing habitat, and wintering habitat. Areas capable of supporting sage-grouse during any one of these stages should be considered suitable habitat, even if unoccupied. Each RMP and Forest Plan should additionally include a map showing historic versus current range of the species.	East	Both	emc0167RM
1753.	F. The BLM and Forest Service Should Manage Sage-Grouse Conservation as the Top Priority in Priority Sage-grouse Habitat To ensure the persistence of sage-grouse across the West, the BLM and Forest Service must commit to managing sage-grouse as the top priority in priority sage-grouse habitat. To this end, conservation of sage-grouse in these areas must be elevated among other land use management activities, and the agencies should ensure that no project or activity go forward in a way that could potentially harm sage-grouse or sage-grouse habitat. The NTT suggests managing priority areas so that at least 70 percent of the land cover provides adequate sagebrush habitat.5 As it is evident that many of the activities described above can seriously harm sage-grouse populations, the agencies should prohibit some of these most damaging activities in priority sage-grouse habitats and approach management of other threats in a manner that is consistent with sage-grouse and habitat protection. The agencies should not allow any new oil, gas, coal, or other mineral leases in priority sage-grouse habitats that are currently unleased. As the Technical Team Report states, "[t]here is strong evidence from the literature to support that surface-disturbing energy or mineral development within priority sage-grouse habitats is not consistent with a goal to maintain or increase populations or distribution."6 As described above, energy development is one of the most significant factors negatively impact sage-grouse and sage-grouse habitat today. Energy development generally includes or leads to direct conversion of habitat, fragmentation of habitat, increased human presence, increased threat of predators, an increase in noise, pollutants, and potential harm to water resources. Additionally, cumulative impacts from energy development in connection with other activities, including the infrastructure associated with the development, create threats to sage-grouse that are incalculable. See infra Sections III.A & D for more information on the threats associated with energy development and mining. As previously noted, the NTT Report notes that No Surface Occupancy buffers around leks will be ineffective in protecting sage grouse: Past BLM conservation measures have focused on 0.25 mile No Surface Occupancy (NSO) buffers around leks, and timing stipulations applied to 0.6 mile buffers around leks to protect both breeding and nesting activities. Given impacts of large scale disturbances described above that occur across seasons and impact all demographic rates, applying NSO or other buffers around leks at any distance is unlikely to be effective. Even if this approach were to be continued, it should be noted that protecting even 75 to >80% of nesting hens would require a 4-mile radius buffer . . . . Even a 4-mile NSO buffer would not be large enough to offset all the impacts reviewed above. A 4-mile NSO likely would not be practical given most leases are not large enough to accommodate a buffer of this size, and lek spacing within priority habitats is such that lek-based buffers may overlap and preclude all development.7 Buffers will not be effective enough to offset impacts and buffers of a substantial size would preclude development anyway. Furthermore, timing	East	Both	emc0167RM

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	restrictions are ineffective because they do not prevent impacts of infrastructure at other times of year or during seasonal habitats that are crucial for population persistence.8 Thus, based on the science, the NTT Report "recommend[s] excluding mineral development and other large scale disturbances from priority habitats where possible, and where it is not limit disturbance as much as possible."9 It concludes: [W]e believe the conservation strategy most likely to meet the objectives of maintaining or increasing sage-grouse distribution and abundance is to exclude energy development and other large scale disturbances from priority habitats, and where valid existing rights exist, minimize those impacts by keeping disturbances to 1 per section with direct surface disturbance impacts held to 3% of the area or less.10 We support this recommendation and note that the only locations where prohibiting development may not be possible are where valid existing rights remain. In areas where 3 percent impact is permitted, we advise the BLM to define the "area" so that it is small enough for this to make an appreciable impact on protection of sage-grouse and habitat.			
1754.	VRLP shares the concerns of many of the other public land user groups and the state and local governments. VRLP urges BLM to take a fresh start and to further revise or cancel Instruction Memoranda 2012-43 and 2012-44. The following comments explain the basis for VRLP's concerns. The comments are supplemented with analysis done by Wayne Burkhardt, Ph.D., (Ex. 1) and comments Dr. Burkhardt prepared in 2004 Comment in regard to the FWS 90-day Finding for Petitions to List the Greater Sage Grouse as Threatened or Endangered for Owyhee Cattlemen Association (July 28, 2004), (Ex. 1A). Dr. Burkhardt designed the current deferred rotation system and rangealnd monitoring program followed by VRLP, advised VRLP on appropriate management and helps conduct the annual monitoring program.	East	Both	emc0155RM
1755.	The current conservation strategies adopted by BLM fail to account for the gaps in the science, the data deficiencies, and questions regarding the mathematical accuracy of both the estimates of historic populations and current populations of sage grouse. Any future changes need to be sufficiently flexible to adjust for better data and analysis, especially given the significant issues regarding which land uses affect sage grouse populations and other factors affecting the sage grouse populations that are omitted entirely from the U.S. Fish and Wildlife Service (USFWS) Endangered and Threatened Wildlife and Plants; 12-Month Findings for Petitions to List the Greater Sage- Grouse (Centrocercus urophasianus) as Threatened or Endangered, 75 Fed. Reg. 13910 (2010). The BLM Instruction Memorandum (IM) 2012-44 and Attachment 1, "A Report on National Greater Sage-Grouse Conservation Measures" (Dec. 21, 2011) (Technical Team Report) do not address these issues and the land use planning process must;	East	Both	emc0155RM
1756.	BLM must coordinate with local governments on all land decisions, 43 U.S.C. §1712(a) and must ensure to the extent practicable that any land use plans do not contradict those of local governments. Id. at §1712(c)(9). VRLP calls on BLM to begin this coordination. There are a number of state and local government sage grouse management initiatives. For example, Moffat County, Colorado, developed a sage grouse management plan for state, private and federal lands. Utah and its local governments were in the forefront of habitat improvements and research. These efforts are ignored in IM-44, the Technical Team Report and the NOI. BLM is required by law to closely coordinate with state and local government agencies to ensure that the federal actions do not conflict. Notably, BLM failed to coordinate in the development of IM-2012-43, 2012-44, or the Attachments, including "A Report on National Greater Sage-Grouse Conservation Measures" (Dec. 21, 2011) (Technical Team Report). This omission is significant because many state and local governments have been very active in improving sage grouse habitat and have more direct hands on experience than many of the team members. Coordination would have	East	Both	emc0155RM

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	improved the conservation measures, avoided errors, and restored public faith in the process. As it stands, the report appears to be a purely political exercise intended to disrupt the local economies and social structures in the Rocky Mountain and Great Basin states. For example, Utah local governments pioneered wildlife habitat work in the late 1990s, funded it and promoted habitat improvement projects. The Wyoming conservation districts have been equally active. And yet the IM and Technical Team Report ignored the work of these local agencies notwithstanding FLPMA's mandate to coordinate.			
1757.	FLPMA requires BLM to manage the public lands in accordance with the land use plans that have been properly adopted. 43 U.S.C. §1732(a). Much of IM 2012-44 and the Technical Team Report contradict the lawfully adopted RMPs. Implementation of an IM to amend an RMP is unlawful. Given both the lack of coordination and opportunity for public comment, and the scientific controversies, adoption of the IMs without following FLPMA procedures is flawed from the outset. Even interim implementation of the IM will have significant and adverse environmental, social, and economic impacts.	East	Both	emc0155RM
1758.	After several scandals regarding government research, Congress adopted the Information Quality Act to impose objective data based criteria on government decisions and reports. Pub.L. 106-554, §515, 114 Stat. 2673A-125, 2673A-153, 2673A-154 (2001). The OMB Guidelines require that data be peer reviewed. OMB Office of the President, Final Information Quality Bulletin for Peer Review (2004), at 4. The peer reviewers must be selected primarily based on necessary technical expertise, must disclose prior technical/policy positions taken on the issues at hand, must disclose personal and institutional funding, and the peer review must be conducted in an open and rigorous manner. OMB Exec. Office of the President, Guidelines for ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies (2002), at 3-4; U.S. Department of the Interior, Information Quality Guidelines Pursuant to Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (2002), at pp. 2-3, 8-10. As documented in the analysis done by CESAR, the USFWS 12-Month finding failed to meet Information Quality Act criteria. CESAR at pp. 3-7 (documenting how USFWS relied heavily on a publication prepared by the same researchers and funded by USFWS but these factors were never disclosed). There was no disclosure of funding, any review was of the same group reviewing each other's work, and there were documented data deficiencies in the USFWS work. BLM has carried forward these deficiencies in IM 2012-44 and the Technical Team Report. Id. In addition, USFWS and Technical Team Report omit other research that contradicts the conclusions. BLM has a legal obligation to conform to the IQA even if USFWS did not. This will require consideration of the contrary data and research, actual assessment of the data deficiencies and mathematical errors. If the analysis cannot be duplicated or checked, then it should be discarded or accorded little or no weight. In 2004 and again in 2010, USFWS received substantial documentation that its estimates of historic sage grouse population estimates were in error. Ex. 1A pp. 1-4. USFWS never acknowledged the data contradicting the premise that sage grouse were plentiful throughout the Rocky Mountain and Great Basin states. As explained in the CESAR analysis, the USFWS work does not conform to information quality standards and should be re-evaluated in light of these and other comments.	East	Both	emc0155RM
1759.	VRLP agrees that monitoring is an important strategy.	East	Both	emc0155RM
1760.	As the agencies move forward in planning, we feel two things are clear: 1) past efforts have failed to sufficiently conserve sage-grouse and their habitat, resulting in the 2010 finding that listing the Greater Sage-Grouse is “warranted but precluded”; and 2) there is an urgent need to develop and implement substantive conservation measures between now and 2015, when	GB	Both	emc0355GB

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	the U.S. Fish and Wildlife Service (USFWS) will reconsider the status of the bird.			
1761.	Cooperate with other agencies: BLM and FS should fully engage and consult with state agencies and the USFWS throughout the EIS process.	GB	Both	emc0355GB
1762.	Use Sound Science: Employ science-based decision making and use the latest scientific sources including, but not limited to, the 2010 USFWS 12-month findings, the Studies in Avian Biology sage-grouse monograph, and the National Technical Team's report.	GB	Both	emc0355GB
1763.	Generate Reasonable Alternatives: Create action alternatives in EIS that advance sage-grouse conservation and establish a comprehensive regulatory framework to provide the best opportunity to prevent the need to list the greater sage-grouse under the ESA. Alternatives must include adequate baseline protections including the following: 1) directing development toward areas with low conflicts with sage-grouse conservation, 2) full, permanent protections for priority contiguous habitat, 3) stringent protections or effective mitigation for other key habitat if some development might be allowed, 4) designation of Areas of Critical Environmental Concern and assurances that they will be managed appropriately and 5) baseline protections for priority and general habitat.	GB	Both	emc0355GB
1764.	Employ Mapping: BLM should make the Priority and General Habitat maps, and the procedures used to delineate habitat boundaries, available on a central website. BLM and FS should also make available the data, maps, and decision making processes used to generate other designated protection areas in the EIS's.	GB	Both	emc0355GB
1765.	Create Mitigation Requirements: BLM and FS should apply habitat mitigation actions in descending order of preference: avoidance, minimization, rectification, reduction, and compensation. The goal should be a net benefit to sage-grouse. When compensation is used for mitigation, BLM and FS should ensure that compensation is spent on effective mitigation measures, applied on the landscape scale, to sage-grouse habitat that is similar or greater in value than the lost habitat services. Ongoing stewardship, monitoring, and adaptive management will be necessary to ensure that compensatory mitigation is effective.	GB	Both	emc0355GB
1766.	The Federal Land Policy and Management Act of 1976 (FLPMA) mandates that BLM public lands shall be managed "for multiple use and sustained yield," and to prevent "unnecessary or undue degradation" of public lands. See 43 U.S.C. § 1732(a) & (b). Pursuant to these and other statutory authorities, BLM has adopted a Special Status Species Policy, Section 6840 of BLM's Manual, with which BLM must comply in planning efforts. The Special Status Species Policy mandates that BLM "shall ensure that actions authorized, funded or carried out by BLM do not contribute to the need for the species to become listed." See BLM Manual 6841.06C. To maintain sustainable sage-grouse populations across the broader landscape, BLM has committed to implementing an appropriate combination of protective actions in "priority habitat." Generally speaking, "priority habitat" is the habitat of highest conservation value relative to maintaining sustainable sage-grouse populations range-wide. Priority habitat will be areas of high quality habitat supporting important sage-grouse populations, including those populations that are vulnerable to localized extirpation but necessary to maintain range-wide connectivity and genetic diversity. See IM 2010-071.	GB	Both	emc0355GB
1767.	The Forest Service (FS) has an important role in sage-grouse conservation and recovery. The agency manages 8 percent of current sage-grouse habitat, or 12.8 million acres (75 Fed. Reg. 13979). There are 32 national forests and grasslands across the range of sage-grouse, and twenty-six of them contain moderately to highly important seasonal habitat for the species	GB	USFS	emc0355GB

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	(USFS 2008, Appendix 2, Table 2; 75 Fed. Reg. 13979).3 In the Great Basin Region, the current planning process will affect FS Land Use Plans in Utah, Idaho, Montana, and Nevada.4 The planning process should include all FS units with sage-grouse habitat. As the U.S. Fish and Wildlife Service noted in its "warranted, but precluded" determination, although the sagegrouse is designated a Forest Service "sensitive species" across its range, that status provides various levels of protection depending on the forest plan and/or project plan and other local factors. Fourteen national forests identify sage-grouse as a "management indicator species," but 16 of the 32 forests and grasslands with sage-grouse habitat have not developed any specific conservation measures for sage-grouse (75 Fed. Reg. 13979). Failure to include all affected USFS units in the planning process could hinder conservation and recovery of the species, particularly at the periphery of its range.			
1768.	The objectives outlined by the NTT provide BLM a blueprint for conservation. However, when it comes to implementing conservation goals and objectives, BLM will be responsible for creating the mechanisms and assessing the total areas and locations that will be identified as priority and general habitat at the Land Use Plan level. Revisions to Resource Management Plans (RMPs) should rely on concrete mechanisms to protect high quality sage-grouse habitat. According to the NTT, "The overall objective is to protect priority sage-grouse habitat from anthropogenic disturbances…"6 This objective will only be met with unambiguous policy decisions that will preclude large-scale development, such as energy development, in high productivity nesting and brooding habitat as well as important transitional habitat including migratory corridors. In addition, BLM should not pass up this opportunity to address sage-grouse needs within a broader ecological framework that can also accommodate conservation needs for other sagebrush steppe-dependent species. With some consideration and careful targeting of other species that depend on the same ecosystem as the sage-grouse, BLM can realize substantial additional conservation benefits from this process.	GB	Both	emc0355GB
1769.	The BLM must consider a wide range of reasonable alternatives, embracing the full suite of appropriate management prescriptions that focus on the relative values of resources while contributing the greatest toward conservation of the greater sage-grouse and sage-grouse habitat. Such a range would include multiple conservation alternatives that incorporate a full range of habitat types and preservation measures while also integrating a broad spectrum of species protection measures. We suggest that BLM take a hard look at the possible range of options that could help the agency meet its multiple-use mandate because the alternatives section is "the heart of the environmental impact statement" and an agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action. See 40 C.F.R. § 1502.147 For this EIS, the consideration of a range of more environmentally protective alternatives is also consistent with the FLPMA's requirement that BLM "minimize adverse impacts on the natural, environmental, scientific, cultural, and other resources and values (including fish and wildlife habitat) of the public lands involved." See 43 U.S.C. §1732(d)(2)(a)IM 2012-0448 provides direction to BLM for considering conservation measures recommended by the NTT's report. The IM directs BLM to consider and analyze the conservation measures developed by the National Technical Team, as appropriate, through the land-use planning process, in all BLM State and Field Offices that contain occupied Greater Sage-Grouse Habitat. The IM requires that the conservation measures recommended by the NTT be subjected to a hard look analysis as part of the planning and NEPA processes. According to the IM: "This means that a reasonable range of conservation measures must be considered in the land use planning alternatives. As appropriate, the conservation measures must be considered and incorporated into at least one alternative in the land use planning process." The IM notes that there	GB	Both	emc0355GB

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	may be some adjustments of these conservation measures in order to address ecological site variability. However, they must still be subjected to a hard look analysis. In addition, BLM must ensure that implementation of any of the measures is consistent with applicable statute and regulation. Where inconsistencies arise, BLM offices are directed to consider the conservation measure(s) to the fullest extent consistent with such statute and regulation. Summary: All action alternatives must include adequate baseline protections including the following: 1) directing development toward areas with low conflicts with sage-grouse conservation, 2) full, permanent protections for priority contiguous habitat, 3) stringent protections or effective mitigation for other key habitat if some development might be allowed, 4) designation of Areas of Critical Environmental Concern and assurances that they will be managed appropriately and 5) baseline protections for priority and general habitat. All alternatives should advance sage-grouse conservation and establish a comprehensive regulatory framework to provide the best opportunity to prevent the need to list the greater sage-grouse under the ESA.			
1770.	We endorse and refer the BLM and USFS to the "Sage-Grouse Recovery Alternative" submitted by conservation groups, constructed mostly with recommendations from the NTT—variances from the NTT team are clearly marked.	GB	Both	emc0355GB
1771.	We are strongly supportive of BLM's efforts to implement the National Greater Sage Grouse Planning Strategy. The conservation objectives outlined in the Technical Team's report will require continued cooperation and efforts among state and federal agencies in order to refine knowledge of seasonal ranges, connectivity corridors, and general delineation of the bird'smovement and habitat use in order to efficiently and effectively apply the appropriate management strategies. Since the bird does not recognize political boundaries, it will be necessary that BLM extend a special effort to coordinate management actions with other federal and state land management agencies as well as private landowners in order to properly manage the bird's landscape scale habitat needs. Summary: In recognition that success will only be possible with cooperation from other agencies, BLM should fully engage and consult with state agencies and the USFWS throughout the EIS process.	GB	Both	emc0355GB
1772.	As BLM proceeds with regional conservation efforts, an open and transparent process is fundamentally important. A full commitment to transparency calls for BLM to ensure the public availability of a consolidated clearinghouse of essential data and information, including all state-level Preliminary Priority and General Habitat data, maps, and the decision process used to generate the boundaries. BLM should also make available any other high level mapping and modeling information that is necessary to engage in the public process and to analyze proposed sage-grouse conservation measures. Failure to provide such information not only undermines NEPA and other federal law,17 but has great potential to undermine the overall success of the National Greater Sage-Grouse Planning Strategy by disenfranchising stakeholders from a meaningful and impactful role. Both the BLM National Greater Sage-Grouse Land Use Planning Strategy (IM 2012-044) and the Greater Sage-Grouse Interim Management Policies and Procedures (IM 2012-043) reference Preliminary Priority Habitat and Preliminary General Habitat data to identify key sage-grouse habitat, dictate management prescriptions and analyze conservation actions within those areas.18 Unfortunately, and despite BLM's strong coordinating effort between states and repository of information on the national sage-grouse website, this information is unavailable to the public. Both Instruction Memorandums suggest that non-BLM personnel may access this information through the respective state agencies;19 however, it has been our experience that such availability is severely limited or nonexistent, depending on the state agency involved. We consider this a serious deficiency and suggest that BLM immediately incorporate procedures to guarantee that geospatial and ecological data and maps, as well as the decision processes used to delineate boundaries, are available for the	GB	Both	emc0355GB

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	public review process. This information should be amalgamated and housed in a central and authoritative clearinghouse.			
1773.	Similarly, we strongly recommend that BLM ensure that any other geospatial and modeling information used in the process of examining sage-grouse conservation measures be made publicly available, and thereby incorporated into planning decisions. Such information includes, but is not limited to, the following: ☐ Seasonal habitats beyond breeding areas (i.e. winter concentration areas); ☐ Complementary delineations of priority habitats across state borders; ☐ Important corridors and transition habitat, including those that might not be identified on state maps; ☐ Management actions that maintain and increase sage-grouse distribution AND abundance in these areas; and ☐ Unique considerations for small, isolated populations (scalable response). Preliminary Priority and General Habitat data and maps as well as other geospatial and ecological modeling information will facilitate informed agency decision-making and is essential information for the interested public, other agencies, sportsmen, nongovernmental organizations, developers, and additional stakeholders to consider when discussing a National Greater Sage-Grouse Planning Strategy and subsequent land use management plan revisions. Summary: BLM should make the Priority and General Habitat maps, and the procedures used to delineate habitat boundaries, available on a central website. BLM should also make available the data, maps, and decision making processes used to generate other designated protection areas in the EIS's.	GB	Both	emc0355GB
1774.	There are mapping models available that can allow BLM to identify important habitat use areas. Spatial modeling can allow managers to identify the most critical habitat. Many models determining core habitat focus on breeding habitat because lek data is more available than nesting or corridor information. Lek data is collected through sampling that is prone to variability, and only identifies habitat use during a short period of the year. It is important that BLM's effort go beyond lek mapping and include the most recent information from Local Working Groups, telemetry studies, and state agency modeling of seasonal habitat and movement corridors. Any mapping method must be supported by the current most recent science, combined with scientifically defensible research and methods to estimate population density. Many state mapping efforts are works in progress and will require BLM to work collaboratively with state agencies. We encourage BLM's continued involvement in order to expedite the process to complete work on mapping and other conservation tools, while ensuring that maps are scientifically defensible. Summary: BLM should recognize the limitation of lek-based habitat mapping, and work with local stakeholders to accurately identify sage-grouse habitat requirements outside the limited lek radii.	GB	Both	emc0355GB
1775.	According to the Technical Team, "If [a] disturbance exceeds 3% for [an] area, then [land management decisions should] make additional, effective mitigation necessary to offset the resulting loss of sage-grouse habitat." (page 11) Mitigation will be a vital component of the land use planning and necessary to ensure sage-grouse population stability and recovery. According to the Technical Team's assessment, "development on private lands, which is not subject to mitigation, will focus greater needs for conservation of sage-grouse and sagebrush on public lands." (page 12) BLM's habitat mitigation policy, codified at 43 C.F.R. § 1508.20, lists habitat mitigation actions in descending order of preference: avoidance, minimization, rectification, reduction, and compensation. As BLM considers the siting and impacts of proposed new energy projects, it must keep in mind this mitigation hierarchy and consider "avoidance" the foremost objective. In order for BLM to comply with FLPMA and its own mitigation policy, the agency should seek "avoidance" of impacts by rigorously exploring alternatives which close large areas in important habitat for sage-grouse to industrial-scale development actions.	GB	Both	emc0355GB

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1776.	We recognize that even with careful attention to the first four approaches on the mitigation hierarchy, there is increasing development of renewable energy on public lands, and habitat impacts will sometimes require compensation and offsite mitigation. The NTT suggests that if disturbance related to right-of-way (ROWs) "exceeds 3% for that area, then make additional effective mitigation necessary to offset the resulting loss of sage-grouse." (page 13) The BLM should require off-site mitigation for impacts which cannot be mitigated on-site, or where landscape approaches to mitigation offer opportunities to address conservation needs on a larger scale while generating net conservation benefits for sage-grouse. Off-site mitigation should follow the guidelines described above including: 1) a "net conservation benefit" requirement for resources and values; 2) requirements for project developers to fund mitigation efforts based on the amount and value of the habitat impacted from development; 3) a centralized body should be established to oversee the funds and maximize the effectiveness of their use; and 4) off-site mitigation should be required to take place in the same ecoregion as the project site. The increase in compensation and offsite mitigation will require careful management and new approaches. The importance of mitigation was reinforced on January 14, 2011, with the release of the new CEQ Guidance on "Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated Findings of No Significant Impact."20 NEPA requires that BLM discuss mitigation measures in an EIS. (40 C.F.R. §§ 1502.14, 1502.16.) In order to show that mitigation will reduce environmental impacts to an insignificant level, BLM must discuss the mitigation measures "in sufficient detail to ensure that environmental consequences have been fairly evaluated." 21 Simply identifying mitigation measures, without analyzing the effectiveness of the measures, violates NEPA. Agencies must "analyze the mitigation measures in detail [and] explain how effective the measures would be . . . A mere listing of mitigation measures is insufficient to qualify as the reasoned discussion required by NEPA."22 NEPA also directs that the "possibility of mitigation" should not be relied upon as a means to avoid further environmental analysis.23 Further, general statements that BLM will conduct monitoring are also not an appropriate form of mitigation. Simply monitoring for expected damage does not actually reduce or alleviate any impacts. Key considerations for off-site mitigation should include: • Identification of uses, resources and values associated with the project site. Establishing the connection between off-site mitigation and the resources of the public lands will require detailed understanding and knowledge of the values and uses present on the project site before development occurs, such as wildlife habitat, various recreational uses (ranging from hunting to bird watching to all terrain vehicle use) and scenic values. BLM should require that necessary inventory of the project site be completed prior to developing off-site mitigation measures. • A "net conservation benefit" requirement for resources and values. BLM should ensure that any loss of resources or values on a development site is compensated with the addition and protection of equivalent or better resources and values offsite with appropriate assurances that conservation values will be maintained for at least as long as project impacts persist. BLM should also make a determination about the value of the habitat to be impacted and adopt direction for mitigation requirements for the specific habitat types impacted. For example, for high quality habitat which is relatively scarce or becoming scarce on a national basis or in the ecoregion section, BLM policy should ensure a net gain of in-kind habitat value. Additions of lands and resources should exceed the value of any resources lost. Additions could be gained through restoration efforts to improve the quality and quantity of equivalent resources and values off-site. Mitigation for impacts to water resources could be addressed by purchase and retirement of water rights to offset groundwater pumping by the project. • Requirements for project developers to fund mitigation efforts based on the amount and value of	GB	Both	emc0355GB

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	the land impacted from development. Project developers should be required to make deposits to a mitigation fund based on the amount of land used for the project and the habitat value of that land, the costs of any restoration or enhancement actions necessary to produce a net conservation benefit, and the stewardship costs necessary to maintain conservation benefits over time. • If funds are received as a part of mitigation, a centralized body should be established to oversee the funds and maximize the effectiveness of their use. BLM should establish a centralized body comprised of BLM staff, and other federal and state agencies with expertise and interest to oversee the distribution of funds and maximize the effectiveness of their use. This body should be required to take into consideration recommendation from the public in the distribution of funds. • Off-site mitigation should be required to take place in the same ecoregion as the project site. An ecoregion is a "large unit of land or water containing a geographically distinct assemblage of species, natural communities, and environmental conditions". Ecoregional health is critical for maintaining the health of individual ecosystems within the ecoregion. In addition to ensuring that off-site mitigation meets a “net conservation benefit” requirement for resources and values lost on the project site, BLM should require that mitigation take place in the same ecoregion as the project site and seek to direct mitigation investments to actions that will promote broader ecosystem recovery.			
1777.	Mitigation protections will require additional and ongoing monitoring to determine effectiveness. There is an important distinction between the monitoring required to assess effectiveness of mitigation, and research or monitoring completed in lieu of on-the-ground mitigation. We do not support research funding as a substitute for compensatory habitat mitigation applied on the ground.	GB	Both	emc0355GB
1778.	Summary: BLM should apply habitat mitigation actions in descending order of preference: avoidance, minimization, rectification, reduction, and compensation. When compensation is used for mitigation, BLM should ensure that compensation is spent on effective mitigation measures, applied on the landscape scale, to sage-grouse habitat that is similar or greater in value than the lost habitat services. Ongoing stewardship, monitoring, and adaptive management will be necessary to ensure that compensatory mitigation is effective.	GB	Both	emc0355GB
1779.	The Northwest Mining Association (NWMA) appreciates the opportunity to provide comments as part of the scoping process for the above referenced Notice of Intent (NOI). NWMA urges the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) to ensure that the Environmental Impact Statement (EIS) for the Great Basin Region Greater Sage-Grouse Planning Strategy analyzes a full range of alternatives, fully discloses the existing conditions of greater sage-grouse species and associated habitat including a population trend analysis, considers the existing conservation measures in place for the greater sage-grouse as they relate to Section 4(b) of the Endangered Species Act (ESA), evaluates the adequacy of the baseline data used to support the analysis in the EIS, and clearly defines greater sage-grouse habitat using on the ground characteristics within the Great Basin Region.	GB	Both	emc0321GB
1780.	Below we provide comments toward the EIS to Incorporate Greater Sage Grouse Conservation Measures into Land Use Plans and Land Management Plans. The comments are focused in part around the December 2011 Report on National Greater Sage-Grouse Conservation Measures. Some of the language in this report, which is likely to serve as a foundation for the EIS, raises concerns, largely because it points toward one-size fits all solutions. Such an approach will not work, largely because the solutions will not match local issues in scope, scale, or complexity.	GB	Both	rmc0067GB

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1781.	The current report places virtually no emphasis on local plans and/or risk assessments that have been completed in many areas. Important work went into developing these plans and if they are disregarded critical trust issues will emerge. This situation would not benefit the BLM, important stakeholders or sage-grouse.	GB	Both	rmc0067GB
1782.	Given the success of the local working group model to address other issues, we believe that strategies for protecting the greater sage grouse and its habitat are best designed and implemented in that forum. The local working groups are the ideal vehicle to bring together all interested stakeholders to develop community based solutions in response to unique conditions within the context of the regional effort. Ecosystems occupied by greater sage-grouse populations vary and should be managed not by a one-size-fits-all approach but through an approach that allows land managers and local stake holders to collaborate on practices that benefit individual populations. We also believe that local working groups could provide a forum for the introduction, evaluation and closely controlled monitoring of innovative practices. We contend that the species will be better served through methods designed to reach population targets rather than proscriptive measures which mayor may not achieve the desired results but whose implementation is demanded regardless of its efficacy.	GB	Both	rmc0056GB
1783.	The EISs and SEISs should analyze and disclose how greater sage-grouse management will impact all established multiple uses in existing land use plans. Any RMP/LMP amendment to address greater sage-grouse conservation should include flexibility to allow for alternative actions, the absence of which could actually prevent conservation instead of enhancing the species and habitat.	GB	Both	rmc0056GB
1784.	The NOI also states: "The BLM and FS will consider a range of reasonable alternatives, including appropriate management prescriptions that focus on the relative values of resources while contributing to the conservation of the greater sage-grouse and sage-grouse habitat." Alternatives should be developed and adopted according to impacts on other multiple uses. In management decisions, flexibility for case-by-case decisions will allow modifications as needed.	GB	Both	rmc0056GB
1785.	Monitoring should remain flexible enough to allow local input. Independently verified monitoring data should require changes in multiple-use activities only when prevalent data clearly indicates a causal relationship between the activity and an impact on population.	GB	Both	rmc0056GB
1786.	Instructional Memorandum 2012-043 designates sage grouse habitat as either Preliminary Priority Habitat or Preliminary General Habitat. We have been unable to find record of the solicitation of public comment into these designations. While we agree that changes in management practices in some areas are more likely to result in significant habitat improvements than others, data from both state and local sources should be incorporated. Criteria for the respective designations should be clearly defined prior to evaluation. Priority mapping and designations should only include areas that are actually used by sage grouse .	GB	Both	rmc0056GB
1787.	Analyses prepared during the NEP A process should not start with the assumption that a given activity embodied within the multiple-use concept is a threat to sage grouse habitat or conservation. Rather, the starting premise should be that properly managed activities can provide benefits for sage grouse. The analysis should make every effort to incorporate sustainably managed activities into the protection strategies.	GB	Both	rmc0056GB
1788.	Key issues are focused on the objectives of the state plan-sage grouse populations and sage-grouse habitat. It is assumed that primary emphasis will be given to those populations that are known or suspected to be at risk, or where future actions or stressors could create new risk factors. Areas with stable populations will be less of a focus (except where future actions	IDMT	Both	rmc0028GB

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	could be a problem). -Consider populations at risk: -Are there populations known or suspected to be declining?			
1789.	The NOI states that the BLM and FS will use a "collaborative and multi-jurisdictional approach where appropriate" for the consersvation of sage-grouse and their habitats. We generally encourage this approach, and believe the agencies should describe in detail the collaborative methods they intend to employ. We believe the LWG in southwest Montana should be included in this collaboration.	IDMT	Both	rmc0028GB
1790.	The Dillon Field Office (DFO) has gathered habitat data vital to understanding regional sage grouse population and movements, as well as implementing recommended standards and guidelines in various management plans. These science-based guidelines have evolved over the past ten years through various administrative directives to better manage sage grouse populations and habitat. Watershed assessments and grazing permit renewals have been completed for the entire DFO under these directives. The DEIS should discuss where and what standards and guidelines have been implemented in the DFO that have effectively improved sage-grouse habitat and presumably the associate populations.	IDMT	Both	rmc0028GB
1791.	Sage-grouse are documented to use USFS lands during winter and summer brood-rearing seasons in several locations in southwest Montana and southeast Idaho. As a vital part of this collaborative process, the USFS should update management needed for sage-grouse habitats in conjunction with this BLM process.	IDMT	USFS	rmc0028GB
1792.	The Dillon RMP should be modified to incorporate preliminary priority area maps, and to update oil and gas stipulations to be consistent with new agency guidance.	IDMT	BLM	rmc0028GB
1793.	Format is great for those that know what questions to ask. A panel set up with a group discussion reaches more people who may not ask the questions they want an answer to.	IDMT	Both	cfc0009GB
1794.	Idaho is drastically different from Wyoming in terms of population dyanamic for grouse and state specific factors or variables that impact them. So Im not sure we just want to follow Wyomings model with out making sure Idaho specific needs are addressed.	IDMT	Both	cfc0042GB
1795.	The Group has developed a sage-grouse conservation plan for Jarbidge Planning Area, which includes the goals outlined below. We ask that the BLM consider these goals as they finalize the Sage-Grouse Planning Strategy. -Inform and eduate landowners and the general public regarding sage-grouse issues as they relate to various uses on lands in the Jarbidge Field Office	IDMT	Both	emc0158GB
1796.	The Group believes strongly in the value of cooperative efforts between public and private entities and encourages BLM to include this value as part of the final strategy.	IDMT	BLM	emc0158GB
1797.	Finally, the Group requests that the BLM consider the elements and recommendatoins outlined in the Idaho Conservation Plan for the Greater Sage Grouse. That plan can be viewed at http://fishandgame.idaho.gov/public/wildlife/sageGrouseIconservPlan.pdf	IDMT	BLM	emc0158GB
1798.	I studied you many maps- the one map showed that the area we are using and living on as "arid-dry desert" - Since the Murphy fire in 2007 all that area in Twim Falls/Owyhee County is huge grassland - you are wrong in calling it dry/arid as it is that no more- check facts- almost 700000 acres burned July 2007.	IDMT	Both	cfc0055GB
1799.	Considering that the Sage Grouse is an Endangered Species Act (ESA) candidate, the act states express national policy to be that: "It is further declared to be the policy of Congress that Federal agencies shall cooperate with State and Local agencies	IDMT	Both	emc0112GB

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	to resolve … issues in concert with conservation of endangered species." [16 USC, 1531, c, (2)] This section also specifies that decisions as to the status of a species only "..after taking into account those efforts, if any, being made by any State or foreign nation, or any political subdivision of a State or foreign nation, to protect such species, whether by predator control, protection of habitat and food supply, or other conservation practices…." As such BLM needs to coordinate with Custer County in regards to RMPs to insure consistency with local LUP. This includes providing information in regards to the Greater Sage Grouse working Groups, and the Idaho State Sage grouse plan. Special emphasis should indicate what items or provisions to be included in the base-working model for NEPA, and any adjustments proposed for existing authorizations within Custer Resource Area.			
1800.	We have adopted various county plans affecting resource use and management within the county many of which are pertinent to Sage Grouse conservation and management. Those plans, including the Owyhee County Sage Grouse Management Plan, the Owyhee County Wildland Fire Plan, the Owyhee County Natural Resources Plan, the Owyhee County Comprehensive Plan and Zoning Ordinances, have been provided to Idaho BLM Managers for their use in complying with the coordination and consistency provisions ofFLPMA. We expect BLM to make use of those plans, as provided for in FLPMA, during the development of the current plan revision and EIS.	IDMT	BLM	emc0212GB
1801.	B. Owyhee County expects to be engaged by BLM Managers in the development of this EIS and in the revision of Land Use Plans affecting Owyhee County, through the coordination process provided for in FLPMA and further defmed by our existing Coordination Protocols. If the regional nature of this planning effort requires the establishment of an additional Coordination Protocol with the Regional Project Manager, we will be pleased to use our existing Idaho Protocols as the basis for such an agreement with the Project Manager.	IDMT	BLM	emc0212GB
1802.	Idaho has a number of well established and effective Sage Grouse Local Working Groups which should be used as a resource for their local knowledge of bird populations, habitat, and threats. Those local working groups have also established an excellent record of habitat restoration projects that should be consider in this effort.	IDMT	Both	emc0212GB
1803.	We encourage BLM to work cooperatively and collaboratively with the state's LWG's	IDMT	BLM	emc0212GB
1804.	3. Build upon the progress and accomplishments the LWG's, counties, and state have made over the past twelve years.	IDMT	Both	emc0212GB
1805.	We believe that federal agencies should consider three viable options for furthering habitat conservation efforts on private lands. First, the agencies' approach can be integrated with private land conservation benefits provided by the National Resource Conservation Service's Sage Grouse Initiative (SGI): Third, another potential resource to consider when developing a collaborative approach to conservation across boundaries is the Framework for Mitigation of Impacts from Infrastructure on Sage-grouse and Their Habitats, developed by the Sage-Grouse Mitigation Subcommittee of the Idaho Sage-Grouse State Advisory Committee. The Idaho Mitigation Framework (December 6, 2010) is labeled a "Discussion Paper Final Draft" but has not yet been adopted. This draft framework, the result of a stakeholder process, may offer some guidance and helpful concepts for habitat conservation on non-federal lands, thereby complementing conservation strategies on federal lands. According to the summary: [T]the Mitigation Framework would serve as a science-based "mitigation module" that project developers and government regulators could use to achieve compensatory mitigation objectives called for in project plans and permits. While compensatory mitigation may help offset certain impacts arising from infrastructure	IDMT	Both	emc0089RM

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	projects, mitigation should not be considered a substitute for first avoiding and then minimizing impacts. In addition, it is important to recognize that federal and state regulatory or land-management agencies, and county or local governments may also require additional stipulations, conditions of approval or other requirements as well as on-site mitigation, in accordance with applicable law, regulation or policy. Discussion Paper Final Draft at 1.			
1806.	First, we want to ensure that the agencies are aware of the current sage grouse-related efforts of the state of Idaho. On March 9, 2012, Governor C.L. "Butch" Otter signed an Executive Order creating a state sage grouse task force charged with the mission of developing a state-wide regulatory mechanism to conserve sage grouse and preclude the need to list the species. The task force has been asked to complete this effort by May 31, 2012 so as to be timely to allow the BLM/FS to incorporate its work into the EISs and the accompanying land use plans. Because this is being developed by a broad-based group of Idaho citizens who have local knowledge of sage grouse populations and the effects thereon, this plan will contain the most effective tools for managing the land and conserving sage grouse in Idaho, BLM/FS should defer to the Idaho plan and utilize it, where applicable, as the preferred alternative for BLM/FS lands within the state.	IDMT	Both	emc0392GB
1807.	I am dismayed at the poor BLM sage-grouse mapping and habitat identification effort that has been made in Idaho to date. The Attached map is the first opportunity we have had to see the "Priority"/core habitat mapping applied at a finer scale than the broad general purple colored splotches on maps at the public meeting. Idaho BLM has been claiming that the Core Habitat mapping for sage-grouse relies not only on leks, but also on winter and other habitats. However, selective memory loss appears to be occurring. Important habitats that have been identified in the past are being cast aside and relegated to "general" status. This favors wind or other developers or ranchers such as Rockville allotment permittees. For example, in the area of the Ridgeline wind ROWs south of Marsing near the Oregon border - BLM identified winter sage-grouse use in this area in documents when BLM was irrationally rubber-stamping placement of towers in and near Rockville. Now, the BLM's Idaho core mapping has the entire Ridgeline area west of Highway 95 mapped as only "General" habitat (not "Priority" habitat) - which will make it much easier for BLM to sacrifice to full-blown development in the future. This process so far has been a muddle, and ID's mapping is more slipshod than Nevada's - for example.	IDMT	BLM	emc0079GB
1808.	We are alarmed at how this poor Idaho Interim mapping has been rolled into the EIS process, is. The Interim mapping must be immediately updated using all available info. It must reflect an honest and accurate depiction of identified sage-grouse habitats. Not just purple colored blobs (mapping on display at public meetings) based primarily on accessible regularly counted leks.	IDMT	BLM	emc0079GB
1809.	I again emphasize that reliance on the Core Model will be a disaster for sage-grouse population viability in Idaho, a state which has already lost so much sagebrush. In Idaho, all remaining sagebrush habitats are vital. The question BLM should be asking is what can we do across all of this habitat to remove disturbances- not go down the path of the core model - that allows a plethora of existing disturbances to continue largely unchecked.	IDMT	BLM	emc0079GB
1810.	Given the limited time frame available to the BLM to analyze and implement Sage-grouse amendment to the identified Resource Management Plans and Land and Resource Management Plans, we strongly recommend that the agency tier to existing RFDs from the last round of completed planning documents in Wyoming, Utah and Colorado. While several of Colorado and Montana RMPs have yet to be finalized and implemented, many have already completed preparation of their planning RFDs, which should be used as part of the Sage-grouse amendment process. In so doing, BLM will have the benefit	IDMT	BLM	emc0340GB

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	of local information and expertise rather than attempting to prepare an additional regional RFD.			
1811.	The following comments relate to the BLM's management prescriptions for sage-grouse habitat on the lands it manages in southwestern Montana by the Dillon Field Office. We strongly urge that, in developing its west-wide strategy for protecting and enhancing sage-grouse habitat, the BLM withdraw from the mineral leasing and mining laws, all BLM lands harboring sagegrouse habitats managed by the BLM within the Dillon Resource Area. Unfortunately, though the Dillon Field Office adopted a new Resource Management Plan in February 2006, that plan did not adequately protect sage-grouse habitats on BLM lands from inappropriate mining and mineral activities, such as oil and gas leasing, exploration and development, and hard rock mining. It is our view that a key means of protecting sage-grouse habitat is to prohibit those commercial development activities that impair or destroy those habitats. Therefore, we strongly recommend that in developing the plan for protecting and enhancing sage-grouse populations in southwestern Montana, that the plan provide for the prohibition of mining and mineral development on sage-grouse habitats managed by the BLM. The best way to insure adequate protection for these habitat values is to place such lands off-limits to incompatible mining and mineral development by administratively withdrawing them from the operation of the mining and mineral leasing laws.	IDMT	BLM	emc0329GB
1812.	BRC strongly opposes incorporating into any plan amendment the following objective contained in the December 21, 2011 report from the Sage-grouse National Technical Team "A Report on National Greater Sage-Grouse Conservation Measures:" Manage priority sage grouse habitats so that discrete anthropogenic disturbances - cover less than 3% of the total sage-grouse habitat regardless of ownership. Anthropogenic features include but are not limited to paved highways, graded gravel roads, transmission lines, substations, wind turbines, oil and gas wells, geothermal wells and associated facilities, pipelines, landfills, homes, and mines. (A Report on National Greater Sage-Grouse Conservation Measures, December 21, 2011 pages 7-8, bold underline added) Many sage-grouse habitat polygons, both general and priority, encompass areas where public land is interspersed among private lands. Where the private lands are used for agriculture, this provision will require the agencies to consider drastically reducing any human use of the adjacent public lands, even if those activities are not significantly impacting the sage grouse or its habitat. During a visit to a BLM office in Idaho, BLM staff helped us determine the potential impact of this objective. In several priority habitat polygons this objective would virtually eliminate any anthropogenic disturbances on BLM lands. Off-site mitigation for the current disturbance simply wasn't possible. We strongly encourage the agencies to carefully consider the impacts of this objective. At the very minimum, the agency must clarify and analyze the impacts this objective will have on the land use plans being amended.	IDMT	Both	emc0345GB
1813.	WHEREAS, the Custer County Commissioners, as the Governing Board, in accordance with Idaho Statutes, Title 67 'State Government and State Affairs', chapter 65 'Local Land Use Planning' has an established LUP and has notified the Secretary of Interior of its right to 'coordinate' under FLMPA, which requires the federal management agencies to consider Custer County's importance in determining the future use of the lands within the County;	IDMT	Both	rmc0146GB
1814.	AND WHEREAS, the Custer County Governing Board has established a Natural Resource Advisory Committee (NRAC) to advise and assist in the coordination process with federal agencies. The BLM as lead agency is required by FLPMA 43 USC 1701 (a)(2) that "the national interest will be best realized if the public lands and their resources are ..... coordinated with other federal and state planning efforts." Section 1712 c-9, 43 USC refers to the 'coordination status' of a county which is	IDMT	Both	rmc0146GB

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	engaging in the land use planning process and requires the Secretary of Interior must "coordinate the land use inventory, planning and management activities .... with the land use planning and management programs of other federal departments and agencies and .... local Governments within which the lands are located". This provision gives statutory preference to those counties which are engaging in a LUP process preference over members of the general public, special interest and extremist groups.			
1815.	Section 1712 also mandates that the Secretary of Interior must "assist in resolving, to the extent practical, inconsistencies between federal and non-federal plans." It further states that the Secretary must "provide for meaningful public involvement of state and local officials ... in thedevelopment of land use programs, land use regulations, and land use decisions for public lands." In viewing of the requirement that the Secretary "coordinate" LUP and the requirements that involvement of local government be "meaningful", Custer County Commissioners as the Governing Board (which has Coordination status) should be involved throughout the planning and management cycle, not just at the end when a draft plan or decision is issued;	IDMT	Both	rmc0146GB
1816.	AND WHEREAS, the Sage Grouse is an Endangered Species Act (ESA) candidate, the Act states express national policy to be that: "It is further declared to be the policy of Congress that Federal agencies shall cooperate with State and Local agencies to resolve ... issues in concert with conservation of endangered species" [16 USC, 1531, c, (2)]. This section also specifies that decisions as to the status of a species only " ... after taking into account those efforts, if any, being made by any State or foreign nation, or any political subdivision of a State or foreign nation, to protect such species, whether by predator control, protection of habitat and food supply, or other conservation practices .... " As such, the BLM as the lead agency must specify how the proposed LUP will consider the efforts of the local sage grouse working groups and livestock grazing management plans of its permittees.	IDMT	Both	rmc0146GB
1817.	BLM needs to coordinate with Custer County in regards to RMPs to ensure consistency with local LUP. This includes providing information in regards to the Greater Sage Grouse Working Groups, and the Idaho State Sage Grouse Plan. Special emphasis should indicate what items or provisions are to be included in the base-working model for NEPA, and any adjustments proposed for existing authorizations within the Custer Resource Area.	IDMT	Both	rmc0146GB
1818.	As a landowner with identified leks on my family's property in the Shoshone Basin Shoshone Creek watershed in south central Idaho I am concerned that lack of coordination among federal agencies concerned with the greater sage-grouse will adversely affect the efforts of landowners, public working groups and some federal agencies to keep the sage-grouse from being listed under the Endangered Species Act.	IDMT	Both	rmc0071GB
1819.	I suggest the BLM and Forest Service closely coordinate among concerned federal agencies on planning issues as to efforts that are in place to preclude listing and that large proposals such as the Gateway West Transmission Line not be authorized on federal lands within areas of known significant sage-grouse habitat, but rather located within existing developed transmission corridors.	IDMT	Both	rmc0071GB
1820.	As landowners with identified leks on our property in the Shoshone Basin-Shoshone Creek watershed in south central Idaho we are concerned that lack of coordination among federal agencies concerned with the greater sage-grouse will adversely affect the efforts of landowners, public working groups and some federal agencies to keep the sage-grouse from being listed under the Endangered Species Act.	IDMT	Both	rmc0072RM

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1821.	We suggest the BLM and Forest Service closely coordinate among concerned federal agencies on planning issues as to efforts that are in place to preclude listing and that large proposals such as the Gateway West Transmission Line not be authorized on federal lands within areas of known significant sage-grouse habitat, but rather located within existing developed transmission corridors.	IDMT	Both	rmc0072rm
1822.	Underlying this process is agency reliance on an offshoot of the Wyoming Core Model. This is a Priority Habitat, General Habitat, and Non-Habitat sagebrush lands segregation scheme. Basically, the agency takes some degree of better care in Priority habitats (largely based on where leks have been monitored and more birds counted) while still allowing 3% more development to occur in Priority areas. Then, the scheme pretty much sacrifices everything else – including occupied General sagegrouse habitat, and unoccupied sagebrush or other lands often inhabited by other rare and declining species. The imposition of the Priority and General habitat sacrifice scheme discards the careful multi-year planning that went into the existing Idaho sage-grouse plan and mapping and identification of Key and restoration habitats, and other similar efforts.	IDMT	Both	emc0411GB
1823.	Western Watersheds Project attended the BLM Sage-grouse Scoping Meeting in Boise January 9th. We were alarmed to see BLM's Priority Habitat mapping for Idaho for the first time. Fairly small maps with little detail were hung on the wall. There was no handout that provided the series of maps. We were told that a map of "Priority Habitat" had only that day finally been posted on BLM's Website.The rest of the mapping still wasn't up on-line. We also asked the BLM Project leader if the data used to develop the mapping was available. We were told that BLM was working on getting the GIS and other info available, but it was not yet ready. We requested all of the data. The BLM mapping eliminated large areas of critical habitats like most of the Pahsimeroi, large areas of the Little Lost, Birch Creek, the Idaho-Oregon-Nevada borderlands (ION), portions of the Owyhee Front, areas of south eastern Idaho. BLM forgot all the promises made to the public (and vast sums of tax dollars it has spent) in efforts at restoration/rehab of burned and other disturbed lands. Many of the areas identified as Restoration Habitat in the Idaho Sage-grouse Plan weren't even mapped as any kind of habitat in the Idaho BLM PPH Map. Also, BLM did not provide a map of historical habitat or previously identified restoration and other habitats so the public could gauge how severe losses already had been, or the restoration habitat that was abandoned in the PPH/GH mapping.	IDMT	Both	emc0411GB
1824.	An example of BLM mapping eliminating habitat where it has very recently committed to, or identified the need for, and spent millions of dollars on restoration of habitat, is the entire northern half of the Jarbidge BLM office. This is mapped with no sage-grouse habitat of any kind, even where leks are present.	IDMT	BLM	emc0411GB
1825.	At the public meeting, we asked Paul Makela, the ID BLM lead, about many areas that had been omitted, and the removal of occupied sage-grouse habitat (with leks) from Priority consideration, and the removal of restoration habitat. He pointed to the Snake River Plain in response, and said "We're never going to restore that" as if that was a reason for BLM's Sage Grouse mapping not to carefully detail and include as habitat BLM and Forest land occupied sage-grouse habitats as well as habitats identified for restoration in sage-grouse plans. Maybe BLM won't be able to restore some areas of the Snake River Plain, but there are vast areas that had been sage-grouse habitat now seeded to crested wheatgrass, or as fire rehab including with natives, or where native recovery was supposed to be the goal. The public was promised when BLM was spending millions of dollars in fire rehab that lands would be recovered as sage-grouse habitat. These areas must be identified, and included as habitats in any mapping and conservation planning as they already had been in the IDFG Plan that the BLM scheme jettisoned. They are necessary to sustain viable populations and expand sage-grouse distribution. As part of this current EIS	IDMT	Both	emc0411GB

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	process, a definite and specific plan for recovering sagebrush habitats and expanding the area of sagebrush habitats and sage-grouse abundance and distribution must be developed.			
1826.	The Key and restoration habitat approach of the 2006-2011 IDFG Plan must be examined as a component of a range of alternatives, in contrast with alternatives based on the Core/Priority habitat sacrifice scheme.	IDMT	Both	emc0411GB
1827.	The Notice states that: The most current approved BLM corporate spatial data will be supported by current metadata and will be used to ascertain greater sage-grouse habitat extent and quality. Data will be consistent with the principles of the Information Quality Act of 2000. We had requested information on leks used in mapping from BLM, and they told us to speak to IDFG. But IDFG had originally told us to speak to BLM to get lek info used in this process. We finally obtained lek data from IDFG. However, no data has been provided by BLM on all the specific steps used to actually derive its flawed PPH maps using this data. What is corporate spatial data?	IDMT	BLM	emc0411GB
1828.	The NTT's Goals are inadequate. For example: "Maintain and/or increase sage-grouse abundance and distribution by conserving, enhancing or restoring the sagebrush ecosystem upon which populations depend in cooperation with other conservation partners" is woefully inadequate. BLM must significantly increase abundance and distribution, and state specific goals and time frames to achieve this. These goals must be based full consideration of the current status of habitats for each population. And BLM must, of course, conserve, enhance, and restore habitats and populations. The Core and Priority schemes will not allow this to occur. This habitat segregation immediately chops off critically important habitats, including in areas of Idaho and Nevada where there has already been so much sage-grouse and sagebrush loss. The Idaho model (and map that accompanied the BLM IM) completely excludes large areas identified as very important for conservation over the past seven years under the Idaho Sage-grouse Plan. Habitats essential for birds to move over the landscape and even entire seasonally important habitats are not included in the Priority habitat. See Nevada discussion - where even "moderate" importance and "transitional" habitats are excluded from the Priority scheme. BLM must conserve, enhance and restore - not just maybe, perhaps, sometimes, do one of the above a little bit, "where appropriate."	IDMT	Both	emc0411GB
1829.	Agencies are to "develop a monitoring and Adaptive Management strategy and allow for revisions.." Conservation partners are referred to in the NTT. WWP hereby requests to be a "conservation partner" in this process, and to work with BLM to fully develop an alternative. We have just reviewed an agenda for the Idaho Sage-grouse Task Force, and see that it is being given until May to develop an alternative. WWP is a stakeholder, and many of our members reside in the sagebrush biome, use public lands for recreation, photography, birdwatching, scientific and other purposes. Our members greatly enjoy and appreciate the presence of sage-grouse on public lands. Further, many of our members own lands within the sage-grouse biome, and the range of sage-grouse.	IDMT	BLM	emc0411GB
1830.	Any reclamation plan in any sagebrush habitat must protect and improve sage-grouse habitat - and to minimize adverse impacts to other native species while doing so. BLM does not even require this for the artificially segregated General habitats. All existing sagebrush habitats must be protected. We strongly oppose the relegation of critically important sagebrush habitats to the "general" habitat category with even lower measures of protection or rehab being applied. Also, for the sacrificed general areas, there are hardly any road intrusion protections or BMPs provided at all. Example: NTT p. 65. This illustrates how BLM is immediately acting with the NTT and IM to reduce protections for sacrificed General Habitat. In Idaho - that is 1/3 or more of the sagebrush habitat that BLM has deigned to recognize (and many restoration habitats aren't	IDMT	BLM	emc0411GB

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	even included at all in the mapping). BLM must immediately stop this segregation of habitats based on woefully incomplete knowledge and that is greatly biased towards industry.			
1831.	BLM Must Define Terminology Being Used, and This Should Have Already Been Done BLM claims to "sustain" or "conserve" habitats or populations, for example, in its Idaho mapping legends. But how are these being defined? The NTT fails to provide definitions. Restoration must be defined, as well.	IDMT	BLM	emc0411GB
1832.	The paper then discusses: management approaches for consideration, and the 2010 Doherty et al. habitat map. It does not even refer to maintaining and protecting habitats. Instead, it refers to maintain or protect Maintenance may also apply to certain Gas Management actions could include: the establishment of exclusion zones (for certain types of actions) sage-grouse conservation areas/ACECs to minimize or reduce anthropogenic impacts. Aggressive approaches to wildfire suppressions. It uses weak, uncertain wording- like "could".	IDMT	BLM	emc0411GB
1833.	The regulations should reiterate that ecosystems, occupied habitat and greater sage-grouse populations vary and should not be managed by a "one-size-fits-all" approach, but rather by an approach that allows land managers, local working groups, and grazing permittees to collaborate on management practices that benefit the resources affecting individual populations in small areas-not over the entire west-wide greater sage-grouse range.	IDMT	Both	flh0000GB
1834.	The state of Idaho is currently in the process of developing a state sage grouse conservation strategy which should be completed in June. Because this is being developed by a broad-based group of Idaho citizens who have local knowledge of sage grouse populations and the effects thereon, this plan will contain the most effective tools for managing the land and conserving sage grouse in Idaho. BLM/FS should defer to the Idaho plan and utilize it, where applicable, as the preferred alternative for BLM/FS lands within the state.	IDMT	Both	flh0000GB
1835.	This region is great sage grouse habitat because the BLM and the local ranches have worked together to make it that way. A successful sage grouse conservation strategy will recognize the successes of the partnership between local ranches and the BLM. It will build on those successes by making the partnership stronger.	MT-RM	BLM	emc0013RM
1836.	The Bentonite Road in Valley County is recognized as one of the best places to see a mountain plover. The RMP should preserve the current management of that habitat.	MT-RM	Both	emc0013RM
1837.	This prairie has been conserved because of 60 years of partnership between local ranchers and the BLM. A successful sage grouse conservation plan will acknowledge that partnership and seek ways to strengthen it.	MT-RM	BLM	emc0013RM
1838.	A couple of critical issues that will need to be preserved and or considered are; - Keeping Montana ranches and farms economically viable.. - Keeping in place the established land use "Traditions"... - Continue to work with the public private partnership in place... - Protect northeast Montana from changes in land management.. - Preserve the public and enhance the private access potential..	MT-RM	Both	emc0017RM
1839.	Northeast Montana has the healthiest, most diverse grassland ecosystem in the world. We have so many sage grouse that the Montana Department of Fish, Wildlife & Parks is translocating some of them to Canada. This region's sage grouse production is due to decades of cooperation between ranchers and the BLM.	MT-RM	Both	emc0023RM
1840.	In the EIS, please include an analysis of the importance of this public-private partnership to the sage grouse. Please explore things the BLM can do to strengthen this partnership by keeping ranches economically viable. When amending the RMPs,	MT-RM	Both	emc0023RM

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	please protect northeast Montana from any changes in land management. Instead, this region's land use traditions should be used as a model for sage grouse conservation and restoration elsewhere.			
1841.	Northeast Montana has the healthiest, most diverse grassland ecosystem in the world. We have so many sage grouse that the Montana Department of Fish, Wildlife & Parks is translocating some of them to Canada. This region's sage grouse production is due to decades of cooperation between ranchers and the BLM. In the EIS, please include an analysis of the importance of this public-private partnership to the sage grouse. Please explore things the BLM can do to strengthen this partnership by keeping ranches economically viable. When amending the RMPs, please protect northeast Montana from any changes in land management. Instead, this region's land use traditions should be used as a model for sage grouse conservation and restoration elsewhere.	MT-RM	Both	emc0028RM
1842.	In Montana, it is important to point out that the sage grouse population is thriving. Because of the stable population, our members do not support reductions of livestock on federal lands as a means to conserve sage grouse. Livestock grazing is proven to be a benefit to sage grouse, as stated in the Montana Sage Grouse Management Plan. Our organizations support more proactive measures to conserve sage grouse, such as support for local working groups and the NRCS Sage Grouse Initiative. These types of efforts will have a much more favorable collaboration of community members working toward maintaining and improving communities and wildlife habitat. These types of efforts should be used as a model in other programs or as a pilot program in the development of the upcoming Farm Bill. Simply reducing livestock grazing on federal lands will not benefit the ranching stewards of the land or the sage grouse. The unintended consequences of decisions that negatively impact our rancher members will also impact the greater sage-grouse, by encouraging the conversion of private rangelands into farmland, urban development, or other uses not conducive to greater sage-grouse habitat.	MT-RM	Both	emc0157RM
1843.	Montana, "priority habitat" as described by BLM is synonymous with "core habitat" as mapped by a collaborative process between Montana Fish, Wildlife and Parks and BLM in 2008 (Version 1.0, released on CD by FWP 1/28/2009).	MT-RM	BLM	emc0248GB
1844.	I thought the Q&A could have lasted longer to provoke more group discussion. I also felt the BLM could have been more focused on governing policy than general sage-grouse information. I understand getting everyone on the same page as far as species conservation goes but this shouldn't be the focus of the evening. BLM officials could have spent more time addressing the new interim management policies, update focus on RMPs, and what specific conservation measures we as farmers/biologists/industrialists can expect to see more of. I left the meeting knowing the new BLM hierarchy but little about new measures we should know about and employ to directly benefit the species. Tim Zachmeier and David Wood were helpful in trying to clarify these questions to the best of their knowledge.	ND	BLM	cfc0001RM
1845.	However, I do feel the presenters could have explained current research methodologies and theories for the public to understand the planning strategy. For example, what are the results and other information from banding/tagging the brids.	ND	Both	cfc0002RM
1846.	Also, we do some field work in Montana, which has a larger amount of sagebrush habitat. Is there a meeting planned regarding the planning stratigies and revisions on RMPs, etc?	ND	Both	cfc0002RM
1847.	As the management plan is developed, we encourage BLM officials to work with local farmers and ranchers who have the most knowledge of local needs and conditions and are better equipped to seek solutions that work best in the local area. BLM should collaborate with them, not interfere with or hinder their efforts. Local efforts have already been made to enhance the sage-grouse population in southwest North Dakota and those efforts should be rewarded, not penalized.	ND	BLM	emc0024RM

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1848.	Currently, eleven Forest Service land management plans are included in the scoping process. We believe it is important these efforts be expanded to include the Little Missouri National Grasslands. North Dakota is on the eastern fringe of sage grouse range and has the smallest population of any of the states. Although sage grouse numbers have greatly diminished in North Dakota and the range they presently occupy has contracted, active leks are still found within boundary of the Little Missouri National Grasslands. As recently as last year, both young and adult birds were documented on Forest Service lands. In terms of sage grouse priority habitat, the Forest Service manages roughly 74,000 surface acres of habitat while the BLM manages 59,000 acres. In order for sage grouse to persist, it is important and necessary to incorporate up-to-date conservation measures across both Forest Service and BLM lands in North Dakota. The Land Management Plan for the Little Missouri National Grassland is approximately a decade old. Although newer than many Bureau of Land Management land use plans, it is dated and inadequate in terms of the protections it affords sage grouse. Therefore, we ask that the planning process include the Little Missouri National Grassland.	ND	USFS	emc0153RM
1849.	Protecting the sage grouse habitat is important. It not only helps to ensure the survival of the species in Nevada, but it is also an act of stewardship -- one that will enable future generations to enjoy Nevada's great outdoors and the wildlife that make it such as special place.	NVCA	Both	emc0019GB
1850.	YES to protecting the sage grouse and the land it inhabits.	NVCA	Both	emc0019GB
1851.	We request that the Preliminary Priority Habitat and Preliminary General Habitat planning maps, showing designated sage grouse habitat, be made available at least 30-days prior to the close of the public scoping period so people can have an opportunity to review and comment. Industry within Nevada has been asking to view these maps, and the state agency has indicated that the maps are not completed yet.	NVCA	Both	rmc0027GB
1852.	General Moly, Inc. ("General Moly") is formally requesting an extension of the comment period on the above referenced Notice of Intent. The reason for this request is that all of the relevant information that we and other stakeholders need to evaluate the Bureau of Land Management's ("BLM's") proposed greater sage-grouse conservation measures is not yet available. These measures will have a significant impact on General Moly and all other users of public land with potential sage-grouse habitat.	NVCA	Both	rmc0037GB, rmc0011rm
1853.	The comment period should be extended for a reasonable amount of time after the Nevada Department of Wildlife ("NDOW") publishes the sage-grouse habitat maps that it described at Governor Sandoval's January 18, 2012 Sage-grouse Stakeholder Update meeting in Carson City. According to NDOW staff, their maps are scheduled to be completed in about one month.	NVCA	Both	rmc0037GB, rmc0011rm
1854.	It is clear from BLM's Federal Register notice that maps being prepared by state agencies will provide critically important data to be considered in the EIS and SEIS documents: "State Game and Fish agencies' greater sage-grouse data and expertise will be utilized to the fullest extent practicable in making management determinations on Federal lands." (Page 77011, 76 FR 77008). Prior to publication of these maps, General Moly and other Nevada stakeholders cannot properly comment on the BLM's proposed conservation measures or identify the issues that should be considered by BLM and the U.S. Forest Service in the Environmental Impact Statements (EIS) and Supplemental Environmental Impact Statements (SEIS) that would evaluate impacts associated with implementation of conservation measures. In light of the importance of the habitat maps that	NVCA	Both	rmc0037GB, rmc0011rm

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	NDOW is preparing, General Moly and other Nevada stakeholders should be afforded the opportunity to see and evaluate these maps in order to provide substantive and effective comments on the issues to be considered in the EIS and SEIS documents.			
1855.	Additionally, it must be noted that the public in Nevada and nationwide has not had sufficient time (a minimum of 60 days) to evaluate BLM's sage-grouse documents that form the basis for the EIS and SEIS evaluations. Although the above-noted Federal Register notice was published on December 9, 2011, the following key BLM documents were not made available to the public until later in December: 1. BLM's National Technical Team's ("NTT's") December 21, 2011 report entitled "A Report on National Greater Sage-Grouse Conservation Measures". This report proposes unprecedented land use restrictions that would severely constrain the use of public lands with sage-grouse habitat for a wide range of jobs producing natural resource development projects including hard rock mining; 2. BLM Instruction Memoranda (IM No. 2012-043 and IM No. 2012-044) addressing land use planning and management for greater sage-grouse which were not issued until December 27, 2011; and 3. BLM's December 27, 2011 news release announcing the availability of the Instruction Memoranda and the NTT Report. Again, a thorough review of these documents will allow General Moly and other Nevada stakeholders to provide more substantive, informed and effective comments. Given the length, complexity, and importance of these documents, additional review time is necessary.	NVCA	Both	rmc0037GB, rmc0011rm
1856.	Elko County is in receipt of the letter of invitation from Mr. Rex McKnight dated December 07,2011, an invitation to be established as a cooperating agency on the above referenced project. Unfortunately Elko County was not able to respond to the invitation within the 15 day deadline. Elko County is very interested and concerned of the status of the greater sage grouse, the potential future impacts on the west and very much desires to be included in the planning process. The Elko County Board of Commissioners do hereby, officially request that the BLM and USFS establish Elko County, Nevada as a cooperating / coordinating agency on all matters and issues relating to the comprehensive planning effort to incorporate adequate conservation measures relating to the greater sage-grouse into land use plans across the west. Please feel free to contact me if you should have any questions or if I may be of any further assistance.	NVCA	Both	rmc0002GB
1857.	On behalf of the Nevada Department of Wildlife, we wish to thank you for your offer and accept the role to be a Cooperating Agency for the duration of the Greater Sage Grouse LUP amendment/ EIS process. We understand that this effort is related to the development and implementation of a Greater Sage Grouse Planning Strategy for the Westem Region and for the preparation of documents for the States of Nevada and Califomia. The Nevada Department of Wildlife has been engaged in the planning that has occurred to date and looks forward to participating in the activities that will put conservation measures in place to ensure the well being of the species and its habitat. Please consider me your initial contact for this endeavor. I can be reached at ssiegel@ndow.org or at (775) 688-1561.	NVCA	Both	rmc0018GB
1858.	The County clearly understands the process being forced upon the BLM to revisit many Resource Management Plans to determine if their content is sufficient to provide the necessary protection for the Greater Sage Grouse. We also understand that the Regional Environmental Impact Statement approach and the use of sub-regions to analyze and potentially amend land use plans with new management direction is a new process and could prove to be somewhat cumbersome. However the County wishes to remind you that this different process does not relieve the BLM from their requirement to coordinate this planning effort with Modoc County. Modoc County staff attended the public meeting in Alturas on January 18. We	NVCA	Both	rmc0013GB

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	found the contractors unprepared to answer how coordination with the County would take place given the unique planning process that has been developed. While the County is prepared to be user friendly given these unusual circumstances, the BLM must still fulfill their planning obligation required by Federal Land Policy Management Act and their planning regulations to coordinate with Modoc County. Please consider this letter as the County's request for your agency to meet with the County to establish the coordination process to be used for this planning effort. Your contact point is Modoc County Resource Analyst Sean Curtis. He can be contacted at (530) 233-3276 or at modoccfb@frontiernet.net. The County has only recently become aware that a letter was sent to the county governments within the Greater Sage Grouse habitat being considered in this planning effort extending an offer for cooperating agency status. Given that Modoc County fits this description, apparently this letter was either misplaced or never received.			
1859.	Please add the Interstate, US, and State Route paved highways and the towns to the "Nevada BLM and USFS Greater Sage-Grouse Preliminary Habitat Map" for reference.	NVCA	Both	emc0193GB
1860.	If it hasn't already been done, please remove these highways from the Preliminary Priority Habitat (PPH) designation.	NVCA	Both	emc0193GB
1861.	Why not a stakeholders meeting for Austin or Eureka?	NVCA	Both	cfc0043GB
1862.	In the future you should include Austin or Eureka as an additional stake holder meeting place for Sage-grouse Planning Strategy.	NVCA	Both	emc0030GB
1863.	alternativesllThe Nevada Department of Wildlife has provided input to conservation plans that that deal with the quantity and quality of sage grouse habitat. These plans should be inco~r~~ed into the conservation measures of the EIS and associated RMPs and LMRPs~	NVCA	Both	emc0310GB
1864.	We support a conservation alternative which would include the current Greater sage grouse Nevada state conservation plan. We also support an alternative which would provide for maximum recovery of Greater sage grouse and its habitats.	NVCA	Both	emc0404GB
1865.	NV Energy presumes that the ultimate goal of the Instruction Memorandum for SageGrouse conservation is to avoid the listing of Sage-Grouse as an endangered species. NV Energy requests that the proposed EIS include a detailed analysis of the No Action Alternative assuming the final outcome is a listing.	NVCA	Both	emc0198GB
1866.	NV Energy requests accurate maps which identify preliminary pnonty sage-grouse habitat versus preliminary general sage-grouse habitat. The accurate maps should be detailed enough to use for project planning purposes. These maps should be provided to all stakeholders so informed commentary and decision making can take place.	NVCA	Both	emc0198GB
1867.	Lincoln County will participate with our "Coordinating" Authority granted in the Federal Land Policy and Management Act of 1976, 43 US Code Section 1712, and respectfully requests BLM to honor this federal directive. Please inform us of any other way in which we can become more engaged in this process. The County would also encourage incorporation of the Nevada Sage-grouse Strategy and the Lincoln County Population Management Unit Plan (PMU) into the BLMs policy document. These plans were developed with extensive local input and support from various public lands interests, and should not be overlooked	NVCA	Both	emc0130GB
1868.	Ranchers in Nevada, have seen sage grouse populations fluctuate each year. But, as my observations, and getting imput from my neighbors, there seems to be very little change to numbers of birds for the last 52 years	NVCA	Both	emc0143GB

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1869.	National policies which are too often the product of national politics do no further multiple use policies for the public lands and when mailed from Washington to anywhere in the state of Nevada they do little to truly address the issues that state and local folks on the ground know to be the most viable solutions	NVCA	Both	emc0213GB
1870.	We are hopeful that the State of Nevada will seek to work with the BIM District Offices to establish a Nevada framework that is driven from the property, by the property and for the property and its owners both public and private. I I Our strong preference is for a cooperative approach driven from Nevada, addressing Nevada specific issues.)	NVCA	Both	emc0213GB
1871.	In our experience, managing for a single species almost always results in failure. The focus of federal land management agencies on single species management has likely resulted in many of the issues we are facing now. Further, single species management is in direct violation ofthe Federal land Policy and Management Act (FIPMA) (1976). FLPMA requires the following regarding the development and revision of land Use Plans (FIPMA 1976): © In the development and revision of land use plans, the Secretary shall- (l) use and observe the principles of multiple use and sustained yield set forth in this and other applicable law; (2) use a systematic interdisciplinary approach to achieve integrated consideration of phySical, biological, economic, and other sciences; Single species management does not offer the required interdisciplinary approach	NVCA	Both	fxc0010GB
1872.	I appreciate the 0PPoliunity to make Collllnent on the listing of the greater sage-grouse and the fhture management plans for the species. I recognize that once a species is listed on the endangered list that no weight is given to the fiscal importance of an industry or the economic damage that is done when listing is incurred, and that is why I am providing contact with you today to insure you that the agriculture industry is seeking to be a partner in creating a viable solution for the management of our lands that is beneficial for both wildlife and agriculture.	NVCA	Both	emc0269GB
1873.	In my short tenure with the Department of Agriculture, it has been very apparent that the agriculture industry is actively engaged in the health and safety of the greater sage-grouse population. It is vital that the multitude of induslty sectors be pulled in and included in the development of a strategic plan that will identify all habitat factors and management changes that will result in the successful stabilization ofthe species population.	NVCA	Both	emc0269GB
1874.	Specifically please address all of the identified threats to sage-grouse habitat to ensure a balanced approach to the management changes required to achieve our common goal. Any management plan must be inclusive of all the identified threats to sage-grouse habitat including invasive species, wildfire, wildlife, wild horse grazing, livestock grazing, predatory impacts, and harvesting through hunting practices.	NVCA	Both	emc0269GB
1875.	Economic impact is not the first priority as we develop management plans for the protection of the sage-grouse to ensure their non listing as an endangered species. However, it is important and significant that attention is paid to the ongoing reduction oflands available for the production of agriculture tln'ough urbanization, regulatory control, and the ever increasing costs of production and its long term effects on this country's food security and more importantly to food independence as it relates to homeland security.	NVCA	Both	emc0269GB
1876.	IM 2012-044 states, "The NTT-developed conservation measures were derived from goals and objectives developed by the NTT and included in Attachment 1. These goals and objectives are a guiding philosophy that should inform the goals and objectives developed for individual land use plans. However, it is anticipated that individual plans may develop goals and objectives that differ and are specific to individual planning areas." The Association does not believe conservation measures developed in the National Technical Team (NTT) Report should be the guiding philosophy for any conservation measures.	NVCA	Both	emc0328GB

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	The Association believes the NTT Report to be far more restrictive than an actual ESA listing of the greater sage-grouse. Recommendations in the NTT Report are not defined adequately and suggest possibilities, such as listed below, that would negatively impact the rangeland health and the ranching industry (our comments are underlined following the recommendation made in the NTT Report):			
1877.	Engage partner organizations and volunteers to help with restoration efforts	NVCA	BLM	emc0401GB
1878.	Nevadans have proven they can work together to make a difference for wildlife. Healthy sagebrush habitats are good for a huge number of wildlife species. Friends of Nevada Wilderness has been working as a partner with other organizations and agencies for years to improve the naturalness and quality habitat within wilderness, WSAs and roadless areas. For example, during the summer of 2011, we removed 75 miles of barbed-wire fence from the Sheldon National Wildlife Refuge to help lessen sage-grouse and pronghorn encounters with no-longer-needed barbed-wire fences. I would encourage you to help create a vision and spirit of cooperation, and help identify on-the-ground projects where volunteers from conservation, wildlife, sportsmen, civic and/or service organizations can come together and make a difference for sage-grouse. I hope that everyone -from elected officials to ranchers to the wildlife and conservation community and public land agencies - can focus on finding common ground and specific ways to make meaningful improvements for sage-grouse.	NVCA	BLM	emc0401GB
1879.	We agree that, if we are to succeed in making the listing of the Greater Sage Grouse under the Endangered Species Act unnecessary, it is critical that the agencies do not continue to manage the public lands in a business-as-usual fashion. Such management has caused the loss and fragmentation of Sage Grouse habitat west-wide and continuing declines in Sage Grouse population, such that the FWS has been found that the species now meets the ESA criteria for listing. Unfortunately, the interim guidelines, though necessary, are inadequate to reverse declining population trends and destruction and fragmentation of priority habitats. Two administrative actions by the agencies are critical: the amendment of land use plans to incorporate effective regulatory mechanisms and the timely implementation of these and the best science-based conservation measures for Sage Grouse specified in the land use plans. The EIS should address how agencies' existing regulatory authority is currently being used to conserve Sage Grouse and identify what additional authority is needed in each of its programs. We understand that the implementation of land use plans is subject to the agencies' annual budgets and Congressional directions. We ask that the agencies' disclose in the EIS the likelihood or certainty of any existing or additional regulatory authority actually benefitting either Sage Grouse populations or their habitats on public lands. Please provide a Plan B, if budgets or new Congressional directions undercut agencies' conservation efforts.	NVCA	Both	emc0283GB
1880.	Equally important for the EIS is comprehensive information on the current conditions of Sage Grouse habitat on public lands and national forests. How much monitoring is being done by the agencies annually on priority Sage Grouse habitats on public lands and national forests in Nevada and eastern California? How many BLM and USFS grazing allotments are meeting standards and guidelines for healthy rangelands? How many acres of Sage Grouse habitat in our region are lost each year for the last ten years to development, wildfires, and invasive weeds? How many acres of Sage Grouse habitat have been restored in the last ten years in our region and what is the definition of "restoration?" How many projects have been completed, and at what cost, to benefit Sage Grouse regionally in the last ten years? Have the agencies done effectiveness monitoring on any of the Nevada or eastern California projects; i.e. have any of these projects resulted in increasing Sage Grouse populations	NVCA	Both	emc0283GB

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	or restoring Sage Grouse habitats? How are population or habitat improvements measured regionally and at the PMU scale in our two states? Very important to public support of agencies' Sage Grouse Conservation Initiative is improved annual reporting on Sage Grouse numbers and trends and status of priority habitats as well as agencies' and other state and private stakeholders' efforts to improve Sage Grouse conservation.			
1881.	Goals : Those of us who developed the Nevada Sage Grouse Conservation Plan easily agreed that the highest management priority is to maintain intact Sage Grouse habitat. Given the constant threats of habitat loss, degradation, and fragmentation due to wildfires (and related) spread of invasive species and failures of mitigation and "restoration" for approved developments and infrastructure (including alternative energy and proposed interbasin water transfers not originally considered in the state's plan), is this goal realistic? Some habitat disturbances cannot be controlled, but manmade disturbances can. Practically, how many acres of Sage Grouse priority habitats have to be rehabilitated or restored each year to compensate for the annual Sage Grouse habitat losses or fragmentation, statewide and in each PMU?	NVCA	Both	emc0283GB
1882.	The second highest priority of the state's plan is to take management actions to conserve healthy rangelands and sagebrush habitats and to change land and resource management which is detrimental to either the Sage Grouse or its habitat. Are standards and guidelines for healthy rangelands adequate to meet this goal? If not, how should they be changed? We did not have the WAFWA guidelines or the National Technical Team guidelines when we developed the BLM standards and guidelines for healthy rangelands in the 1990's.	NVCA	Both	emc0283GB
1883.	Rehabilitation and restoration of Sage Grouse habitats damaged by wildfires, weeds, poor livestock and wild horse and burro management, recreational uses and development projects is our third goal. Without effectiveness monitoring, we cannot know whether scarce public funds for Sage Grouse projects were spent wisely or not; yet, funding for monitoring is usually the first victim of shortages in agencies' budgets. We do not even know whether Sage Grouse projects or other programs have actually harmed the species, such as fuels reduction projects which destroy sagebrush or Mormon cricket control projects which destroy potential food sources, yet the agencies routinely propose projects to eradicate pinyon-juniper, cut fuel breaks through intact sagebrush, burn or mechanically remove mature sagebrush - all without scientific verification or support, and most without any effectiveness monitoring which could establish either benefit or harm to Sage Grouse or its habitat. It reminds us of the history of BLM in which crested wheatgrass seedings were funded, usually late in the year, and hundreds of thousands of acres of sagebrush were destroyed, with the good intent and expectation that the seedings would solve all grazing management problems. Obviously, this strategy not only failed, but contributed extensively to Sage Grouse habitat destruction and fragmentation.	NVCA	Both	emc0283GB
1884.	Lastly, we do agree that the EIS must address the factors identified by the USFWS which lead to its warranted but precluded listing for Sage Grouse, including significant habitat conversion and fragmentation and the inadequacy of existing regulatory mechanisms. Although the EIS should address the other factors which were found not to be significant - disease, predation, and hunting, we note that the state 's plan also did not find these factors to be significant threats to Sage Grouse populations in Nevada and eastern California.	NVCA	Both	emc0283GB
1885.	Objectives: We support the objectives identified in the National Technical Team report. These include designating priority habitats at the PMU scale and identifying connectivity corridors between Sage Grouse populations and seasonal habitats. Obviously habitat conditions change, either due to stochastic events, or over time in response to restoration attempts or to	NVCA	Both	emc0283GB

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	droughts or climate change. Therefore, a mechanism needs to be in place to evaluate the status of priority habitats and adjust them to changing situations. A minimum sagebrush cover standard should be set, based on the best science. Quantified habitat and population objectives must be set range wide, regionally, and at the PMU scale. with annual evaluations and reports on progress made. The agencies should approve no proposed projects or activities which disturb more than 3% of priority habitats. This number should be adjusted if the percentage limitation does not result in significant progress annually towards meeting population and habitat objectives. A number of acres to be restored or rehabilitated annually should be set range wide, regionally, and in each PMU, with annual reporting on progress towards meeting these objectives. The agencies should commit to an objective of protecting or restoring connectivity of sagebrush habitats, with some quantification proposed for each PMU.			
1886.	Alternatives: We support the development of a wide range of alternatives for the EIS. At a minimum, the EIS should consider alternatives which incorporate the best available science on needed Sage Grouse conservation measures as presented in the National Technical Team report (at: http://www.blm.gov/pgdata/etc/medialib/blm/wo/Information_Resources_Management/policy/im_attachments/2012.Par.52415.File.dat/IM%202012-044%20Att%201.pdf) . The EIS should include an alternative which would include the current Sage Grouse Nevada state conservation plan along with necessary updates. And the EIS should study an alternative which would provide for maximum recovery for both priority and general Sage Grouse habitats and reversal of declining population trends. Components of the recovery alternative could include the largest buffers around leks and other priority habitats, lowest disturbance requirements, greatest protective restrictions, no permits for large-scale disturbances, larger rehabilitation/restoration goals for both priority, general and disturbed habitats, and restoration of historic habitat functionality.	NVCA	Both	emc0283GB
1887.	Conservation Measures: We support the majority of the conservation measures in the National Technical Team guidelines. However, there are issues not considered or covered on which we will comment and request that they be discussed in the EIS.	NVCA	Both	emc0283GB
1888.	Instead, "mitigation" for development impacts on Sage Grouse and priority habitats is often proposed by project proponents and seemingly automatically accepted by the agencies. Or, mitigation funds can be used for other purposes, including making up for agencies' budget shortfalls. It is difficult if not impossible for the public to track the use of "mitigation" funds - how, where and when funds were expended and what benefits or costs resulted to either Sage Grouse or its habitat. Annual reporting on the implementation of agencies' Sage Grouse conservation measures, including the use of required mitigation funds, must be a land use plan requirement. For example, the public is currently unable to access the effectiveness of required and voluntary mitigation, especially about $15 million in financial mitigation paid by the proponent of the Ruby gas pipeline project in northern Nevada to the BLM, the USFWS, NDOW, and other private organizations. No mitigation funds should be required or accepted by agencies without a mitigation plan with quantified goals and objectives and full accountability for the use of mitigation funds to the public through annual reporting of funds expended and the results of effectiveness monitoring. We have other conservation measures to recommend for inclusion in the EIS.	NVCA	Both	emc0283GB
1889.	We are very confused by the federal designation of the West-wide Energy Corridor since it does not constrain the current siting of utility corridors in Nevada or possibly elsewhere. FERC and other agencies simply accept the proponents' proposed	NVCA	Both	emc0283GB

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	corridor siting, even in remote intact sagebrush habitats in Nevada. How can this "regulatory" process be modified to include Sage Grouse conservation measures?			
1890.	There are many programmatic EISs which affect the management and use of public lands and resources, including ones on alternative energy and vegetation management. The agencies should amend these to include the Sage Grouse conservation measures being added to land use plans in order to obtain management consistency.	NVCA	Both	emc0283GB
1891.	Interim guidelines provide some protections for Sage Grouse and priority habitats but greatly suffer from a plethora of wishy-washy language, including "consider" and "address" and other non-mandatory commitments. The land use plan conservation measures should fully reflect the commitment of the agencies to Sage Grouse conservation and implementation of regulatory requirements in land use plans.	NVCA	Both	emc0283GB
1892.	The Sierra Club strongly supports a coordinated approach by all agencies and stakeholders to identify prioritize needs and to pool funds for protecting Sage Grouse and its habitat. There are many sources available for funding Sage Grouse restoration projects, but we will not maximize its effectiveness unless we are able to integrate our limited resources. Please include a process for developing an integrated and coordinated plan for Sage Grouse conservation on public lands and national forests in Nevada and eastern California.	NVCA	Both	emc0283GB
1893.	SNWA recognizes and encourages the Agencies' desire to improve conservation measures and regulatory mechanisms to assure adequate conservation of the greater sage-grouse and its habitat on public lands. SNWA supports the direction of BLM Instructional Memorandum No. 2012-044, which identifies that a reasonable range of greater sage-grouse conservation measures be subjected to a hard look analysis as part of the National Environmental Policy Act process. The Agencies should also consider their mandate for multiple-use land management with implementation of these conservation actions.	NVCA	Both	rmc0069GB
1894.	SNWA respectfully requests that the EIS consider and discuss the following: how collaborative conservation efforts with private partners can help preserve greater sagegrouse;	NVCA	Both	rmc0069GB
1895.	The NDOW habitat categorization map appears to mimic the BLM's "Proposed Nevada Test and Training Range Resource Management Plan and Final Environmental Impact Statement" document, 2003, map for sage grouse as depicted in Figure 3-5, Potential Sage Grouse Habitat as Mapped in Spring, 2001. This BLM document map list potential habitat and states that habitat as low quality based on BLM and NDOW surveys in 2001.	NVCA	Both	emc0280GB
1896.	Interestingly, Barrick's ranches may provide unique opportunities for mitigation of impacts from its mining operations. As operating ranches, these off-site restoration opportunities, including restoration of habitat on fee land, would likely be unavailable without their connection to the mining operations. Creating new riparian vegetation or wetlands to mitigate for potentially impacted wetlands, improving degraded habitats to replace impacted areas, and developing water sources when access to water is prevented due to safety fencing are just a few examples of off-site mitigation that potentially could be available on Barrick's ranch lands.	NVCA	Both	emc0277GB, emc0112RM
1897.	These flaws demonstrate the necessity for on-the-ground site assessments and that actual land-use decisions cannot be reliably based on the NDOW mapping. Our experience is that on-the-ground verification is the only way to assure the accuracy of habitat maps, which may focus on concepts of historic range without adequately considering the effects of fire, ecological succession, and incursion of invasive species. Based on our preliminary review of the NDOW maps, some of the	NVCA	Both	emc0277GB, emc0112RM

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	areas designated as Priority or General Habitat do not appear to reflect the current conditions. Whether this is due to dated or inaccurate information, or simply a function of broad-scale mapping, the proposed habitat maps appear to contain errors and simplifications. These errors can be addressed during baseline data collection, but only if the mapping effort is ongoing. When the agencies released the Nevada maps, they acknowledged the necessity for such ground-truthing, stating: "To apply these results to specific locations it is necessary to conduct a field investigation by a qualified biologist for the purpose of impact assessment."			
1898.	The preliminary habitat map that BLM and USFS recently made available to the public is seriously flawed and cannot be used as the basis for the EIS documents that BLM and USFS are going to prepare. BLM and USFS published this map on March 9, 2012 – just 14 days before the March 23, 2012 deadline for submitting these comments. The BLM-USFS habitat map is a derivative map that is based on a map that the Nevada Department of Wildlife ("NDOW") prepared and recently released entitled, "Nevada Department of Wildlife Greater Sage-Grouse Habitat Categorization Map." The NDOW map is also flawed and should not be used as the basis for BLM's and USFS' Habitat Priority map.	NVCA	Both	emc0287GB
1899.	BLM and USFS are planning to use the NDOW Habitat Categorization Map to make critically important decisions about how public lands in Nevada will be currently managed through implementation of the Interim Management Policies and Procedures in IM 2012-043, and in the future through implementation of the proposed measures described in the National Technical Team Report ("NTT Report") or other alternatives that will be developed and analyzed in the EIS documents. BLM and USFS should not proceed with the NEPA analysis until a new map that uses more accurate data has been developed and field verified. It is inappropriate to base important policy decisions on maps that show sagebrush communities and sage-grouse habitat that do not exist. The Hog Ranch map is a dramatic demonstration of the inaccuracies of the NDOW map (and the BLM and USFS map that is based on the NDOW map.) The NEPA analysis in Nevada must not be based on a map that mischaracterizes the location, nature, and extent of sage-grouse habitat.	NVCA	Both	emc0287GB
1900.	The problems with the NDOW map and the derivative BLM-USFS map are likely due to the fact that the resolution of the satellite imagery data used to prepare the maps is too coarse for the ultimate use of the maps and the maps have not been field verified. BLM is proposing to use a landscape-scale map to make decisions that will affect project-scale activities and uses of public lands – including withdrawing lands from mineral entry. The coarse scale of this map is thus incongruent with the scope of the decisions that will be made using this map and the much finer scale projects that will be affected by these decisions. The comparison between the BLM-USFS habitat map and the Hog Ranch map quantifies this problem of scale. The area shown on the attached Hog Ranch map covers approximately 28 square miles; the boundary of major disturbance covers about nine square miles. BLM and USFS must collect habitat data that can be used to make a new map that will support land-use decisions affecting such large areas. Data that mischaracterize the habitat in an area as big as nine square miles cannot be used as the basis for the environmental consequences analyses in the EIS documents, a comparison of alternatives in these documents, selection of an Agency Preferred Alternative, or ultimately to make land use decisions.	NVCA	Both	emc0287GB
1901.	If BLM were to make a land-use decision using the habitat characterization of the Hog Ranch area from the NDOW map, it would be making this decision on the basis of faulty habitat data. Relying on this faulty data, BLM could decide that the previously mined areas at Hog Ranch should be made off-limits to mineral exploration and development. This would be a profoundly problematic land use decision for two reasons. First, it would deprive Pacific Rim and the claim owners of their	NVCA	Both	emc0287GB

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	collective property rights under the Mining Law. Secondly, it would eliminate the possibility of future redevelopment of the Hog Ranch mineral system into a new mine which would deprive the State of Nevada of the economic benefits – including high-paying jobs and tax revenues – that would result from resumed mining at this site.			
1902.	It is imperative that BLM and USFS obtain accurate and reliable habitat maps before making any land use decisions for lands thought to have sage-grouse habitat. The EIS process should be put on hold until an accurate habitat map is available.	NVCA	Both	emc0287GB
1903.	Based on our comparison of the NDOW habitat map with the site conditions at Hog Ranch, it seems highly likely that there are other areas throughout the State of Nevada where the NDOW, and BLM-USFS habitat maps are inaccurate and mischaracterize (either overestimate or underestimate) the nature and extent of the on-the-ground sage-grouse habitat. BLM and USFS must not proceed with the EIS process until better, more accurate and field-verified maps are available.	NVCA	Both	emc0287GB
1904.	To shut down the natural raw industries, whether it be mining, subsurface extraction of either oil & gas or geothermal, surface use of ranching and farming, seems to me that you are cutting future revenue for your own existence as an agency to manage the Public Lands as well as that of the State of Nevada, along with the other Western States for generations to come.	NVCA	Both	emc0320GB
1905.	With just a few days to view the maps prepared in Nevada, there are obvious errors - areas of salt desert shrub vegetation that are identified as sage-grouse habitat. To my knowledge, there is no scientific literature that documents sage-grouse use of these areas, and certainly not as Priority Habitat. The work done locally in Elko County through the Northeastern Nevada Stewardship Group, Inc. (NNSG) includes over three million acres of on-the-ground assessments based on ecological sites. This information was available to the Nevada Department of Wildlife (NDOW) and Elko District BLM and was not even considered in the mapping effort. The broad-scale mapping the agencies have used to identify sage-grouse habitat was conducted at a much coarser scale, with little or no ground-truthing. As such, the agencies' mapping effort is subject to errors and simplifications. These errors and simplifications can be addressed during baseline data collection, but only if the mapping effort is ongoing.	NVCA	Both	emc0322GB
1906.	The agencies have been managing public lands in Nevada based on the principles of multiple use and sustained yield. The emphasis of the NTT conservation measures is single-species management. There is a plethora of issues that affect sage-grouse and the conservation measures only address anthropogenic activities. Perhaps these measures should be considered as a last resort. The BLM and USFS must address noxious weeds, wildfires, pinyon-juniper encroachment, and other habitat issues before curtailing land uses. Diseases, hunting, predation, and other causes of direct mortality should be addressed before curtailing land uses.	NVCA	Both	emc0322GB
1907.	Management of habitat for the greater sage-grouse occurs on a complex sagebrush dominated landscape with tremendous variability locally and range wide. It is ecologically impossible to regulate for improved sage-grouse performance with species specific regulatory measures. Local citizens working together to resolve local and site specific issues offers the best chance for success. Considerable work has already been accomplished at the local level in planning for improved vegetative management. To date the agencies have failed to implement the majority of these planning efforts. Agencies should prioritize and implement these measures before increasing regulatory control that often paralyzes needed action. Therefore, I strongly urge the agencies to recognize the benefits of livestock grazing to greater-sage grouse and to prioritize their focus on those issues that pose a real and specific threat to the greater sage-grouse and its habitat.	NVCA	Both	emc0304GB

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1908.	There are a number of current federal, state, and local management and conservation measures to improve and protect sage-grouse habitat. Many of these have been in effect for a decade or more. The ongoing implementation of these measures should be evaluated in the No Action Alternative to provide the baseline against which all other alternatives are compared and measured. The EIS documents prepared for each sub-region must include a substantive and detailed analysis of the Continuation of Existing Conservation Measures/No Action Alternative. Specifically, this analysis should examine, in addition to complete or better implementation of Manual 6840, the following potential outcomes that would result from the Continuation of Existing Conservation Measures/No Action Alternative: ☐ Analyze the future, long-term habitat improvements that could occur with ongoing implementation of the existing greater sage-grouse habitat conservation measures in Nevada and elsewhere. o For example, data presented by the Nevada Department of Conservation at Governor Sandoval's January 18th Stakeholder Update Meeting showed that the fall estimated population has been increasing since 2007, suggesting that the existing conservation measures are successfully improving sage grouse habitat. o This analysis must be reasonably specific on a regional, sub-regional, and even a local scale. The impacts of the No Action Alternative " and all other alternatives to be evaluated " may differ from state to state and between each BLM field area and/or district office and in each National Forest.	NVCA	Both	emc0321GB
1909.	B. State Implementation Alternative The December 2011, Western Governors' Wildlife Council (WGWC) Report to Governors entitled Inventory of Local and State Governments' Conservation Initiatives for Sage Grouse documents the many state- and local- level sage-grouse conservation measures in place throughout the western U.S. and offers the following observations and findings: This inventory report provides a catalogue of management approaches implemented by state and local authorities, as well as by local partnerships committed to on-the-ground action to conserve sage-grouse and their habitat…This inventory demonstrates that sage-grouse habitat protection is active at state, regional and county levels. The data analysis indicates that state fish and wildlife agencies are rightly viewed as the primary authority for sage-grouse conservation, yet significant efforts are also being implemented under local government land use planning authorities. Partnerships through LWGs appear to enhance awareness of activities across the range of authority – from local, state and federal governments to private landowners. These partnerships are excellent examples which demonstrate the opportunities both state and local governments have for sage grouse conservation given their management authority. (WGWC Report, page 7). At least in Nevada, the observed increase in population levels since 2007 strongly suggests that the state and local conservation measures are having a positive impact. Consistent with the finding in the WGWC's Report that conservation measures are best implemented by state and local authorities, the EIS should evaluate the impacts that would occur by leaving these programs intact and giving them additional resources to pursue habitat conservation opportunities. In light of the numerous sage-grouse habitat conservation measures currently in place in Nevada as well as in the other western states, the EIS must also explain the need for additional, federal level conservation measures. Additionally the EIS should examine whether there are any gaps in the state and local programs that could be filled if these programs had additional resources.	NVCA	Both	emc0321GB
1910.	A. Nevada Specific Baseline Data • It appears that the Greater Sage-Grouse Habitat Characterization Map prepared by NDOW is substantially incomplete and includes data that has not been field verified. The GIS datasets used to develop the habitat model utilize vegetation data generated from aerial photography and other unconfirmed or outdated sources. It is	NVCA	Both	emc0321GB

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	recommended that a standalone baseline data report be prepared and included as an attachment to the EIS, which that discloses all of the field and data analysis methodologies used to characterize sage-grouse habitat, references to all source data used, surveyor and data manager qualifications, and dates and timing of surveys used to determine sage-grouse occupancy or lek status. The report should also include a statistical model that accounts for data efficiency, climate and seasonal variability as it relates to population densities, and relationship between vegetation composition and sage-grouse occurrence. • The scale of the NDOW maps that will be used to support the Nevada sub-region EIS are at a landscape scale, a scale NDOW noted should not be used at a project-level scale. Therefore, the Proposed Action in the EISs should not amend Land Use Management Plans or Forest Plans to exclude or limit project activities or multi-use activities based on the sage-grouse habitat identified in these maps without allowing for a project-level impact analysis at the District and Forest level.			
1911.	The map entitled "Nevada BLM and USFS Greater Sage-Grouse Preliminary Habitat Map" that BLM and USFS recently made available to the public was developed using satellite imagery data. Many NVMRA members have expertise in GIS mapping and the use and interpretation of satellite imagery data. Based on this expertise, we fmd this map to be technically flawed. The technical shortcomings of this map are described below. BLM and USFS must not proceed with this NEP A analysis until the agencies have an accurate habitat distribution map (Le., baseline data) upon which to base the analysis.	NVCA	Both	emc0327GB
1912.	During the March 9,2012 meeting of the Governor's Sage Grouse Task Force in Sparks, Nevada, NDOW, BLM and others involved with developing the maps provided infonnation on the data used to develop the maps. As described at this meeting, the NDOW map is based largely on a synthesis of several sets of Landsat imagery data that date back to 2001 to 2005. Although more recent and up to date Landsat data are readily available, they were not used to prepare the NDOW habitat map.	NVCA	Both	emc0327GB
1913.	BLM and USFS should not proceed with the NEP A analysis until new maps that use current data are developed. Data that is more than a decade old is not the best available information and as such does not meet the "Best Available Scientific Data" standard that is mandated by Section 4(b) of the Endangered Species Act of 1973 ("ESA") at 16 U.S.C. § 1533. Because this section of the ESA requires the Secretary of the Interior to use best available scientific data to detennine whether to list a species as threatened or endangered, the Secretary must similarly use best available scientific data when detennining how to manage public lands to protect a candidate species like the greater sage-grouse.	NVCA	Both	emc0327GB
1914.	NEP A places a similar demand upon federal agencies to use reliable scientific data. Under NEP A, the BLM must ensure the scientific integrity of the discussions and analyses in its environmental impact statements. 40 C.F.R. § 1502.24. Environmental infonnation used in making decisions under NEPA "must be of high quality" and "[a]ccurate scientific analysis" is essential to implementing NEPA. 40 C.F.R. § 1500.1(b). NEPA mandates scientific and professional integrity. 40 C.F.R. § 1502.24. Accurate scientific evidence is essential to an EIS and an agency cannot rely on "stale" scientific evidence." City 0/ Carmel-By-The-Sea v. U. S. Dept. o/Transp., 123 F.3d 1142, 1151 (9th Cir. 1997) (internal citations omitted).	NVCA	Both	emc0327GB
1915.	The resolution of the satellite imagery data used to prepare the BLM-USFS Greater SageGrouse Preliminary Habitat Map is too coarse for the ultimate use of this map. BLM and USFS are proposing to use this landscape-scale map to make decisions that will affect project-scale activities and uses of public lands - including withdrawing lands from mineral entry. The coarse scale of this map is thus incongruent with the scope of the decisions that will be made using this map and the much fmer scale	NVCA	Both	emc0327GB

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	projects that will be affected by these decisions.			
1916.	It must be emphasized that better data are available and BLM must obtain and use better data. For example, current Landsat satellite imagery would be a much more reliable snapshot of where likely sage brush communities are located than the outdated (circa 2001 - 2005) data that suggest sage brush are growing in areas that burned during wildfires that occurred after the Landsat data were collected. Secondly, helicopter and fixed-wing aerial surveys could be used to obtain data that would be more accurate and on a finer, more appropriate scale than relying mainly on satellite data that has a resolution that is too coarse for the intended use of the data. Finally, on-the-ground surveys should be perfonned to collect current and direct-observation data that can be used to field check, verify, and calibrate data collected remotely (Le., from satellite imagery or aerial surveys). BLM and USFS cannot justify using the current habitat map because it is based on the only data they used when better data could be obtained in a reasonable and timely manner.	NVCA	Both	emc0327GB
1917.	At the above-described March 9th meeting of the Governor's Sage Grouse Task Force, staff involved with the preparation of the NDOW habitat map upon which the BLM-USFS map is based revealed that they have only a 40 percent confidence level in the habitat areas shown on the map for western Nevada. They stated that they have a higher confidence level in some of the habitat areas in parts of eastern Nevada where the Ely District Office of BLM has perfonned field surveys.	NVCA	Both	emc0327GB
1918.	There can be no doubt that field surveys are the most reliable way to collect accurate data on the location, nature, and extent of greater sage-grouse habitat. Given the importance of the land use decisions that BLM will be making and the profound and widespread economic implications of these decisions, BLM must base its decisions on field data which would satisfy the best available data standard. BLM's proposed use of a map that was made using outdated, coarse-resolution data with little or no field verification will lead to flawed EIS documents and ultimately to bad land use decisions. It is absolutely critical that more field data be collected before BLM and USFS proceed with preparing the EIS documents.	NVCA	Both	emc0327GB
1919.	The current recommendations in the NIT Report - especially the proposal to withdraw lands with sage-grouse habitat from mineral entry - create a resource conflict. The multiple-use mandates in the Federal Land Policy and Management Act ("FLPMA"), 43 U.S.C. § 1701 et seq and the specific FLPMA directive to provide for the Nation's need for domestic sources of minerals and other commodities demand a thoughtful resolution of this resource conflict.	NVCA	Both	emc0327GB
1920.	The land withdrawal proposed in the NTT Report also conflicts with several laws governing national forest system lands including the Organic Act of 1897, the National Forest Management Act of 1976 and the Multiple Use and Sustained Yield Act of 1960 (herein after collectively referred to as "USFS laws"). For example, Section 531 of the Multiple Use and Sustained Yield Act requires that the national forests be managed to achieve "harmonious and coordinated management of the various resources". Clearly, withdrawing national forest lands from operation of the Mining Law in preference for sage grouse habitat conservation does not achieve "harmonious or coordinated" management of these lands.	NVCA	Both	emc0327GB
1921.	Continuation of Existing Management and Conservation Measures - (The No Action Alternative) - Must Be Thoroughly Evaluated The continuation of existing management and conservation measures and existing regulatory policies including the directives in BLM Manual 6840 define the No Action Alternative. As is the case for all NEPA documents, the No Action Alternative provides the baseline against which all other alternatives must be compared and measured. The No Action Alternative analysis in each sub-regional EIS should quantify the impacts associated with ongoing implementation of the many	NVCA	Both	emc0335GB

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	existing local, state, and federal conservation measures and the existing BLM and USFS policies to protect sage-grouse habitat. Some of the impacts that could result from continuation of the existing regulatory framework and conservation measures that should be evaluated in the EIS documents include the following:			
1922.	The land use restrictions, prohibitions and withdrawals recommended in the NTT Report will significantly curtail project development and thwart a broad range of uses on public lands. The impact of these restrictions on mineral exploration and development is especially harsh because the NTT Report proposes to withdraw lands with high-priority sage-grouse habitat from mineral entry. Taken at face value, this suggests that all of the areas shown in magenta on the BLMUSFS map entitled "Nevada BLM and USFS Greater Sage-Grouse Preliminary Habitat Map" will no longer be open to exploration and development. If this happens, Nevada's mineral industry will grind to a halt because the magenta areas on the BLM-USFS habitat map contain most of Nevada's hardrock mineral resources. Clearly, this is an unacceptable outcome that would create serious financial hardship for the State of Nevada - especially in northern Washoe, Humboldt, Lander, Eureka, Elko, White Pine, eastern Churchill, northern Nye, and northern Lincoln counties.	NVCA	Both	emc0335GB
1923.	Eureka Moly hopes that BLM and USFS will work with the State of Nevada, Nevada counties, and other stakeholders to find a better approach to protecting sage-grouse habitat - one that recognizes it is not necessary to put vast areas of lands off limits to mineral development in order to achieve sage-grouse habitat conservation. The sage-grouse mitigation measures that Eureka Moly has designed for the Mount Hope Project are proof that mineral development and sagegrouse habitat conservation can and must co-exist.	NVCA	Both	emc0335GB
1924.	BLM and USFS will be using the map entitled "Nevada BLM and USFS Greater Sage-Grouse Preliminary Habitat Map" to make critically important decisions about how public lands in Nevada will be currently managed. This map is currently being used to implement the Interim Management Policies and Procedures in IM 2012-043. It will be used as baseline data defining the Affected Environment for the EIS documents and for analyzing Environmental Consequences and Cumulative Impacts. VGC hopes that a more refined and accurate map will result from the EIS. It seems clear from the following disclaimer on the BLM-USFS map that it is not adequate to use as baseline data for the EIS documents:"No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data." As such, this map would not satisfy the data adequacy standards that BLM and USFS would typically demand from a private-sector project proponent before the agencies would begin a NEPA analysis for a proposed private-sector project. As proponents for the Proposed Action to implement new sage-grouse conservation measures, BLM and USFS should be held to the same baseline data adequacy standards that would be applicable to a private-sector Proposed Action.	NVCA	Both	rmc0029RM, rmc0060GB
1925.	There can be no doubt that field surveys would be the most reliable way to collect accurate data on the location, nature, and extent of greater sage-grouse habitat. Data collected in the field would also provide some measure of calibration for habitat areas on the BLM-USFS map that are based mainly on satellite imagery data, where no on-the-ground data have been collected. BLM and USFS should not proceed with the NEP A analysis until the habitat map can be calibrated and verified with data collected in the field.	NVCA	Both	rmc0029RM, rmc0060GB
1926.	With the action taken to implement the obligations of Instruction Memorandum 2012-043, we would like to see the detailed explanation of the resource management monitoring to take place using the requirement to "complete habitat inventories/assessments using the Sage-Grouse Habitat Assessment Framework in a timely manner so that data are available	NVCA	Both	rmc0058GB

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	for consideration in livestock grazing permit renewals and other management decisions. " How do these inventories and assessments differ from the monitoring and evaluations of Healthy Rangelands as documented in "Interpreting Indicators of Rangeland Health" (Technical Reference 1734- 6)? Will different systems be used for monitoring rangelands, depending on whether they			
1927.	Under the "Policy/Action" Section there is a statement specific to development of the preliminary priority and general habitat maps that states, "These science-based maps were developed using the best available data and may change as new information becomes available. Such changes would be science-based and coordinated with state wildlife agencies so that the resulting delineation of PPH and PGH provides for sustainable populations." In most cases, at least in Nevada, these preliminary maps have not been released, nor have they been vetted through local working groups. The Board strongly recommends a process within the PEIS procedure that provides such a vetting process. Simply stated, the best available information is at the local level and there are huge gaps in the "science base" due to the magnitude of sage-grouse range.	NVCA	Both	rmc0050GB
1928.	In our experience, managing for a single species almost always results in failure. The focus of federal land management agencies on singlespecies management has likely resulted in many of the issues we are facing now. Further, single species management is in direct violation ofthe Federal land Policy and Management Act (FIPMA) (1976). FLPMA requires the following regarding the development and revision of land Use Plans (FIPMA 1976): (c) In the development and revision of land use plans, the Secretary shall- (l) use and observe the principles of multiple use and sustained yield set forth in this and other applicable law; (2) use a systematic interdisciplinary approach to achieve integrated consideration of phySical, biological, economic, and other sciences; Single species management does not offer the required interdisciplinary approach	NVCA	Both	fxc0010GB
1929.	Many strategies have been identified and implemented in Nevada and other western states in the last few years to Improve sage grouse habitat. Perhaps it would be worthwhile to monitor the success (or failure) of the recently-implemented changes rather than develop reactionary strategies that ultimately may not even be needed. Plant communities respond slowly to chang@. Mapping or habitat Inventory projects to determine the actual condition of sagebrush habitat across the west seems to be the most logical place to start, otherwise recommendations are being developed blindly.	NVCA	Both	fxc0010gb
1930.	Have there been studies to follow these birds from chicks through to adulthood to prove that they are dying from lack of 'good' habitat or that predators may be the bigger culprit of this mortality? We do not see any mention of looking into predator control: only that livestock grazing has to be manipulated. We understand that predators are not the BLM or USFS' responsibility, but the IM does discuss that, "coordination with respective state wildlife agency" needs to be done, but again only focuses on habitat. Also, from the March 21, 2012 Elko County Wildlife Advisory Board meeting we realize that the Nevada Department of Wildlife's main concern is habitat as well, not hunting or predation. We feel the BLM needs to look at predation as more of a threat to the sage grouse and include predator management in the IM.	NVCA	Both	fxc0014GB
1931.	Focusing only on livestock management seems to demonstrate the want to remove livestock from public ground. Why only change land use plans and not address predator problems or hunting issues? We strongly disagree with changing land use plans when there is no data to prove that it will help bird numbers.	NVCA	Both	fxc0014GB
1932.	BLM and the Forest must make sure that all affected Plans are included. This includes Bishop, the Modoc Forest that manages the Clear Lake Grouse population habitats, and any others that may not be included.	NVCA	Both	emc0411GB

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1933.	The NTT's Goals are inadequate. For example: "Maintain and/or increase sage-grouse abundance and distribution by conserving, enhancing or restoring the sagebrush ecosystem upon which populations depend in cooperation with other conservation partners" is woefully inadequate. BLM must significantly increase abundance and distribution, and state specific goals and time frames to achieve this. These goals must be based full consideration of the current status of habitats for each population. And BLM must, of course, conserve, enhance, and restore habitats and populations. The Core and Priority schemes will not allow this to occur. This habitat segregation immediately chops off critically important habitats, including in areas of Idaho and Nevada where there has already been so much sage-grouse and sagebrush loss. The Idaho model (and map that accompanied the BLM IM) completely excludes large areas identified as very important for conservation over the past seven years under the Idaho Sage-grouse Plan. Habitats essential for birds to move over the landscape and even entire seasonally important habitats are not included in the Priority habitat. See Nevada discussion - where even "moderate" importance and "transitional" habitats are excluded from the Priority scheme. BLM must conserve, enhance and restore - not just maybe, perhaps, sometimes, do one of the above a little bit, "where appropriate."	NVCA	Both	emc0411GB
1934.	Federal agencies must make a determination that habitat is irreplaceable. We commend the mapping effort by NDOW for using this term. But don't sage-grouse, really, require much larger blocks of habitat especially in the central and southern Great Basin area than is shown as Irreplaceable on the Nevada map? The Core and "Priority" schemes really place no lands off-limits. The NTT, for example, is based on no habitat being off-limits to 3% additional development, i.e. there is no irreplaceable habitat – and any place can be developed under this greatly flawed scheme.	NVCA	Both	emc0411GB
1935.	I live in the Eastern Sierra, and there is sage-grouse habitat only a few miles from where I live. I have hiked in that area, and have not seen or heard a single grouse. I'm told they are there. But a local airport has been expanding there, skirting and sometimes simply flouting environmental regulations, and they get a slap on the wrist when they do. The protections need to be stronger, and to be enforced, or I am certain the the future of the sage-grouse is grim (if it is not too late here, already.)	NVCA	Both	fld0004rm, fld0004gb
1936.	Oregon has the strictesy land use laws in the nation. Thirty six oregon counties have individual county plans protecting their resources and residents. This seems to be duplicitous and unneccessary for the state. We will remain engaged in the process. One size does not fit all. Work with Oregon.	OR	Both	cfc0033GB
1937.	Sage-grouse in Oregon are Oregon Bird Regulated in hunting by Oregon Fish and Game. On private land by the landowner, they protect and hold them as apart of there property to protect and control for the next generation. There is no rerason for changing to (Endangered) with the numbers that we have now.	OR	Both	cfc0052GB
1938.	Furthermore, the ODFW strategy was part of the state and local regulatory mechanisms that FWS found to be inadequate when they found the sage grouse was warranted for listing.	OR	Both	emc0078GB
1939.	The Department also supports a BLM decision to consider Preliminary Priority Habitat to be synonymous with the Core Areas identified in the GSCAS and that Preliminary General Habitat will include all remaining occupied sage-grouse habitat in Oregon within their CUllent distribution, including the Low Density areas identified in the GSCAS.	OR	Both	emc0088GB
1940.	Since this was a joint scoping effort with the U.S. Forest Service (USFS) the Department submits the following comments for National Forest (NF) lands. To the Department's knowledge, the Malheur NF is currently the only NF recognized in this process to provide sage-grouse habitat in Oregon. However, there is also occupied sage-grouse habitat on the Deschutes (Bend-Fort Rock Ranger District (RD)), Fremont (Lalceview RD and occasionally Silver Lalce RD), Ochoco, and	OR	Both	emc0088GB

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	Wallowa-Whitman NFs. Most of these occupied areas are relatively small but are important for meeting a portion of the annual life history needs of sage-grouse. These sites are also important because most occur on the periphery of the extant range of sage-grouse in Oregon. The Department encourages the USFS to implement the conservation guidelines in the April 2011 GSCAS on all NF lands occupied by sage-grouse.			
1941.	If sage-grouse conservation measures are incorporated into the RMPs it will be a very positive step for the long-term conservation of sage-grouse. The Department remains committed to assisting BLM with their range-wide sage-grouse planning process in any way practical. Should the BLM need the Department's expertise or support, please do not hesitate to contact me or my staff	OR	Both	emc0088GB
1942.	In response to BLM's recent scoping and infonnation meetings for the 10 Resource Management Plans (RMPs) within 4 BLM districts in Oregon, the Department encourages BLM to incorporate, at a minimum, the sage-grouse conservation guidelines identified in the April 2011 Greater Sage-grouse Conservation Assessment and Strategx for Oregon (GSCAS).	OR	Both	emc0088GB
1943.	The Department also supports a BLM decision to consider Preliminary Priority Habitat to be synonymous with the Core Areas identified in the GSCAS and that Preliminary General Habitat will include all remaining occupied sage-grouse habitat in Oregon within their CUllent distribution, including the Low Density areas identified in the GSCAS.	OR	Both	emc0088GB
1944.	Since this was a joint scoping effort with the u.S. Forest Service (USFS) the Department submits the following comments for National Forest (NF) lands. To the Department's knowledge, the Malheur NF is currently the only NF recognized in this process to provide sage-grouse habitat in Oregon. However, there is also occupied sage-grouse habitat on the Deschutes (Bend-Fort Rock Ranger District (RD)), Fremont (Lalceview RD and occasionally Silver Lalce RD), Ochoco, and Wallowa-Whitman NFs. Most of these occupied areas are relatively small but are important for meeting a portion ofthe annual life history needs of sage-grouse. These sites are also important because most occur on the periphery of the extant range of sage-grouse in Oregon. The Department encourages the USFS to implement the conservation guidelines in the April 2011 GSCAS on all NF lands occupied by sage-grouse.	OR	Both	emc0088GB
1945.	If sage-grouse conservation measures are incorporated into the RMPs it will be a very positive step for the long-term conservation of sage-grouse. The Department remains committed to assisting BLM with their range-wide sage-grouse planning process in any way practical. Should the BLM need the Department's expertise or support, please do not hesitate to contact me or my staff.	OR	Both	emc0088GB
1946.	The BLM/USFS are reminded that Oregon Department of Fish & Wildlife (ODFW) completed and adopted in 2011 a 5 year sage-grouse management plan update for habitat areas within the State of Oregon and that the conversation and regulatory measures identified within that recently issued plan should largely suffice the guidance needs of Oregon BLM/USFS without the need of imposition of further practices or regulatory measures.	OR	Both	emc0129GB
1947.	Formalized planning for and delivering sage-grouse habitat conservation in Oregon is an ongoing process and has been for the last 10 years. Leadership for this process is provided by a state-level working group as well as local implementation teams. Membership in these groups is purposefully diverse, and the overall effort has broad-based buy-in from wildlife and range managers, the livestock industry, academic interests, state and federal agencies, and a variety of non-governmental conservation groups. We believe that using the preceding approach will allow BLM and USFS to define sage-grouse habitat	OR	Both	emc0192GB

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	management priorities and actions in an ecologically defensible manner that compliments existing State of Oregon conservation efforts without creating new layers of bureaucracy or compliance. Additionally, this approach lends itself to adaptive management by allowing practitioners to incorporate new information into the models as it becomes available.			
1948.	We suggest developing the concepts proposed above in partnership with BLM, USFS, the Oregon Department of Fish and Wildlife, state and local sage-grouse working groups, and county governments in the region.	OR	Both	emc0192GB
1949.	Malhcur County Court mainta ins a status as a coordinating and cooperating agency. We look fo rward to being fully engaged in the development ora Western Region Sage Grouse Management EIS in order to provide input regarding Malheur Coullty's diverse habit •.I IS and multiple-uscs on fede ral lands	OR	Both	emc0136GB
1950.	Oregon Department of Fi sh and Wildlife (ODPW) recognized in the Oregon Sage Grouse Conservation Plan that land use pl<UUlcrs and managers may need to consider recommendations to protect sage grouse populations wi th in the context of social-econom ic issues o rlhe respective governmental bodies. The intent of the Oregon Sage Grouse Conservation Plan is to inform decision-makers regarding the biological consequences of various actions on sage grouse. but not to dictate land management decision. We support their plan and work in many ways and hope to cooperate wi th BLM to prepare the federal EIS and identify workable, feas ible. and common sense approachcs to address the environmental impacts 10 sage grouse habitat.	OR	Both	emc0136GB
1951.	The cu rrent draft Baker Resource Management Plan should be examined in Oregon as insufficient where the BLM has created a correlation between inventory data from 1977 to the newer Standards of Rangeland Health standards. Admission that the SRI I assessments are not finished across the District makes such a comparison a sign ofinadequatc infonnation for plalUling and decisions. BLM must at some point conduct current and relevant information that has a level of confidence in order to comply with the Illultiple land use objectives.	OR	Both	emc0136GB
1952.	We appreciate the opportunity lo submit comments du ring th is seoping period ror the Western Region Sage Grollse EIS and look fo rward to coordi nating and cooperating with the BLM to develop a plan ror the Malheur CoullY area.	OR	Both	emc0136GB
1953.	Sage-grouse occur on a Fruit Growers complex sagebrush-dominated landscape with tremendous variability locally andrange wide. Because ofthis variability, it is irresponsible and counterproductive to use a "one-size-fits-all" set of regulatory measures for improved sage-grouse performance. For the National Sage-Grouse Strategy to be successful, it is essential that it allow for reoional and site-specific approaches to conserving sage-grouse and habitat, incorporating expertise of local land-users and experts such as ranchers and locally knowledgeable range scientists	OR	Both	emc0221GB
1954.	In the state of Oregon, a thorough strategy for sage-grouse conservation based on best available science has already been developed. In April 2011, the Oregon Department ofFish and Wildlife (ODFW) revised the state's Greater Sage-Grouse Conservation Assessment and Strategy ("Plan"). In this report, guidance specifically tailored to conserving the sage-grouse populations in Oregon was developed with a view to maximizing the success of conservation efforts.	OR	Both	emc0221GB
1955.	hhe Oregon Plan has very recently been updated so amending land use plans in r Oregon according to an additional new set of regulatory standards would not only i be impractical, but would ignore the local expertise used in the plan. This would I result in making sage-grouse conservation efforts in Oregon less appropriate and specific to sage-grouse populations and habitats in our state. This also results in an additional set of national regulatory standards that are different from the	OR	Both	emc0221GB

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	standards established by ODFW, unnecessarily complicating sage-grouse management, and representing a failure on BLM's part to partner with the state agency entrusted with the management of the grouse. For this reason, it is critical that any amendments to land use plans be guided explicitly by the Oregon SageGrouse Plan, and that the Plan be adopted as the preferred alternative in any EIS or SEIS for land use plans in Oregon.			
1956.	In 2011 the Oregon Depa1iment ofFish and Wildlife (ODFW) published a report related to greater sage-grouse and their habitat. The title of this document is the Greater Sage-Grouse Conservation Assessment and Strategy of Oregon: A Plan to Maintain and Enhance Populations and Habitat. This document appears to be very thorough in addressing the history, life cycle and habitat needs of greater sage-grouse in Oregon. The report also appears to identify various issues or land management actions that have likely impacted the overall greater sage-grouse populations in Oregon. Included in the report are recommendations for what ODFW believe can be done to improve overall greater sage-grouse habitat and population numbers. The concern that ODOT has is with how the ODFW recommendations or similar recommendations could be interpreted and subsequently implemented by the BLM / USFS for federal lands in Oregon. The ODFW report also states, "ODFW recognizes that land use planners and managers may need to consider these recommendations within the context of social-economic issues and decisions that are the responsibility of the respective government bodies."	OR	Both	emc0155GB
1957.	As mentioned in the BLM news letter, (National Greater Sage-Grouse Planning Strategy, Issue No. 1, Dec. 2011) in the Next Steps paragraph, some BLM Resource Areas are already developing and implementing land management strategies for greater sage-grouse. That is the case here in Oregon, with the Baker District Draft RMP - EIS which is out for review and comment at this time. Most of the altematives that were evaluated, and specifically the preferred altemative, appear to contain recommendations that are substantially similar to those contained in the ODFW plan. In reviewing both the ODFW plan and the Draft Baker RMP, it appears that the ODFW recommendations may have been interpreted and implemented to a more restrictive threshold potentially creating adverse impacts on the other beneficial land use categories. ODOT has provided specific comments and concems to the BLM on the Draft Baker RMP. In addition to the Baker District Draft RMP, the ODFW plan states that the recommended "70/30" strategy (70% protection / 30% rehabilitation) has already been adopted by the BLM in the Southeast Oregon RMP.	OR	Both	emc0155GB
1958.	In addition, Defenders is working within the state of Oregon to advocate for a landscape level approach to planning for development in sage-grouse range. Landscape-level planning can provide a forum for balancing the need for siting of new energy development and transmission facilities with wildlife needs and other conservation values. Geographic information systems technology and computer models allow evaluation of alternative future scenarios and assessment of cumulative effects. These planning efforts, conducted on a regional scale, would provide the basis for development of a decision support tool that provides geographic priorities to guide and inform siting decisions at the state, federal and local levels. Siting priorities should balance the need for renewable energy and other development with the needs of wildlife and local communities, and represent a shared vision for long-term conservation of natural resources. We encourage the adoption of a landscape approach to mitigation in the state of Oregon and by BLM and FS through this planning process. Such an approach should be based on conservation priorities and provide more efficient and effective options to offset impacts of permitted development.	OR	Both	emc0339GB

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1959.	Because the Oregon Plan has very recently been updated, amending land use plans in Oregon according to a different set of regulatory standards would not only represent a senseless waste ofresources and local expertise, it would by necessity make sage-grouse conservation efforts in Oregon less appropriate and specific to sage-grouse populations and habitats in our state. Moreover, introducing an additional set of national regulatory standards that are different from the standards established by ODFW would unnecessarily complicate sage-grouse management, and represent a failure on BLM's part to partner with the state agency entrusted with the management of the grouse. For this reason, it is critical that any amendments to land use plans be guided explicitly by the Oregon Sage-Grouse Plan, and that the Plan be adopted as the preferred alternative in any EIS or SEIS for land use plans in Oregon.	OR	Both	emc0315GB
1960.	In conjunction with the above, OSGA encourages the agency to recognize that Oregon has already developed a Greater Sage-Grouse Conservation Assessment and Strategy based on the best available science. This strategy recognizes that well-managed grazing is compatible with sage-grouse conservation. OSGA strongly encourages the agency to adopt Oregon's strategy, which is specifically tailored to specific habitat and sage-grouse populations in our state. as the preferred alternative in any EIS or SEIS for land use plans in Oregon.	OR	Both	emc0309GB
1961.	It is also important to recognize the efforts being made through the Oregon Technical Advisory Committee (OTAC) and the Natural Resources Conservation Service (NRCS) in promoting and advocating for the Working Lands for Wildlife partnership. This partnership is an effort to use innovative approaches with farmers, ranchers and forest landowners to restore and protect the habitats for wildlife species whose management needs are compatible with sustainable agricultural practices and whose decline can be reversed with the help of private landowners. The species initially selected for this campaign included the sage-grouse. Working Lands for Wildlife strategically targets funding from the popular Wildlife Habitat Incentive Program (WHIP) administered by the USDA's Natural Resources Conservation Service (NRCS) to demonstrate that productive working lands are compatible with the needs of at-risk species. In addition to providing landowners with financial assistance for voluntarily implementing habitat improvements on their lands, the NRCS and Interior's U.S. Fish and Wildlife Service will jointly prepare species recovery tools such as informal agreements, safe harbor agreements and habitat conservation plans that will give landowners more regulatory predictability about the effects of their actions on these at-risk species. In Oregon, Working Lands for Wildlife funding will enhance ongoing conservation efforts of the Sage-Grouse Initiative. NRCS, along with producers, has been working at the local, state and national levels on behalf of voluntary sage-grouse conservation and this partnership will help to intensify those efforts. Federal, state and local wildlife experts and stakeholders in Oregon have collaborated to identify where to work and what to do to maximize biological benefits to sage-grouse. Using the best available science, the partners have prioritized restoration actions with corresponding core habitat areas.	OR	Both	emc0341GB
1962.	Sage-grouse occur on a complex sagebrush-dominated landscape with tremendous variability locally and range wide. It is ecologically impossible to regulate for improved sage-grouse performance with a "one-size-fits-all" set of regulatory measures. For the National Sage-Grouse Strategy to be successful, it is essential that it allow for regional and site-specific approaches to conserving sage-grouse and habitat, incorporating expertise of local land-users and experts such as ranchers and locally knowledgeable range scientists.	OR	Both	rmc0078GB

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1963.	In the state of Oregon, a thorough strategy for sage-grouse conservation based on best available science has already been developed. In April 2011, the Oregon Department ofFish and Wildlife (ODFW) revised the state's Greater Sage-Grouse Conservation Assessment and Strategy (henceforth the "Plan"). In this report, guidance specifically tailored to conserving the sage-grouse populations in Oregon was developed with a view to maximizing the success of conservation efforts. The report's author, ODFW sage-grouse lead Christian Hagen (also a member of the Sage-Grouse National Technical Team) made explicit in the Plan's executive summary that well-managed grazing is compatible with sage-grouse conservation, stating: This Plan recognizes that livestock ranching operations which manage for ecologically sustainable native rangelands is compatible with sage-grouse conservation, and necessary management activities to maintain a sustainable ranchjng operation are not considered "development actions" under the application of the Mitigation Policy to sage-grouse habitat. -Greater Sage-Grouse Assessment and Strategy for Oregon: A Plan to Maintain and Enhance Populations and Habitat, p. viii, April, 2011 . Because the Oregon Plan has very recently been updated, amending land use plans in Oregon according to a di fferent set of regulatory standards would not only represent a senseless waste of resources and local expertise, it would by necessity make sage-grouse conservation efforts in Oregon less appropriate and specific to sage-grouse populations and habitats in our state. Moreover, introducing an additional set of national regulatory standards that are different from the standards established by ODFW would unnecessarily complicate sage-grouse management, and represent a failure on BLM's part to partner with the state agency entrusted with the management of the grouse. For this reason, it is critical that any amendments to land use plans be guided explicitly by the Oregon Sage-Grouse Plan, and that the Plan be adopted as the preferred alternative in any EIS or SEIS for land use plans in Oregon.	OR	Both	rmc0078GB
1964.	Oregon land use plans must be based on a strong conservation strategy to help provide recovery of sage-grouse, not simply baseline survival. An effective strategy must be based on sound and defensible science, and complement and bolster other state and federal policies. The goals of land use plan revisions by the BLM should be obtainable and meet the overarching objectives with mechanisms to enforce and implement land use plan revisions to achieve goals.	OR	Both	emc0385GB
1965.	The U.S. Fish and Wildlife Service's ("USFWS") 2003 Policy for Evaluation of Conservation Efforts ("PECE") provides guidance to Service personnel to use in determining whether an adopted or implemented conservation effort contributes to making listing a species unnecessary or contributes to forming a basis for down-listing a species endangered to threatened. The ODFW plan identifies its deficiency in meeting PECE by stating, "The USFWS 2010 'warranted but precluded' finding determined that current regulatory mechanisms, including those administered through local governments (County), state, and federal land management agencies, were insufficient to conserve sage-grouse populations, primarily with regard to habitat loss and fragmentation." (at page 119). Sage-grouse will become a listed species under the Endangered Species Act if the BLM does not take steps to meet the PECE requirements and create policies which will result in species recovery.	OR	Both	emc0385GB
1966.	We realize that Greater Sage-Grouse Planning Strategy will require time, cooperation, and information sharing. All of the undersigned groups hope to be a part of the solution to conserve and restore sage-grouse habitat in Oregon. The attached comments to the West-wide scoping, along with a full conservation alternative that we hope BLM will use in planning, fully articulate our position and outline the issues that should be addressed in upcoming analysis by BLM. In summary, we ask that BLM:	OR	Both	emc0385GB

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1967.	Cooperate with other agencies: BLM should fully engage and consult with state agencies and the USFWS throughout the EIS process.	OR	Both	emc0385GB
1968.	Use Sound Science: Employ science-based decision making and use the latest scientific sources including, but not limited to, the 2010 USFWS 12-month findings, the Studies in Avian Biology sage-grouse monograph, and the National Technical Team's report.	OR	Both	emc0385GB
1969.	Generate Reasonable Alternatives: Create action alternatives in EIS analysis that advance sage-grouse conservation and establish a comprehensive regulatory framework to prevent the need to list the greater sage-grouse under the ESA. Alternatives must adopt adequate baseline protections including the following: 1) directing development toward areas with low conflicts with sage-grouse conservation, 2) full, permanent protections for priority contiguous habitat, 3) stringent protections or effective mitigation for other key habitat if some development might be allowed, 4) designation of Areas of Critical Environmental Concern and assurances that they will be managed appropriately and 5) baseline protections for priority and general habitat.	OR	Both	emc0385GB
1970.	Create Mitigation Requirements: BLM should apply habitat mitigation actions in descending order of preference: avoidance, minimization, rectification, reduction, and compensation. The goal should be a net benefit to sage-grouse. When compensation is used for mitigation, BLM should ensure that compensation is spent on effective mitigation measures, applied on the landscape scale, to sage-grouse habitat that is similar or greater in value than the lost habitat services. Ongoing stewardship, monitoring, and adaptive management will be necessary to ensure that compensatory mitigation is effective.	OR	Both	emc0385GB
1971.	A clear framework must be established that triggers mitigation by avoidance –i.e. not claiming that building a project in important occupied habitats can be mitigated.	OR	Both	emc0411GB
1972.	In the state of Oregon, a thorough strategy for sage-grouse conservation based on best available science has already been developed. In April 2011, the Oregon Department of Fish and Wildlife (ODFW) revised the state's Greater Sage-Grouse Conservation Assessment and Strategy (henceforth the "Plan"). In this report, guidance specifically tailored to conserving the sagegrouse populations in Oregon was developed with a view to maximizing the success of conservation efforts. The report's author, ODFW sage-grouse lead Christian Hagen (also a member of the Sage-Grouse National Technical Team) made explicit in the Plan's executive summary that well-managed grazing is compatible with sage-grouse conservation, stating: This Plan recognizes that livestock ranching operations which manage for ecologically sustainable native rangelands is compatible with sage-grouse conservation, and necessary management activities to maintain a sustainable ranching operation are not considered "development actions" under the application of the Mitigation Policy to sage-grouse habitat. –Greater Sage-Grouse Assessment and Strategy for Oregon: A Plan to Maintain and Enhance Populations and Habitat, p. viii, April, 2011. Because the Oregon Plan has very recently been updated, amending land use plans in Oregon according to a different set of regulatory standards would not only represent a senseless waste of resources and local expertise, it would by necessity make sage-grouse conservation efforts in Oregon less appropriate and specific to sage-grouse populations and habitats in our state. Moreover, introducing an additional set of national regulatory standards that are different from the standards established by ODFW would unnecessarily complicate sage-grouse management, and represent a failure on BLM's part to partner with the state agency entrusted with the management of the grouse. For this reason, it is critical that any amendments to land use plans be guided explicitly by the Oregon Sage-Grouse Plan, and that the Plan be adopted as the	OR	Both	fli0000gb

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	preferred alternative in any EIS or SEIS for land use plans in Oregon.			
1973.	This letter concerns the Greater Sage Grouse as being considered in anticipation of the completion of a dam and reservoir referred as to the Narrows Project. Manti City actively encouraging the review of the FEIS regarding the Sage Grouse as addressed in anticipation of the arrows Project.	UT	Both	rmc0045GB
1974.	A considerable portion of the economy of Manti City is dependent on agricultural endeavors. The farmers and ranchers in Manti rely on the forest as well as BLM lands for grazing if they are to remain a viable part of our local economy. In the course of developing a plan we certainly encourage the idea of a cooperative management strategy that would account for those farmers and ranchers use grazing permits in the study areas.	UT	Both	rmc0045GB
1975.	Manti City has been advised of the considerable efforts being done in Utah through the Utah Greater Sage Grouse Project Management Plan Committee. This Committee has effectively undertaken projects to implement the BLM National Sage Grouse Habitat Conservation Strategy and we strongly suggest that the work of this Committee as published through the Utah Division of Wildlife Resources be taken into consideration in your scoping and any PA process.	UT	Both	rmc0045GB
1976.	With the considerable assistance of both the Sage Grouse Strategic Plan Committee and the work done by Utah State University in research and documenting impacts on the Greater Sage Grouse Manti feels that with those local plans there has been a great amount of effort to maintain local control and local input in regards to the Greater Sage Grouse and the Sage Grouse Habitat management within our area. We respectfully request continued support of these local conservation efforts through following the local management plans.	UT	Both	rmc0045GB
1977.	American farmers and ranchers provide the safest, most wholesome and affordable food available in the world today. America's natural resources, including the public lands of the Western United States, allow some two million food producers to feed more that 300 million Americans and another 150 million of our global neighbors. Managing the federal lands under the congressionally multiple use mandate is good for Utah and good for America. Multiple use and responsible stewardship are NOT opposing forces. With fully two-thirds of Utah controlled by federal agencies. the combination of private lands, public lands, water rights and unique livestock genetics developed over generations has allowed economically viable ranching operations.	UT	Both	rmc0003GB
1978.	Fish & Wildlife Service -Identified Threats to Sage Grouse - Identifying agriculture, oil, gas and coal identified as being significant threats to Sage Grouse - BLM decisions could disrupt major sectors contributing to Utah's economy and quality of life. BLM has identified 47 million acres administered by the agency across the West as Greater Sage Grouse habitat. There is considerable overlap of Sage Grouse habitat. livestock grazing and energy development. The United States Congress and President have identified energy security as a national policy priority and the federally managed lands of the West have tremendous recognized oil, gas, oil shale and coal reserves as well as food production capacity. Farm Bureau requests that BLM and Forest Service to do a cost/benefit analysis of the tradeoffs to protecting Sage Grouse habitat and adverse regulatory impacts to food and energy production.	UT	Both	rmc0003GB
1979.	Box Elder County is requesting cooperating agency status.	UT	Both	rmc0023GB
1980.	1. Garfield County formally requests in the strongest terms that BLM and Forest ServIce immediately initiate government to government coordination with Garfield County regarding Sage Grouse Management Habitat. It is our understandmg that	UT	Both	rmc0006GB

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	such coordination is required by existing law as authorized under NEPA, CEQ regulations, FLPMA, and NFMA.			
1981.	2. We request that plans, programs and policies of the BLM and the US Forest Service In connection with management of Sage Grouse Habitat be consistent to the maximum extent allowed by law with the plan, programs and policies of Garfield County. 3. We request where the plans, programs and/or policies of the BLM and Forest Service are inconsistent with the plans, programs and policies of Garfield County, the federal agencies a) Detail the County's position b) Detail the conflict between the proposed decision and the local position c) List efforts made to resolve conflicts and d) Describe the reasons why the resolution was impossible.	UT	Both	rmc0006GB
1982.	4. We request joint lead agency status for those portions of the decisions that impact Garfield County, Utah. Garfield County is currently evaluating revisions to its Resource Management Plan associated with Sage Grouse Habitat. Established environmental law requires federal agencies to invite local state and tribal governments to participate in plan revisions as joint lead agencies in order to reduce duplication of effort and to resolve confllcts at the beginning of the process. Federal agencies are also directed to offer those invitations at the earliest possible time. Garfield County asserts jurisdiction and expertise in the areas of land management, rights of way, transportation maintenance and management, invasive species management, off Highway vehicle management, recreation opportunity spectrum analysis, recreation, social economics, custom, culture, and law enforcement. Garfield County is the only agency that has a Resource Management Plan which considers all lands in the County and is applicable to habitats which cross agency boundaries. 5. If joint lead agency status is not granted to Garfield County for lands within its jurisdiction, Garfield County respectfully requests cooperating agency status with a detailed expllanation of why joint lead agency status is not granted. Justification for cooperating agency status is justified under the same provisions of law as descnbed for joint lead agency status.	UT	Both	rmc0006GB
1983.	Garfield County requests information as to why local, state and tribal governments were not offered joint lead agency and/or cooperating agency status at the earliest possible date as required by federal statute. Development of the bounds of the resource management evaluation is a key element in the decision making process. Notice in the Federal Register was undoubtedly contemplated prior to the actual notice, and avoiding contact wrth potential lead agencies, and cooperating agencies violates the spirit and letter of the law.	UT	Both	rmc0006GB
1984.	Garfield County requests records, documents and evidence demonstrating that federal agencies have complied with the Regulatory Flexibility Act. Specifically we request information regarding how the agencies have solicited the views of small affected entities like Garfield County and how the initial regulatory flexibility analysis was developed.	UT	Both	rmc0006GB
1985.	Garfield County specifically requests that management strategies which improve habitat, range land health and species viability be given greater consideration than those management strategies which favor restrictive land use policies.	UT	Both	rmc0006GB
1986.	Garfield County requests that the analysis consider impacts of conducting the Environmental Impact Statement on a ten state basis rather than on a resource area by resource area format. BLM units in Garfield County recently completed two Resource Management Plans. Each of those resource management plans considered management of Greater Sage Grouse Habitat. Garfield County believes that its resource management plan and the local BLM resource management plans provide the highest and best available science. Garfield County requests analysis of how a ten state process will provide better science for the impacted areas of Garfield County than do the local plans.	UT	Both	rmc0006GB

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1987.	Garfield County requests a detailed explanation of how BLM and Forest Service staff intend to use established science rather than political pressure to determine a course of actoin that is applicable to ten Western states, a myriad of environmental conditions, and a wide variety of rangeland health, social, and economic considerations.	UT	Both	rmc0006GB
1988.	In summary Garfield County is extremely concerned about the federal agencies' ability to comply with existing federal law as it relates to coordination, consistency, social and economic impacts, county and regional Sage Grouse populations, and balancing the human and natural environment. It is our experience that large, broad brush resource management actions are more influenced by political lobbying groups than by established science. Garfield County asserts that the analysis is not feasible on such a large scale and cannot be done meeting the requirements of existing law. Effort should be made to evaluate and revise resource management plans for local BLM and Forest Service units. The only way a one-size-fits-all approach will work is if it is so broad and general that local land managers can adapt it to meet their specific needs. Such a scenario is equivalent to local management.	UT	Both	rmc0006GB
1989.	Garfield County specifically requests discussions be initiated immediately between the BLM/Forest Service and Garfield County to develop a document authorizing joint lead or cooperating agency status. We believe that in order to comply with the earliest possible time requirements of federal law, those discussions must take place immediately - during the public comment period.	UT	Both	rmc0006GB
1990.	Utah developed and effective, collaborative statewide management plan in 2009 that needs to be given a chance to succeed.	UT	Both	fxc0004GB
1991.	Parker Mountain sage-grouse populations are somewhat isolated from other populations in Utah and they inhabit a relatively small area. Consequently, actions that work in other areas may not be applicable here. Therefore, we recommend that rather than adopting general guidelines based upon national or state planning strategies, the Richfield District BLM Resource Management Plan be amended to incorporate guidelines specific to Parker Mountain as determined by the Parker Mountain Working Group	UT	Both	rmc0042GB
1992.	The local offices of the BLM, DWR, USF&W and county gov't have coordinated very hard to develop a sage-grouse plan for the Uintah Basin. Please consider their plan as a substitu or supplement to a federal plan.	UT	Both	cfc0013GB
1993.	In our area, the State of Utah has studied Sage-Grouse habitat and implemented programs which have not only stabilized the Sage-Grouse population but has experience a sustained population growth.	UT	Both	emc0176GB
1994.	The area between the Little Sahara Rec. area and the mountains to the north has been used for years by the OHV community. The trail density is quite high there. I really feel that this area would not be good habitat for Sage Grouse. The even more alarming part is that there are not any Sage Grouse in the area, so I'm a bit confused as to why this area is even being considered.	UT	Both	emc0111GB
1995.	From the West Desert working group (Tooele, Vernon, Ibapah, and environs) One of the group's members suggests that the Dugway Proving Grounds has developed recommendations for the management of golden eagles on Utah's West Desert. This may be of value since those efforts have included mapping and other work, which may be relevant for sage-grouse as the two species have a predator/prey relationship.	UT	Both	emc0405GB
1996.	Because so many factors influence sage-grouse habitat quality, each of the four working groups I represent has stressed during meetings that there isa critical need for locally adaptable management strategies, which are informed by the local	UT	Both	emc0405GB

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	sage-grouse conservation plan and the rexpertise within the local working groups./!Having adaptable plans that avoid one-size-fits-all vegetation management guidelines will allow sage-grouse conservation around Utah to address the most pressing concerns in any given area, using the most appropriate techniques. Although we recognize that flexibility means greater regulatory complexity, the working groups feel that it is critical to ensure that BLM staff in different areas, who grapple with different on-the-ground challenges for sage-grouse, are able to make appropriate management decisions based on local conditions			
1997.	Our organization wishes to be informed of land use planning efforts in Beaver, Garfield, Iron, Kane or Washington Counties in southwestern Utah.	UT	Both	emc0386GB
1998.	we are concerned that the listing will only bring about more regulations when what isneeded is action.	UT	Both	emc0406GB
1999.	We would like to remind people that are involved with the issue of trying to figure out how to help the sage grouse that it would be a good idea to take a real look at history and see what was done when populations were greatest.	UT	Both	emc0406GB
2000.	The state specifically requests that the BLM fully analyze and explain the ability of the BLM and Forest Service to protect the species without the cooperation of other landowners, as discussed further below.	UT	Both	emc0337GB
2001.	Sage grouse in Utah, while challenged, are hiologically stable. Utah conservation efforts are being conducted at a scale that will likely be hard to match anywhere else across the species' range. And, finally, the organizational and funding mechanisms unique to Utah have fostered cooperation and focus for continued and long-term conservation into the future. The state is concerned that unnecessary restrictions imposed by the BLM and Forest Service will upset the successful efforts underway in Utah, to the detriment of the species	UT	Both	emc0337GB
2002.	To further the state's commitment to conservation of the sage grouse and economic health of the state, the Governor recently convened a Sage Grouse Working Group. This Working Group is comprised of representatives of the Governor's Office, BLM, Forest Service, Fish and Wildlife Service, National Resource Conservation Service, Utah's Office of Energy Development, School and Institutional Trust Lands Administration, Department of Agriculture and Food, Division of Wildlife Resources, and representatives of the oil and gas industry, transmission line industry, oil shale industry, ranching community, county commissioners, The Nature Conservancy, and Utah State University. The Governor's charge directed the group to provide recommendations for the protection of sage grouse, while continuing to provide for a healthy economy and protecting private property rights. The Working Group was recently briefed on issues related to the life cycle of the sage grouse and previous and ongoing efforts to protect the species, and expects to provide recommendations within a few months. These recommendations are expected to lead to a state sage grouse plan soon thereafter. The state will expect the BLM and Forest Service to adhere to the provisions of this plan, both as a matter of respect for state authority, and in compliance with BLM's Instructional Memorandum 2012-039, which requires the BLM to make use of state data related to wildlife.	UT	Both	emc0337GB
2003.	Fundamentally, a BLM decision to adopt stipulations and conditions which are very restrictive in nature has the potential to seriously undermine Utah's unique and cooperative conservation systems that are proving to be successful, long-term mechanisms for the management and welfare of sage-grouse.	UT	Both	emc0337GB
2004.	BLM must not make decisions which are counterproductive to the solid eftort in Utah to protect the sage grouse	UT	BLM	emc0337GB

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2005.	Sage grouse habitat is naturally fragmented by the natural topography and conditions ofthe sagebrush environment in Utah, and has been further altered by human needs and activities. Given these facts, the BLM must consider, analyze, and provide evidence of the BLM's capability to contribute to the needs of the species, especially with reference to the other multiple-use requirements of the BLM which significantly contribute to the economy of Utah and the nation	UT	Both	emc0337GB
2006.	BLM must consider state laws, regulations and policies as part of the analysis within the EIS. Within the sideboards of this requirement, the State of Utah expects that the BLM will consider state laws rejecting special management for lands with wilderness characteristics, strict requirements for the creation of Areas of Critical Environmental Concern, policies concerning invasive species and energy policy, among others. Specifically, the BLM and Forest Service must consider the requirements set forth in Utah Code Section 63J-4-401(6), (7) and (8). In addition. the BLM must analyze effects of any restrictions proposed for the benefit of sage for the benefit of the state's schoolchildren - the lands managed by Utah's School and Institutional Trust Lands Administration. In the western portion of Utah, the BLM must consider grouse upon the federal government's obligation to support the mandate of the lands managed the provisions of the Defense Authorization Act of 2000.	UT	Both	emc0337GB
2007.	We expect that federal agency plans be consistent to the greatest degree possible with county and state public land use plans and polices. Any deviation from county and state plans and policies must be divulged and explained. The State of Utah has adopted a plan for sage-grouse recovery. Federal plans should be consistent with this state plan to the greatest degree possible. Adoption of state plans for applicability to federal lands should be analyzed and considered as an alternative in the NEPA process.	UT	Both	emc0242GB
2008.	The Duchesne County general plan states that: "Resource-use and management decisions byfederal land management and regulatory agencies should support state-sponsored initiatives or programs designed to stabilize wildlife populations that may be experiencing a scientifically proven decline in numbers. " Note from the above paragraph that the goal is to stabilize sage-grouse populations rather than return the population to a level that may have existing before our county was homesteaded; beginning in 1905. Utah Division of Wildlife Resource lek counts in 1978 revealed 748 male sage grouse and a total estimated spring population of2,992 adult birds in the Uintah Basin resource area. UDWR counts in 2005 found 788 male sage grouse and an estimated total spring population of 3,158 adult birds in the resource area. The science shows that sage grouse populations are fairly stable and perhaps even growing in our region; thanks to the efforts of the local sage-grouse working group and private/public land managers. The success of such local efforts must be reflected in the RMP amendments and the local sage grouse working groups must be consulted with.	UT	Both	emc0242GB
2009.	BLM and Forest lands should not be expected to provide all needed sage grouse habitat to meet such benchmarks. Private, state and tribal lands contribute a good share of sage grouse habitat now and will continue to do so in the future. BLM should coordinate with state wildlife agencies to monitor the progress of sage grouse and establish population benchmarks for each state or region sufficient to prevent ESA listing.	UT	Both	emc0242GB
2010.	Carbon County will expect BLM and FS to consider as well as our County Master Plan and its goals and objectives to the maximum extent possible consistent with Federal law	UT	Both	emc0410GB
2011.	The position that the threat of possible Sage Grouse listing has placed our citizens, western land states and their local govermnent entities in, we view as a direct result of years of federal regulatory onus. Carbon COUlity shall take a willing role	UT	Both	emc0410GB

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	in working to remedy this issue but believe that until the federal agencies and our national leadership recognizes that: reducing grazing AUM's west wide consistently for over 50 years, listing under ESA the natural predators of the grouse species, outlawing the usc of poisons used to prevent predation and the promotion of fuellbiomass buildup by interrupting natural fire regimes have hosted the consequences we and the bird now endure.			
2012.	Given the limited time frame available to the BLM to analyze and implement Sage-grouse amendment to the identified Resource Management Plans and Land and Resource Management Plans, we strongly recommend that the agency tier to existing RFDs from the last round of completed planning documents in Wyoming, Utah and Colorado. While several of Colorado and Montana RMPs have yet to be finalized and implemented, many have already completed preparation of their planning RFDs, which should be used as part of the Sage-grouse amendment process. In so doing, BLM will have the benefit of local information and expertise rather than attempting to prepare an additional regional RFD.	UT	BLM	emc0340GB
2013.	Uintah County has accepted an invitation to participate in the land use plan amendment process as a Cooperating Agency. Thus far, we have not received or reviewed the associated Memorandum of Understanding (MOU) to establish this relationship. Once established, we request timely and complete sharing of data and information with adequate time frames established for cooperating agency participation, review and comment	UT	Both	emc0376GB
2014.	We expect that federal agency plans be consistent to the greatest degree possible with county and state public land use plans and polices. Any deviation from county and state plans and policies must be divulged and explained. The State of Utah has adopted a plan for sagegrouse recovery. Federal plans should be consistent with this state plan to the greatest degree possible. Adoption of state plans for applicability to federal lands should be analyzed and considered as an alternative in the National Environmental Policy Act (NEPA) process.	UT	Both	emc0376GB
2015.	The State of Utah Is In the process of completing its sage-grouse plan and it is our understanding that it will establish scientifically sound standards that make more sense for Utah. As stated above, Uintah County is also adopting its own local plan which implements past and current sage-grouse work. These efforts need to be acknowledged and used to offset some of the impacts related to mineral extraction within the County.	UT	Both	emc0376GB
2016.	According to the map titled Utah Greater Sage-grouse Habitat, displayed at scoping meetings, very little GS-g habitat exists within Emery County. Furthermore, the habit which does exist is primarily within the M-LSNF. Additionally, the Utah Current Oil and Gas Leases and Wells map, and the Utah Public Lands Containing Rights-of-way Designated Right-of-way Corridors map, both illustrate that GS-g conflicts in Emery County are limited, and involve primarily M-LSNF lands. Although the meaning and significance of Range-wide Breeding Bird Densities, depicted on the map of that title, are not well explained, or clearly understood, the map information reinforces the above conclusions that the occurrence of GS-g in Emery County is extremely limited and associated almost exclusively with National Forest lands.	UT	Both	rmc0073GB
2017.	The various maps displayed at the public meetings illustrate that the boundary separating the Rocky Mountain and Great Basin Regions follows the western boundary of Emery County; thus, the county is within the Rocky Mountain Region. The perspective of the National Strategy, as stated above is that, "wildfire is a large challenge in the Great Basin Region, whereas energy development is fragmenting habitat in the Rocky Mountain Region." The occurrence ofGS-g and their habitat in Emery County, as previously stated, are almost exclusively within areas managed by the M-LNF wherein habitat fragmentation is a lesser concern than is the potential for catastrophic wildfire. Emery County fully supports the concept of,	UT	Both	rmc0073GB

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	and efforts to develop, closer cooperation and partnerships; however, the situation regarding GS-g in Emery County is not appropriately addressed by the delineation of the two regions.			
2018.	Although Emery County fully supports the concept of, and actions for, focusing analysis of GS-g management at the most local level possible, the establishment of sub-regions is confusing and does no lessen the concerns of the county. Confusion results from the statement that, "the Great Basin Region is divided into four sub-regions" while the maps depict the Utah sub-region encompassing the northeastern-Utah component of the Rocky Mountain Region; including Emery County. Development of a Utah sub-region-specific EIS, with its own strategy, is preferable and commendable; however, that strategy is intended to address "sagebrush issues", not GS-g issues specifically. Additionally, "Only RMPs [and LMPs] that cover planning areas containing sagebrush habitat will be included for amendment." Again, the intent of the strategy seems to be the addressing of "sagebrush", not sage-grouse! It appears to Emery County that, if the Utah sub-region EIS results in a Record of Decision that amends the Price RMP to include .. new management direction", to address "sagebrush issues" in "planning areas containing sagebrush habitat", all of the BLM-managed lands within Emery County may become subject to the "new management direction"; in-spite-of-the-fact that such action would not contribute directly to conservation of the Greater Sage-grouse; but, would significantly affect other multiple-uses of those public lands.	UT	Both	rmc0073GB
2019.	Emery County is extremely concerned about the catastrophic impacts to the nation, the state, and rural Utah's communities and citizens if the Greater Sage-grouse is listed for protection under the Endangered Species Act (ESA). Therefore, the county intends to aggressively pursue its involvement in the Utah sub-Region EIS process, and the National Planning Strategy process as a Cooperating Agency. Fortunately, Utah has a long and well-established track record of effectively addressing the conservation and perpetuation of sage-grouse species, including the Greater Sage-grouse. This has included efforts involving state resource management agencies, universities, local governments, grazing associations, natural resource development companies, and individual natural resource users working independently or cooperatively, such as Utah's Community-Based Conservation Program and its eleven state-wide Local Working Groups (L WGs). These conservation efforts have been on-going for a decade, in some cases; therefore, a great deal of valuable research data, knowledge, understanding, experience and expertise exists. Utilization of all these resources in the Utah sub-region EIS process is essential.	UT	BLM	rmc0073GB
2020.	The Board of Commissioners of Carbon County, Utah comment on this proposed action intending that the written public seeping comments we distributed at the public seeping meeting in Price, Utah on January 17th, 2012 with those of the Carbon County Transportation Recreation Special Service District (CCTRSSD) together with the following comments and recommendations be placed into the administrative record and be referred to directly within the scope of the EIS and SEIS documents. And further also be considered in creating any alternatives and impact analysis throughout the development of the Planning and management documents that become a part by amendment of The Price Resource Area's Management Plan (RMP) and the La Sal National Forest Management Plan (LUP).	UT	Both	rmc0026RM
2021.	As a cooperating and coordinating agency in the creation of RMP and the LUP we are obligated to be directly involved in the planning and implementation of any amendments to both Plans. As with all other comments and recommendations that we as a local county government have made, the information and recommendations we submit through the Sage Grouse Management Amendment process Carbon County will expect BLM and FS to consider as well as our County Master Plan and its goals and objectives to the maximum extent possible consistent with Federal law.	UT	Both	rmc0026RM

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2022.	We firmly believe the continued preservation of Sage Grouse to be of prime importance to prevent its listing under the Endangered Species Act (ESA) but believe that this can be accomplished successfully without undue burdens that could inhibit the ability of recreation, grazing and industry to continue to operate on federal lands and to extract and or use our natural resources to the benefit of the American people and the continued economic viability of our citizens and local businesses. Likewise we also believe that all other uses on our public lands need not be curtailed as adequate planning can mitigate and in some cases promote the habitat that is conducive to Sage Grouse use and preservation.	UT	Both	rmc0026RM
2023.	We acknowledge that the Sage Grouse Management Plan calls for the creation of a programmatic EIS (PEIS) to analyze broad alternative strategies to protect greater sage-grouse habitat, west-wide. However we would urge BLM and the FS to reject a strategy which mandates implementation of a single broad National Policy to be followed on a local basis. We believe the more effective course would be to use the PEIS as a guideline to conduct local analyses. This approach can consider and apply management techniques for unique habitat conditions and management considerations for each local area, in lieu of a "one-size-fits-all" analysis. Such a "one-size-fits -all" analysis, which purports to be adequate for the entire greater sage-grouse population, is in fact an ineffective way and possibly a destructive way to analyze alternatives for habitat and population enhancement. This type of analysis only belabors the process and hinders present and future on-the-ground conservation efforts to protect greater sage-grouse habitat. Research conducted in the Great Basin has indicated that the greater sage-grouse should be managed according to the needs of individual populations and that range-wide measures are not appropriate (Launchbaugh, et al. 2007). According to Stiver et al. (2006), "strategies for addressing potential effects of grazing on greater sage-grouse must be developed at the regional, and perhaps more effectively, local levels (and coordinated regionally)." It would thus be impractical, ineffective, and detrimental to the greater sage-grouse for the agencies to ignore variations between individual populations by conducting a NEP A analysis beyond its cumulative impact zone.	UT	Both	rmc0026RM
2024.	Based on this information we strongly recommend that in deriving valid decisions through NEP A analysis, that first BLM use any available local data, studies, maps and documented behavior patterns and or traits of the actual birds in this area as a base to any decision that would drive the RMPILUP management guidelines for Sage Grouse. It is imperative therefore, that the data collected for years by our local Sage Grouse Working Group and DWR be recognized and given the highest level of credibility in this process. We also recommend that equal consideration be given to the comments and recommendation of the American Farm Bureau, the Public Lands Council, National Cattlemen's Beef Association and other agricultural organizations whose members we consider as subject matter experts in the land they steward. They have a high level of working knowledge of these lands in their areas and a first-hand knowledge of its history. We believe this data will be priceless to the lead agency in this endeavor.	UT	Both	rmc0026RM
2025.	The LWGs emerged to assist state and local governments and private landowners in conserving these species while achieving community social and economic objectives. Given the long term declines of sage-grouse populations, and the increased interest of state and local governments and private citizens in species conservation planning, there has been an effort expand this process in Utah and the region. As such, the LWGs welcome the opportunity to participate as an active member in the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) National Greater Sage-grouse Planning Strategy Process.	UT	Both	rmc0066GB

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2026.	PARM efforts at an International Symposium in Park City, Utah was referred to as the "Poster Child" of sage-grouse restoration. Our community based efforts on behalf of sage-grouse is nationally recognized in grouse management; regulatory and academic communities. PARM's efforts to improve habitat and increase grouse populations should not be interrupted by new "beginning stage" actions. Successful efforts by the local community based conservation group should be the natural spring board for continued success.	UT	Both	rmc0066GB
2027.	Parker Mountain Resource Management Working Group (PARM) was organized in 1996, to improve habitat and increase sage grouse population with maintaining livestock grazing. PARM has been successful in achieving the goal, and continuing to do so. The BLM and Forest Service land use plans should include the use of these local working groups to help to increase sage grouse populations.	UT	Both	rmc0062gb
2028.	Incorporate in the LUPs the local working groups to aid in increasing sage grouse habitat, don't use the sage grouse to destroy the western US, as the spotted owl as used in the northwest US. Please read the enclosed article from the Western Livestock Journal March 12,2012.	UT	Both	rmc0062gb
2029.	BLM should clarify the proper avenue for stakeholders in Wyoming to participate in the RMP revision process and whether the outcome of the Rocky Mountain Regional process will further modify any RMP revisions developed in the Wyoming state process.	WY	Both	emc0339GB
2030.	The US Fish and Wildlife Service has indicated that the Wyoming Governor's Sage Grouse Executive Order 2011-5 (SGEO) can be an effective regulatory mechanism if fully supported and implemented. Based on this endorsement the WGFD recommends that each of the components in the SGEO be included in at least one of the alternative and preferably all the components in one alternative. Having BLM adopt a different set of conservation measures for Wyoming will undermine the acceptance and implementation of the collaboratively developed conservation measures captured in the SGEO.	WY	Both	emc0008RM
2031.	The Association has been working with the US Fish & Wildlife Service very closely over the past two years to develop comprehensive threat analyses and corresponding conservation measures for greater sage-grouse, mountain plover, black-tailed prairie dog and five other species of interest. Coverage will be available to Association members-ranchers, coal mining companies, and oil and gas interests--owning property in Campbell, Converse, Crook, Niobrara, and Weston Counties of northeastern Wyoming. During our review process, solicitors identified some Federal nexus concerns and suggested we utilize a joint CCA/CCAA process. We have recently been in contact with Marty Griffith (through USFWS) and Chris Keefe to continue discussions which were initiated with both BLM and Forest Service in the fall of 2010. Under our information sharing MOUs with both BLM and Forest Service, we have also offered to make the Association's extensive vegetative and wildlife data sets for northeast Wyoming available for use in the LUP revision process.	WY	Both	emc0011RM
2032.	Although the Forest Service may not have a lot of sage grouse crucial habitat but because there is so little contigious habitat that can be managed left, it is very important habitat. I strongly recommend that the Forest Service stay engaged as a crucial habitat manager in this local area.	WY	USFS	cfc0013RM
2033.	The Board of Converse County Commissioners requests to be placed in a coordinating role with the United States Forest Service in the Sage Grouse Amendment Process.	WY	USFS	rmc0046RM
2034.	Weston County looks forward to working with you on this project and specifically in the Scoping Period as a local	WY	Both	emc0045RM

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	government coordinating agency.			
2035.	The United States Forest Services and BLM have ignored the ten plus years of effort of the North Eagle/South Routt Sage Grouse Committee, of which the USFS and BLM were an active part. I would like to request that the plan from North Eagle/South Routt Sage Grouse group be used as a guide in any amendment to the Forest Service plan.	WY	Both	rmc0041RM
2036.	I believe the 520 acres west of Yampa, though close to some Sage Grouse area, is too high in elevation for sage grouse. We have observed blue grouse here but not any sage grouse.	WY	USFS	rmc0041RM
2037.	The SG plan calls for no more than a 3% disturbance level. This is too restrictive and unrealistic. The Wyoming Sage Grouse Plan calls for 5% and even that could be economically detrimental to agriculture and industry.	WY	Both	rmc0048RM
2038.	Wyoming has a SG plan. The USDA has the Sage Grouse Initiative. The FS already has a plan. Why not give these a chance before implementing a plan which has the potential to cripple the mineral and livestock industries and the communities they support?	WY	Both	rmc0048RM
2039.	The TBNG is on the extreme eastern edge of sage grouse habitat, according to WY Governors Executive Order EO 1011 ·5 · only one core area is further east. The implication is that the amount of suitable habitat in eastern WY is marginal. Consequently, most of the initial conservation effort should be focused more towards the center of tm. Sage grouse population.	WY	Both	rmc0045RM
2040.	On our private lands adjacent to the TBNG, we have also .een a decline in sage grou~ numbers. attribute this to in-creased number of predators, increa.ed invasion of cheatarass, a small amount of habitat fragmentation in sage grouse habitat from oil and gas drilling and construction of two additional power/transmission lines, and possibly West Nile virus. I have perronally witnessed the sage grouse population decline occurring gradually over the last forty ·five yea ... My point is that there remains a great deal 01 suitable habitat · but for whatever reason. the sage grouse is not present to utitile it.	WY	Both	rmc0045RM
2041.	Please define 'surface disturbing activities' as used in proposed plan amendment changes. all activities. Specifically. Is this term intended to ir>C!ude graling ?	WY	Both	rmc0045RM
2042.	1. Our Governor, the Honorable Matt Mead, has developed a very good plan to follow for management of sage grouse. This plan should be the guideline for future decisions for sage grouse issues.	WY	Both	cfc0030RM
2043.	Weston County Commissioners will require the coordination process to be adhered to in all issues related to the sage grouse in Weston County.	WY	Both	cfc0031RM
2044.	"The Federal Land Policy and Management Act (FLPMA) 43 USC 1712 requires the BLM coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning and management programs of... local governments within which the lands are located.: "Agencies shall integrate the NEPA process with other planning at the earliest possible time to head off potential conflicts." (section 1501.2) Possible conflicts between the proposed action and the objectives of Federal, regional, state and local land use plans, policies and controls for the area concerned-must be listed in the EIS as well as the resolutions for mitigation of the conflicts. If a problem cannot be resolved this must also be included in the EIS.	WY	BLM	emc0050RM
2045.	Why has the BLM not contacted the local governments i.e. the-County Commissioners of each respective county and sat at the table thru a coordination process? This is required by law. How is the BLM going to do a draft EIS correctly if they do not	WY	BLM	emc0050RM

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	know what problems are out there in each county and the solutions that must be mitigated. Until the BLM meets according to the coordination process and works through the issues with each county the NEPA process has not been followed and the plan amendment is not valid. Co-ordination requires the federal agency to meet with the local governments and work out any concerns or issues before a final EIS can be submitted. This is not the federal agency telling the local governments what they will accept or do but rather how the federal agency can make their land use plan or policy acceptable to the local government's authority. This is not cooperating agency status but coordination-a whole different scenario-Why has the BLM not followed their obligations by federal law?			
2046.	I would state that your scheduled time frame will be much longer than you have planned because meeting and working through the conflicts will probably take much more time than you are allowing. The coordination process will not stop with a draft EIS but is an ongoing communication process. Therefore I would recommend you roll back your schedule and instead start scheduling coordination meetings with each county's local governments. A draft EIS can be done before everything is agreed to while a final EIS must include all the mitigation done with the local governments as per their concerns. If this is not done the plan amendment is NOT valid and legal!	WY	Both	emc0050RM
2047.	All facets of the area economics must be taken into consideration when making plan amendments to a land resource management plan. First and foremost a series of coordination meetings with the local County Commissioners must occur to develop a sound economic land use management plan in each respective county. Notice I said coordination not cooperation-the County Commissioners have the legal right to voice their opinions and concerns about any land use plan within their respective county. The BLM is required by law to help mitigate any concerns the Commissioners have with a federal land use plan on Forest Service lands. The Commissioners are supposed to be a voice of the citizens within that county and should be able to help work with the federal agency to develop a plan workable and usable for the citizens of that county. These meetings must occur during scoping and continue as needed before finalization of the final land use plan and any ensuing amendment.	WY	Both	emc0050RM
2048.	What size constitutes a pond? Is it a mudhole, dip in the landscape, natural catch for water or a manmade reservoir- what size is a pond?	WY	Both	emc0050RM
2049.	Disturbance issues do not carry over to private land use. If private land is within 2 miles of known nesting sites a letter to the landowner that there is a chance of nesting sage grouse within a distance upon their private lands might prompt the landowner to change the place or day that a planned activity on their lands will occur. Private lands are not controlled by federal agencies but most landowners do protect and conserve species of wildlife upon their private lands. The landowners usually know what exists on their land but a short letter describing the concerns across the fence could help educate the landowner or lease holder as to any actions they might take to alleviate some nesting or courting disturbances.	WY	Both	emc0050RM
2050.	The USFWS has approved the core management strategy for sage grouse as stipulated within the Wyoming Governor's EO for sage grouse management. It would be simpler and much more efficient if the BLM attempted to manage their lands according to this management programonly upon federally managed lands. The National Technical Team's suggestions are very liberal thinking and will land the BLM in court more often than not as several ideas presented do not consider private property rights.	WY	BLM	emc0050RM

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2051.	'The BLM will consider and evaluate measures .. to limit all surface disturbance...to no more than 5 percent of the core landscape...' (page6) letter What is the base for a DDCT area-Disturbance Density Calculation Tool area? How many acres or miles is the minimum for this area? The size will make a large difference in the calculation of 5%. You should have a base value in acreage for this then go from there. If you are calculating each base DDCT area as 640 acres then so state otherwise determine the minimum base value so everyone has the same starting point to determine the percentage of disruption. How is the DDCT area determined? What are the boundaries in acreage of each core area and can the boundaries be expanded or contracted due to other concerns in the area? Who determines the core area is the BLM, Forest Service or the State EO the basis for determining core area boundaries? Give us a standard base figure for disturbance to be evaluated from.	WY	Both	emc0050RM
2052.	'FOs are directed to coordinate with WGFD and to utilize LWG plans and other sources of information to guide development of additional conservation objectives for localized management of sage-grouse habitats.'(page 8 letter) The FOs must also coordinate with the local County Commissioners , as per NEPA regulations, before placing any additional conservation objectives on local sage grouse habitats since additional measures might have a negative economic impact upon the county.	WY	BLM	emc0050RM
2053.	'In all cases, direct, indirect and cumulative impacts of proposed action on sage-grouse, other wildlife and all other impacted resources must be described regardless of distance from the project or whether inside or outside sage grouse core areas.' (page 9 letter). Also included in this must be the direct, indirect and cumulative impact of the proposed action upon livestock management or grazing plans. What is the maximum distance considered here 11 miles, 4 or ?	WY	Both	emc0050RM
2054.	The Forest Service is proposing to amend the 2003 Revised MBRNF and the 2001 Thunder Basin Land & Resource Management plans: The federal agency needs to consider the following: There are in actuality two plan amendments that need to be considered.	WY	USFS	emc0050RM
2055.	What is a suitable buffer that may be applied in siting a proposed anthropogenic surface disturbance to protect surrounding suitable, undisturbed habitats?	WY	Both	emc0050RM
2056.	There is no scientific data that proves livestock grazing is harmful to sage grouse. The BLM and Forest Service and the US Fish and Wildlife Service all must use proven "sound" scientific data before they enact any regulatory mechanisms over landowners and livestock managers.	WY	Both	emc0050RM
2057.	It is important to try to change the areas we can and not try to micromanage every aspect of a species life. If a healthy habitat is available and ready for use then that should alleviate a large part of the concerns.	WY	Both	emc0050RM
2058.	The private landowners must not be punished because of things caused by nature-difficult winter storms, hail, wildfires, etc. The public and private landowners should be made aware of the concerns of the species viability and the issues must be worked out in a public forum with the local governments before any plans are changed or finalized. Everyone can and should work together to a common goal but ranching livelihoods must be protected as well. Private land management not federal government micromanagement is one of the prime reasons the sage grouse still exist today. Educate the landowners and let them take the initiative on their private lands without federal intervention.	WY	Both	emc0050RM
2059.	Garfield County contends that it is not necessary, prudent, or financially responsible to insert a new study or plan from Wyoming for what has already recently been completed for a specific area.	WY	Both	emc0058RM

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2060.	The eastern/Rocky Mountain region map of regional breeding densities, when compared to historical maps of the bird's range and the extent of healthy sagebrush ecosystems, illustrates: 1) the challenge we face in coming years and; 2) the urgency of achieving effective sage-grouse conservation by incorporating science-based recommendations that were unavailable only a few years ago. It is critical to achieve success in conserving the greater sage-grouse, dozens of sagebrush obligate species, and the vital ecosystem on which these species depend. Wyoming's Core Areas Strategy, established with diverse and committed stakeholder support, can help to inform efforts as management policies are developed for other populations in the region. This regional effort provides a critical opportunity to build upon Wyoming's approach, scaling it to the unique circumstances of adjacent states, where smaller sage-grouse populations and less remaining habitat heighten the importance of applying strong, science-based protections.	WY	Both	emc0089RM
2061.	Each alternative should designate areas of contiguous sage-grouse habitat not currently subject to mineral leases or other valid existing rights for permanent protection. These remaining refugia can provide intact, diverse, high quality sagebrush habitat, vital to sage-grouse and other sagebrush obligate species. In Instruction Memorandum WY-2010-013, the Wyoming BLM proposed 11 contiguous square miles or sections as an appropriate minimum size for an area of habitat to qualify for being set-aside from development.6 The Wyoming BLM recognized these large unleased contiguous blocks as opportunities for grouse conservation. This number should be scaled to allow for protecting smaller contiguous areas in states with smaller populations than Wyoming's, or in areas where there are few remaining contiguous 11-square-mile areas that are not subject to valid existing rights. These identified, contiguous areas of undeveloped land should be considered for designation as Areas of Critical Environmental Concern in all alternatives. (See Section 8 on ACECs for further discussion)	WY	Both	emc0089RM
2062.	The BLM released IM 2010-012 on January 4, 2010. In it, the BLM committed to management prescriptions that were outlined in the 2008 Wyoming Executive Order (EO), and set thresholds for energy development densities and cumulative surface disturbance in core areas, that would protect grouse habitat over the long term. This approach was first developed in 2008 and subsequently updated by Wyoming's Sage-Grouse Implementation Team (SGIT) – a task force convened by former Governor Freudenthal, and comprised of a diverse group of stakeholders. The SGIT's recommendations were formalized in a series of EOs that affirm the core areas conservation strategy. Established with broad bipartisan support, this science-based strategy focused on conserving sage-grouse by providing the species with additional protections in areas with the highest remaining concentrations. Wyoming's Governor Mead revised and reauthorized the strategy in EO 2011-5, issued on June 2, 2001. 2011. Since the Wyoming Core Area Strategy was developed relatively recently, it has yet to be formally adopted by any federal RMP or LRP in Wyoming. BLM field offices are now in the process of revising or amending RMPs to incorporate the Core Area Strategy. The BLM Wyoming State Office is the first in the region to initiate a planning effort to amend six RMPs (Casper, Kemmerer, New Castle, Pinedale, Rawlins, and Green River) to incorporate conservation policies based on BLM Wyoming's IM 2010-012 and on the Core Area Strategy, as formalized in the Wyoming Eos. The area under revision includes approximately 11 million acres of public land surface and 20 million acres of federal mineral estate. In addition, four other field offices (Bighorn Basin, Buffalo, Lander, and Rock Springs) have RMPs that currently are being revised, providing managers with a timely opportunity to implement needed changes in the management and conservation of greater sage-grouse habitat.	WY	Both	emc0089RM
2063.	Importantly, the Thunder Basin National Grassland LMP is listed as "potentially affected" in the Federal Register Notice of	WY	Both	emc0089RM

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	Intent, but was not included in the BLM Wyoming Notice of Intent. The Thunder Basin NG LMP should be amended as part of range-wide conservation planning because it includes greater sage-grouse habitat. Collectively, the RMP and LMP amendments or revisions should provide consistency in managing sage-grouse habitat across federal lands in Wyoming.			
2064.	ii. Support from USFWS BLM Wyoming State Office's decision to adopt the Core Area Strategy followed the USFWS's endorsement. In a July 2009 letter from USFWS to the Director of Wyoming Game and Fish Department (WGFD), former USFWS Field Supervisor Brian Kelly stated that: "the Strategy is a science-driven, outcome-based and adaptive approach to the conservation of a species and its habitat"11. Kelly continued, "In the context of a potential listing under the ESA, the State's sagegrouse Strategy provides a useful framework to show how the threats to the species are being managed; and if the Strategy is adopted across different land ownerships in the state, could provide an important regulatory mechanism as well." In a June 2011 letter from USFWS to Governor Mead's office, USFWS Field Supervisor Mark Sattelberg confirmed continued support. "The Service believes the [latest] Executive Order can result in the long-term conservation of the Greater sage-grouse and thus reduce the need to list the species under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). If fully implemented, we believe the Executive Order can provide the conservation program necessary to achieve your goal of precluding listing of the Greater sage-grouse in Wyoming."12 However, USFWS cautioned that "[t]o be effective, State, Federal, and private landowners must all implement this Executive Order." As manager of nearly one third of the state's land and nearly two-thirds of the mineral estate, BLM became proactive in addressing sage-grouse conservation in Wyoming. The success of these efforts will depend on continued willingness to adhere to stringent, science-based strategies, to carefully implement protection measures, and to retain stakeholder support.	WY	BLM	emc0089RM
2065.	iii. Strong components of Wyoming's approach Wyoming's Executive Order was developed with consistent support from the Governor's office, based on the realization that proactive, science-based conservation strategies were urgently needed to conserve sage-grouse. The SGIT was charged with developing recommendations for a Wyoming approach. The group's initial core area boundaries were largely based on regional breeding densities of sage-grouse, giving a scientific basis to the conservation strategy. Core area boundaries were then modified based on input from local working groups (in which WGFD was involved), which made adjustments to exclude lands that historically did not support grouse, had isolated or small scattered leks, or were undergoing or slated to undergo intensive development and/or urbanization based on valid existing rights. Excluding high development areas reflected the understanding that highly disturbed areas are generally not suitable as core grouse habitat, and are unlikely to retain healthy grouse populations long-term.	WY	Both	emc0089RM
2066.	iii. Strong components of Wyoming's approach Importantly, Wyoming's designated core areas include connectivity areas, breeding areas, and late brood-rearing habitat (all of which are stressed by the NTT). The Core Area Strategy also recognized the importance of winter concentration areas. Wyoming Executive Order 2011-05 states, "While the bulk of winter habitat necessary to support core sage-grouse populations likely occurs inside Core Population Areas, seasonal stipulations (December 1 to March 14) should be considered in locations outside Core Population Areas where they have been identified as winter concentration areas necessary for supporting biologically significant numbers of sage-grouse nesting in Core Population Areas. All efforts should he made to minimize disturbance to mature sagebrush cover in identified winter concentration areas."	WY	Both	emc0089RM

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2067.	iii. Strong components of Wyoming's approach Priority habitats should be large enough to stabilize sage-grouse populations in the short term and enhance grouse populations over the long term. Wyoming's Core Area Strategy is designed to protect 83% of the greater sage-grouse population within approximately 25% of the state's land mass.	WY	Both	emc0089RM
2068.	iii. Strong components of Wyoming's approach Wyoming's strategy emphasizes stronger protections within core areas, with less stringent protections and greater management flexibility in non-core areas as an incentive for development to leave core areas intact. While this strategy acknowledges that non-core area grouse populations will likely decline due to loss and fragmentation of habitat, monitoring must take place to prevent the extirpation of populations and maintain connectivity among subpopulations. In non-core areas, lek persistence must be maintained over the long term, with sufficient proportions of sage-grouse populations remaining to maintain connectivity and movements.	WY	Both	emc0089RM
2069.	iii. Strong components of Wyoming's approach Within core areas, stipulations on BLM, FS, Wind River Indian Reservation, and State of Wyoming lands limit the number of projects and the amount of allowed disturbance (no more than 5%13) allowed per square mile or 640 acres. Surface disturbance is prohibited within a 0.6 mile buffer around active leks (no surface occupancy - NSO), which includes roads during the breeding, nesting and brood-rearing periods (mid-March through end of June). In addition, a March 15 to June 30 timing limitation stipulation is required within nesting habitat within 4 miles of leks. Main roads used to transport production and/or waste products must be more than 1.9 miles from the perimeter of occupied grouse leks. Other roads used for access or maintenance must be more than 0.6 miles from the perimeter of occupied leks. Noise levels at the perimeter of a lek should not exceed 10 dBA above ambient noise from 6 pm to 8 am, so as not to disturb breeding activities (March 1 - May 15). Finally, proponents of new projects are expected to coordinate with the permitting agency and WGFD biologists to determine which leks need to be monitored and what data should be collected/reported. The Executive Order clearly identifies thresholds and outline adaptive management responses if declines in sage-grouse numbers occur14. However, in non-core areas, the EO recommends a 2-mile seasonal buffer around occupied leks and a 0.25 mile NSO buffer around active leks. Research has shown that the latter stipulation is inadequate and scientifically without merit. In addition, a surface disturbance cap is lacking from non-core area stipulations	WY	Both	emc0089RM
2070.	iii. Strong components of Wyoming's approach The Wyoming strategy provides that "[t]he protective stipulations outlined in this Executive Order should be reevaluated on a continuous basis and at a minimum annually, as new science, information and data emerge regarding Core Population Areas and the habitats and behaviors of the Greater Sage-Grouse." Wyoming EO 2011-5 at 4.	WY	Both	emc0089RM
2071.	iii. Strong components of Wyoming's approach Of particular importance are the following statements from the 2009 USFWS letter signed by former USFWS Field Supervisor Kelly, "Potential benefits of the Strategy will only be realized if the integrity of the core area approach is maintained. The Service feels that the greatest threats to the integrity of the core areas are: (1) not adhering to science-based conservation measures associated with development, and (2) allowing mitigation for impacts to core population areas as an option if the proposed development is counter to accepted conservation measures or when impacts are not known."	WY	Both	emc0089RM
2072.	Recommendations: Wyoming's Core Area Strategy, established with diverse and strong stakeholder support in Wyoming and endorsed by the USFWS, can inform regional sagegrouse conservation efforts as management policies are tailored for other habitat and populations in the region. However, the successful implementation of Wyoming's core area strategy will be	WY	Both	emc0089RM

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	critical to the success of the strategy in Wyoming and critical to the applicability and success of this model if it is to be applied regionally. In addition, the regional sage-grouse conservation effort provides a critical opportunity to appropriately scale Wyoming's approach. Other states have unique circumstances, such as smaller populations and lower quality, fragmented habitat, heightening the importance of adopting stronger, science-based protections to increase the chances of conserving and recovering habitat and populations that may be less robust than those in Wyoming.			
2073.	12. THE AGENCIES SHOULD CONSIDER MITIGATION STRATEGIES ACROSS JURISDICTIONAL BOUNDARIES BLM and FS policies are critical but they cannot sustain or enhance sage-grouse populations by themselves. Greater sage-grouse conservation efforts and habitat protection must extend across jurisdictional boundaries. At the federal level, sage-grouse habitat and populations occur on FS lands, generally located adjacent to BLM habitat and/or private land. The USFWS responsibilities include management of National Wildlife Refuges and ensuring ESA compliance. State fish and game agencies are already developing policies to conserve remaining habitat, protect existing populations, obtain crucial scientific information, and develop maps to inform protective policies. WGFD has exhibited leadership in the development of Wyoming's Core Areas Strategy and associated sage-grouse distribution and habitat maps. State wildlife areas will play an important role in sage-grouse conservation, and management of these areas must be integrated with policies on adjacent federal or private lands.	WY	Both	emc0089RM
2074.	i. Lander, WY RMP We applaud the statement within the Draft EIS: "management actions that conserve, protect, and maintain habitat for greater sage-grouse are a priority in this (core) area" (DEIS at 865).	WY	Both	emc0089RM
2075.	i. Lander, WY RMP Record #4095, for Alternative D, prohibits surface-disturbing and/or disruptive activities from March 1 to July 15. This change from March 15 is beneficial to sage-grouse.	WY	Both	emc0089RM
2076.	i. Lander, WY RMP Reclamation should be mandatory and managers must recognize that methods for achieving success vary by region and are site-specific. Reclamation efforts should be monitored and results maintained in a single database to improve our understanding about effectiveness of such efforts. In addition, a process should be established to identify and address failed reclamation projects. Successful reclamation of surface disturbance is necessary to establish connectivity within previously fragmented habitats and to achieve and maintain ecosystem function (DEIS at 864).	WY	Both	emc0089RM
2077.	Recommendations: The Lander (WY) and Kremmling (CO) Field Offices' Draft RMPs contain important conservation measures that should be applied, where appropriate, to other land use plans, specifically, Alternatives B and D in Wyoming and Alternatives B and C in Colorado. Many of these management prescriptions recognize the relative value of other resources while contributing to the conservation of greater sage-grouse and sage-grouse habitat.	WY	Both	emc0089RM
2078.	All discussions of alternatives and mitigation measures must be grounded in the best available sage grouse science.	WY	BLM	emc0129RM
2079.	Ensure an accurate and complete cumulative impact analysis regarding sage grouse habitat. The BLM's NEPA Handbook states that cumulative effects analysis "must be able to describe the incremental differences in cumulative effects as a result of the proposed action and alternatives." BLM NEPA Handbook at 61. The CEQ has provided guidance to agencies that NEPA requires that "cumulative effects must be evaluated along with the direct effects and indirect effects… of each alternative…" and that "…as the proposed action is modified or other alternatives are developed (usually to avoid or minimize adverse effects), additional or different cumulative effects issues may arise."1 Sage-grouse face a complex array of	WY	BLM	emc0129RM

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	threats to their continued survival. Housing developments, energy projects, mining, improper livestock grazing, habitat alteration and fragmentation, disease, predation, transportation and energy transmissions facilities, drought, climate change, and a myriad of other activities impact the sage grouse. As the Western Watersheds Court astutely observed, "It is the cumulative impacts of the disturbances, rather than any single source, [that] may be the most significant influence on the trajectory of sagebrush ecosystems." Western Watersheds v. Fish & Wildlife Service, 535 F.Supp 2d, 1173, (D. Idaho 2007). It is thus often difficult in a situation like sage-grouse population decline where there are many interacting factors to decide how one action will create benefits or impacts. However, NEPA calls for this very type of analysis.			
2080.	4) Promote cooperation between agencies with different management objectives and practices through development of consistent goals and application of sage grouse habitat management guidelines such as those found in the Wyoming core Area Policy and Executive Oder 2011-5 and the BLM's National Technical Team Report (BLM 2011).	WY	USFS	emc0144RM
2081.	5) Consider that the Wyoming Core Area Policy, which provides guidance for land use planning and development on private and public lands, may not be entirely appropriate to conserve small isolated sage-grouse populations such as those found in the USRBCA, especially when important habitats fall outside core areas.	WY	USFS	emc0144RM
2082.	11) Work with local, state, and federal governments and private landowners to promote positive and minimize negative impacts to sage grouse and their habitats.	WY	USFS	emc0144RM
2083.	Because of the diverse nature of the USRBCA, we evaluate proposed projects on a site-specific basis related to how these projects address key factors suppressing or controlling population size.	WY	USFS	emc0144RM
2084.	The State of Wyoming has recognized the listing of Greater sage-grouse would have substantial adverse impacts on our statc's economy. In rccognition of that fact, the State has taken significant steps to conserve the specie's by adopting a Core Population Area conservation strategy in a series of Executive Ord~rs. This eflort culminated 'with U1e release of Executive Order 2011-5, issued by Governor Mead in June of 2011. The State's strategy has been recognized as a tremendously important effort in conserving the Greater sagc-grouse and the State desef\'es credit for that eilort. All stakeholders will agrec the key to species conservation is the preservation of its existing habitat and the restoration of habitat that has been degraded in the past.	WY	Both	rmc0049RM
2085.	Because mueh of the surface ownership of sage-grouse habitat in Wyoming is federal, in each amendmcnt of the Wyoming RMPs that you are undertaking, it is important the Bureau give careful consideration to offsite compensatory mitigation as an effective way to encourage the restoration of sage-grouse habitat. Allowing such oITsite mitigation in key areas, including federal land. will go far to\.vard conserving the species, whi Ie simultaneously allowing the continued multiple use of public lands.	WY	Both	rmc0049RM
2086.	Our comments are specific to our mission: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As these actions affect our agriculture industry, our natural resources, and the welfare of our citizens, it is important you continue to inform us of proposed actions and decisions and continue to provide us the opportunity to express pertinent issues and concerns. In August of 2009 the WDA provided written comments for the Wyoming BLM Resource Management Plan amendments and we ask that those comments be considered for the Eastern Region EIS/SEIS.	WY	Both	rmc0010RM

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2087.	With management direction of public land, these actions will undeniably affect grazing permittees, agriculture producers, landowners and other citizens, as well as our natural resources, over a large area of Wyoming. Officials need to consider these effects: direct, indirect, cumulative, economic, social, and environmental.	WY	Both	rmc0010RM
2088.	The WDA supports the greater sage-grouse strategy outlined in the Governor's Executive Order 2011-05, particularly Attachment C (Exempt Activities). The list of Exempt (de minimus) Activities includes several livestock grazing management practices that have occurred on public lands for more than 100 years. In addition, the Wyoming Standards for Healthy Rangelands and existing regulations allow Federal agencies the flexibility to make meaningful and educated adjustments to livestock grazing management if conflicts with other resources occur. livestock grazing management decisions should be made on a case-by-case, allotment-by-allotment basis and not as an overarching land use planning decision. Because of these reasons, the WDA does not believe it is necessary to address livestock grazing management in the upcoming EISs/SEISs.	WY	Both	rmc0010RM
2089.	Glossary definitions are extremely important to the actual uses and meanings of those defined terms in the EISs/SEISs. The definition for surface disturbance is particularly significant for livestock grazing. Overly broad definitions create unintended consequences. WDA recommends planners and cooperators utilize and evaluate the "surface-disturbing activity" definition in the Casper BLM EIS/RMP. We also ask that care is taken when developing definitions for "wildlife disturbing activity," "disruptive activity" and similar terms.	WY	Both	rmc0010RM
2090.	Wyoming is aggressively managing its Greater Sage-Grouse populations and has taken significant action, in concert with our federal partners and others within our state, to protect the species' habitat. For more than a decade, Wyoming has worked to protect and improve habitat of the Greater Sage-Grouse culminating in a statewide management plan that is considered by the U.S. Fish and Wildlife Service to be "a sound framework for a policy by which to conserve greater sage-grouse in Wyoming." Wyoming's statewide management plan is embodied in Executive Order 2011 -5 , titled Greater Sage-Grouse Core Area Protection, which I signed on June 2.2011. The Executive Order contains stipulations designed to maintain and enhance Greater Sage-Grouse habitat in Wyoming and represents a national model for wildlife and natural resource management, as well as a productive partnership between the state, local, federal, non-profit and private sectors.	WY	Both	rmc0032RM
2091.	The US Fish and Wildlife Service has indicated that the Wyoming Govemor's Sage Grouse Executive Order 2011-5 (SGEO) can be an effective regulatory mechanism if fully supponed and implemented. Based on this endorsement the: WGFD recommends that each of the componenlli in the SGEO be included in al least one of the alternative and preferably all the component in one alternative.	WY	Both	rmc0039RM
2092.	Havng US Forest Service adopt a different set of conservation measures for Wyoming will undermine the acceptance and implementation of the collaborath'ely developed conservation measures captured in the SGEO	WY	Both	rmc0039RM
2093.	Wyoming BLM initiated a planning process in 2010 to address sage-grouse conservation in six RMPs (75 Fed. Reg. 30054) (the Wyoming sage-grouse RMP amendments might also include the Thunder Basin National Grasslands (C. Otto, Wyoming BLM, pers. comm. with M. Salvo (Jan. 12, 2011)). Some individual RMPs in Wyoming are also currently under revision and will consider new conservation measures for sage-grouse (C. Otto, Wyoming BLM, pers. comm. with M. Salvo (Jan. 12, 2011)). The initial rangewide planning notice states that the Wyoming sage-grouse RMP amendments and individual RMP revisions will proceed as intended (76 Fed. Reg. 77009). Although the RMP amendments and revisions may analyze and consider the conservation measures in the NTT report, they are expected to adopt some version of Wyoming's sage-grouse strategy as	WY	Both	emc0391GB

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	their preferred alternative for managing the species.3 That strategy, developed by the state and generally adopted by Wyoming BLM in statewide sage-grouse management guidance, may be inadequate to fully recover sage-grouse for the long-term. There are significant differences between the Wyoming strategy and recommendations in the NTT report (see Appendix 5). The Wyoming sage-grouse amendments and individual RMP revisions must not adopt weaker management prescriptions for sage-grouse than land use plans in other states and regions are expected to use.			
2094.	The IM states, "While these conservation measures are range-wide in scale, it is expected that at the regional and sub-regional planning scales there may be some adjustments of these conservation measures in order to address local ecological site variability...It is anticipated that plans may develop goals and objectives that differ and are specific to individual planning areas." We support this acknowledgement that regional and sub-regional conservation measures may require divergent conservation measures in order to address local variability. However, it is our view that a minimum of sub-regional approach would be most appropriate allowing for local modification as necessary. We also support the direction that BLM FOs and Forest Service Ranger Districts do not need to apply the IM policies and procedures in states that have adopted their own conservation policies, such as Wyoming. Rather, it is crucial for the agencies to refrain from finalizing the preferred alternative until such time that it completes work with States to develop conservation policies and identify priority habitats. Again, until the birds are listed under the ESA they are the property of the states.	WY	Both	emc0340GB
2095.	The Governor of Wyoming in his Sage-grouse Executive Order 2011-5 recognizes the critical value of allowing existing land uses and landowner activities to continue in core areas (similar to PPH). He has recognized that on-going uses in important habitat areas have not resulted in the decimation of the species. At the same time, the Core Area Strategy in Wyoming is protecting 86% of the breeding birds which cover 29% of the state. We would urge that any RMP revisions in Wyoming fully recognize and integrate Sage Grouse Executive Order 2011-5 into the analysis including provisions for existing uses. This Core Area Strategy has proven effective in balancing the ability to develop Wyoming's vast energy resources and protecting sage grouse habitat.	WY	Both	emc0340GB
2096.	Given the limited time frame available to the BLM to analyze and implement Sage-grouse amendment to the identified Resource Management Plans and Land and Resource Management Plans, we strongly recommend that the agency tier to existing RFDs from the last round of completed planning documents in Wyoming, Utah and Colorado. While several of Colorado and Montana RMPs have yet to be finalized and implemented, many have already completed preparation of their planning RFDs, which should be used as part of the Sage-grouse amendment process. In so doing, BLM will have the benefit of local information and expertise rather than attempting to prepare an additional regional RFD.	WY	BLM	emc0340GB
2097.	Stronghold Emphasis Alternative Managing to support a minimum effective population as high as 5,000 breeding adults in both of the GSG stronghold areas identified in the FWS Findings (the southwest Wyoming Basin and the Great Basin area straddling Oregon, Nevada, and Idaho, pages 13958, 13962, 13986, 13988, 14008, and 14009) 3 would represent a reasonable alternative to maintain sufficient genetic information to safeguard the GSG against the long-term risk of extinction, thereby avoiding the need to list the species under the ESA. Under this alternative, significant genetic information would not only be provided within both stronghold GSG populations, but also within the separate Gunnison, Washington, and Bi-state populations.	WY	Both	emc0251GB, em0101RM

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2098.	Conservation districts within the State of Wyoming meet the definition of "local governments" as required by NEP A and Conservation Districts have special expertise which should be utilized by the Bureau of Land Management ("BLM") and Forest Service as part of this EIS process as well as the processes which will be used to amend the applicable land use plans relative to the Sage Grouse	WY	Both	emc0342GB
2099.	Wyoming Statute 11-16-103 provides that conservation districts are to "provide for the conservation of the soil, and soil and water resources of this state, and for the control and prevention of soil erosion and flood erosion or for the conservation, development, utilization, and disposal of water." This "special expertise" of the conservation districts is to be used to "stabilize ranching and farming operations, to preserve natural resources, protect the tax base, control floods, prevent impairment of dams and reservoirs, preserve wildlife, protect public lands and protect and promote the health, safety and general welfare of the people ofthis state." Id. Wyoming conservation districts are empowered to conduct surveys, investigations and research and disseminate information, conduct demonstration projects and carry out preventative control measures relating to soil andwater resources. W.S.11-16-122. Within the duties of Wyoming's conservation districts, renewable natural resources, natural resources, or resources means "land, soil, water, vegetation, trees, wild rivers, wilderness, natural beauty, scenery and open space." W.S. 11-16-102(a)(x). Based upon these statutory mandates, conservation districts possess the special expertise envisioned for cooperating agencies under NEP A. As stated by the Wyoming statutes, this expertise in natural resources applies not only to the physical resources themselves, but also to providing for the stability of Wyoming's ranching and farming industries, protection of the tax base and the promotion of the health, safety and welfare of the citizens of the State.	WY	Both	emc0342GB
2100.	My constituent, Mike Calling, Chairman of the Converse County Board of Commissioners, has provided me with the enclosed copy of his letter to you regarding the Thunder Basin National Grasslands as potential sage grouse habitat. I would like to ask that the situation outlined be carefully reviewed and that I be advised of your findings.	WY	USFS	rmc0051RM
2101.	My constituant Denise Lang't::y, has prOVIded me WIth the enclosed copy of her letter to you regarding the seeping for tI1e Sage-Grouae Conserval1On PIM Amendments lor both Ihft MedlcIl'IC Bow-Routt National Forest (MBRNF) and the Thunder Basin NatioMi Grassland (TBNG). I would like to ask that tne situation outlined be (;arMuOy reVIt!'Wed andthat I be advised of your findings	WY	USFS	fxc0002RM
2102.	A further note to be made is for Ihe I..o..ral ent"'es to coordinate and k.,.,pthe 10CiI1 human population insured of existence, Coordinating is ~ vital means for many differenl inSI itutions to voice and hea, the mncern, and ideas of others when decisiOfls are considered lor implementation affect ing livelihood	WY	Both	rmc0043RM
2103.	BLM Scoping Materials allude to the Wyoming Core Area concept, but do not make any commitment, even to the State of Wyoming, that a state developed Core Area Determination or any other state sponsored plan will be considered as an altemative in the RMP-SEIS process. Absent this commitmenl, no State and no stakeholder within a state will have any incentive to work 011 a state developed plan.	WY	BLM	fxc0011GB
2104.	The sage grouse declines in the Powder River Basin teach important lessons about levels of development that are incompatible with sage grouse conservation, and these lessons need to be applied across the rest of Wyoming.	WY	BLM	emc0343GB
2105.	Importantly, while the State of Wyoming has a Sage Grouse Core Area Executive Order, it is a statement of policy, not a statute or regulation, so the NTT recommendations should be implemented preferentially over the biologically weak State	WY	BLM	emc0343GB

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	policy in cases where they conflict.			
2106.	We understand that the federal government is considering using as a national template the Core Area Strategy originally developed by the State of Wyoming and subsequently refined in several Instruction Memoranda by the BLM Wyoming State Office. This strategy is based on an ecologically sound concept: that the sage grouse is a landscapescale species requiring the designation of large tracts of key habitat where sage grouse habitat conservation will be the first priority in land management. However, the implementation of this strategy, and the specific standards and guidelines that have been applied to date in Wyoming Core Areas, have been characterized by major loopholes that allow industrial uses that are clearly incompatible with sage grouse persistence to move forward inside Core Area boundaries. As a result, there has been major controversy within the state over whether the Core Area concept is a legitimate conservation strategy or merely window dressing designed to create the illusion of sage grouse conservation inside Core Areas without actually restricting the activities that threaten sage grouse in these areas. The Sage Grouse RMP Amendment Process should adopt the best parts of the Wyoming strategy while redressing its crippling defects, and in Wyoming the loopholes which currently open Core Areas to incompatible uses need to be closed, at least on federal lands. Loopholes in Core Area guidance are fully discussed in the section titled, 'Science-based standards for oil and gas development,' below.	WY	Both	emc0343GB
2107.	When the State of Wyoming embarked upon its groundbreaking sage grouse Core Area policy, it started with the right idea, identifying core habitats that supported the most abundant populations of sage grouse, and prioritizing these areas for protection. However, because a consensus-based collaborative group (the Sage-Grouse Implementation Team or "Team") was appointed by Governor Freudenthal to identify Core Areas and prescribe the conservation measures that applied there, representatives from the oil industry appointed to the Team were able to extract biologically inappropriate concessions, both in terms of removing key habitats from Core Areas and in creating loopholes and lowering protection levels that apply both within and outside the Core Areas. As a result, some Core Areas excluded key sage grouse habitats, and other lands that should have been Core Areas by virtue of having the highest densities of sage grouse were excluded entirely from the designations, especially in the Powder River Basin (Buffalo Field Office) and along the Atlantic Rim in the Rawlins Field office. As a result, the Core Areas designated in the Powder River Basin likely are inadequate to prevent the extirpation of the species in this key linkage between populations in Montana and the Dakotas and the heart of the sage grouse range. A Population Viability Analysis recently commissioned by BLM for the Powder River Basin indicates that as well densities increase to 8 wells per square mile, a single West Nile virus outbreak is predicted to cause the functional extinction of this population across the Basin. See Attachment 2. This is an unacceptable state of affairs, and the Sage Grouse Plan Amendments should address this problem directly by increasing the number of Core Areas to include the remaining high-density sage grouse lek complexes and expanding existing Core Areas. Populations elsewhere within Core Areas are likely to decline or even disappear if industrial development proceeds there under current guidelines. These crippling weaknesses in the Wyoming plan render it unlikely to survive judicial scrutiny as an adequate conservation measure. The federal government can and should do better for federal lands.	WY	Both	emc0343GB
2108.	In his original 2008 Executive Order, Governor Freudenthal got it right: "New development or land uses within Core Population Areas should be authorized or conducted only when it can be demonstrated by the state agency that the activity will not cause declines in Greater Sage-Grouse populations."2 This provision essentially required that the best available	WY	Both	emc0343GB

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	science be consulted, and if levels of proposed development exceeded science-based thresholds at which sage grouse declines begin to occur, the development would not be allowable. This provision was removed in Governor Freudenthal's 2010 Executive Order, and was not reinstated by Governor Mead in his own 2011 Sage Grouse Executive Order. The Interior Department has the opportunity to redress this reversal of policy by ensuring that this commitment is included in the rangewide sage grouse policy, and therefore protections reflecting the biological needs of the species (rather than the interests of developers) will apply in Core Areas on BLM lands.			
2109.	For the purposes of the new federal policy on sage grouse, we recommend starting from a clean slate and designating core habitat areas that include all of the most populous leks in each state. In Wyoming, Core Area delineation started from this point, but lands proposed for oil and gas projects or existing development were subtracted. Later, additional lands were removed from protection at the behest of industrial interests wishing to pursue projects incompatible with sage grouse conservation inside designated Core Areas. This led to some fairly absurd outcomes, such as the removal of substantial acreage from a Core Area on White Mountain to the north of Rock Springs to allow a wind farm proposed by Whirlwind LLC; Whirlwind subsequently abandoned its proposal and moved its project more than 100 miles east, but the key sage grouse habitats remain excluded from Core Area protections. A number of other "adjustments" that were made to accommodate incompatible industrial projects inside Core Areas without triggering protections are denoted on the attached map. See Attachment 3. These debacles illustrate the need for consistent, rigorous standards across all states in the sage grouse's range, the need to restore the original Core Area boundaries so that proposed projects can be brought into compliance with standards that protect sage grouse, and the need to prevent boundary adjustments and other exceptions that undermine Core Area protections moving forward.	WY	Both	emc0343GB
2110.	There are a great many other flaws with the State of Wyoming's Core Area boundaries as the currently stand. When the Core Areas were originally laid out, portions of the Atlantic Rim Coalbed Methane Project Area were excluded from Core at industry's request despite the fact that they were pristine habitat with high-density sage grouse populations. If these lands had not been excluded, the Atlantic Rim CBM project would move forward in compliance with Core Area restrictions, resulting in a better outcome for sage grouse. In the Powder River Basin, a Core Area described in Sage Grouse Implementation team meetings as "the key-shaped Core"3 was gerrymandered to exclude potential coalbed methane deposits, and its boundary was drawn so that every sage grouse lek was right along the boundary of the Core, with lands unprotected from industrialization immediately adjacent to the leks. A great deal of unoccupied grassland non-habitat to the southwest was added to "compensate." The end result, when development reaches the eastern boundary of the Core, is that the leks therein will likely be extirpated, while the unoccupied habitat added as window dressing will remain unoccupied; this Core therefore is incapable of functioning to protect sage grouse. According to Taylor et al. (2012:7), "questions remain regarding the ability of core areas in northeast Wyoming to support viable sage-grouse populations." The cruel irony is that the Sage Grouse Implementation Team, in capitulating to the whims of the coalbed methane industry when designating the boundary for this Core, excluded lands that were at the time suitable sage grouse habitat and either undeveloped or only lightly impacted, in order to preserve the future option for drilling on lands which should by biological criteria have been designated as part of the Core Area. Today, highdensity drilling projects such as the Williams West Bear coalbed methane project have been proposed to be developed immediately on the boundary of the Core Area, within 0.6 mile of leks inside	WY	Both	emc0343GB

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	the Core. Approval of this project and others like it, on lands which should be managed as Priority Habitats, should be deferred until completion of this EIS process, whereupon the appropriateness of the project and necessary mitigation measures to be added as Conditions of Approval can be determined.			
2111.	BCA attendance at several Sage Grouse Implementation Team meetings has shown how the Core Areas have shifted still farther from sage grouse protection than they were in their initial, badly flawed first draft. In the South-Central Local Working Group area, for example, the initial draft of Core Areas purportedly excluded only areas where existing development degraded key habitats, although many key habitats that were (and are) still virtually pristine were excluded because development was potentially planned. Then, the SGIT was instructed to revise the Core Areas, and one of the criteria was to exclude areas where development was permitted, but had not yet occurred. In the final analysis, lands were excluded where important habitats were neither extant nor permitted, but where permitting was in process but years away (such as the Chokecherry wind project), where permits had not yet been sought out were planned over the span of decades (such as APDs in the Atlantic Rim CBM project), and where mining interests were held but even the future intent to seek a permit was speculative (in the case of uranium claims). Not to mention a new coal-to-liquids plant proposal which was gerrymandered out of Core. The Sage Grouse Implementation Team plans to redraw Core Areas every 5 years, and has shown a willingness to exclude prime and pristine habitats from Core status on the basis of new industrial proposals. The result is that Core Areas have been defined simply as the lands that industry doesn't want, where threats are a remote possibility. Until the next round of industrial proposals, when heretofore "protected" lands, cause further redrawing of the boundaries. This is lunacy, not habitat management, and somebody needs to step in and fix it. That somebody, for federally owned lands and minerals, should be the BLM.	WY	Both	emc0343GB
2112.	In Wyoming in particular, BLM should consider in detail at least one alternative that bases Wyoming Core Area boundaries solely on encompassing the most populous leks that make up 80 percent of the statewide sage grouse population, with no exclusions or gerrymandering for the convenience of industrial interests.	WY	BLM	emc0343GB
2113.	NEPA requirements state that "no action concerning the proposal should be taken which would: (1) Have an adverse environmental impact; or (2) Limit the choice of reasonable alternatives." 40 C.F.R. § 1506.1(a). Catron County v. U.S Fish and Wildlife Service, 75 F.2d 1429 (10th Cir. 1996)(partial NEPA compliance is not enough.) The fact is that this basic, fundamental requirement that is the touchstone of every NEPA document has not gone unnoticed on the federal judiciary in sending back environmental studies that fail to meet this requirement. See e.g., Calvert Cliffs Coordinating Comm., Inc. v. United States Atomic Energy Comm'n, 449 F.2d 1109, 1114 (D.C. Cir. 1971) (detailed EIS required to ensure that each agency decision maker has before him and takes into account all possible approaches to a particular project . . . which would alter the environmental impact and the cost-benefit balance); Natural Resource Defense Council v. Callaway, 524 F.2d 79, 93 (2d Cir. 1975); ("The duty to consider reasonable alternatives is independent from and of wider scope than the duty to file an environmental statement."); Simmons v. United States Army Corps of Engineers, 120 F.3d 664, 660 (7th Cir. 1997) ("The highly restricted range of alternatives evaluated and considered violates the very purpose of NEPA's alternative analysis requirement: to foster informed decision making and full public involvement."); Alaska Wilderness Recreation & Tourism v. Morrison, 67 F.3d 723, 729 (9th Cir. 1995) ("The existence of a viable but unexamined alternative renders an environmental impact statement inadequate."); Dubois v. U.S. Dept. of Agric., 102 F.3d 1273, 1288 (1st Cir. 1996) (EIS invalid because	WY	BLM	emc0343GB

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	agency did not consider alternative of using artificial water storage units instead of a natural pond as a source of snowmaking for a ski resort); Libby Rod & Gun Club v. Poteat, 457 F. Supp. 1177, 1187-88 (D. Mont. 1978), rev'd in part on other grounds, 594 F.2d 742 (9th Cir. 1979) (Army Corps violated NEPA in an EIS for a hydroelectric dam by only cursorily addressing the alternatives of meeting the Northwest's energy needs through other sources or conservation.); Northwest Envt'l Defense Center v. Bonneville Power Admin., 117 F.3d 1520, 1538 (9th Cir. 1997) ("An agency must look at every reasonable alternative, with the range dictated by the nature and scope of the proposed action.") The Council of Environmental Quality's Frequently Asked Questions4 regarding NEPA, the agency states: 2a. Alternatives Outside the Capability of Applicant or Jurisdiction of Agency. If an EIS is prepared in connection with an application for a permit or other federal approval, must the EIS rigorously analyze and discuss alternatives that are outside the capability of the applicant or can it be limited to reasonable alternatives that can be carried out by the applicant? A. Section 1502.14 requires the EIS to examine all reasonable alternatives to the proposal. In determining the scope of alternatives to be considered, the emphasis is on what is "reasonable" rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant. 2b. Must the EIS analyze alternatives outside the jurisdiction or capability of the agency or beyond what Congress has authorized? A. An alternative that is outside the legal jurisdiction of the lead agency must still be analyzed in the EIS if it is reasonable. A potential conflict with local or federal law does not necessarily render an alternative unreasonable, although such conflicts must be considered. Section 1506.2(d). Alternatives that are outside the scope of what Congress has approved or funded must still be evaluated in the EIS if they are reasonable, because the EIS may serve as the basis for modifying the Congressional approval or funding in light of NEPA's goals and policies. Section 1500.1(a). Because having biologically based Core Area boundaries, rather than boundaries based on compromise between science and industrial preferences, is clearly within the scope of the Sage Grouse Plan Amendment process, the BLM has a legal obligation to consider such an alternative regardless of other considerations. In addition, the BLM may delineate different Core Areas than the State, providing expanded protections in cases where the State has capitulated to industry in areas where sage grouse needs and industry desires conflict. We expect the BLM to undertake this new analysis for the State of Wyoming, where Core Areas have been gerrymandered to the detriment of sage grouse. We propose a new delineation of Core Area boundaries to rectify the problematic boundaries adopted by the State, to be applied for the purposes of all federally managed projects that potentially affect sage grouse. See Attachment 4. These more robust Core Areas should be analyzed in detail in at least one alternative in the forthcoming EIS.			
2114.	Doherty (2008:125) mapped risk of impact versus value of sage grouse habitat. BLM should establish Core Areas in its RMP that protect all high-value sage grouse (both high and low risk); the state Core Area designations increasingly exclude High Value, High Risk sage grouse habitats from Core Area protections. Ironically, these are the habitats in greatest need of protection. This places the state in the inane position of "protecting" sage grouse in areas where the threat probability is remote, while denying protection in areas where the threats are real and imminent. The BLM should not follow this logically flawed strategy as it will not only fail to recover the sage grouse, but also will lead to increases in lek abandonment and decreases in overall sage grouse population, increasing the probability of Threatened or Endangered status for the grouse.	WY	BLM	emc0343GB

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2115.	Areas of the Wyoming landscape where this Core model was developed provided much more continuous blocks of habitat. In contrast, much of the range-wide landscape where this model is being applied is very different. There is natural landscape heterogeneity and fragmentation, complex topography and varied interspersion of vegetation communities, as well as large-scale losses and anthropogenic fragmentation of habitat. The Core Model also allows 5% new development – even within Core Areas. The mapping in Wyoming was done to favor the Oil and Gas industry's interests – and omitted some very important sagebrush habitat areas targeted for extensive energy development.	WY	Both	emc0411GB
2116.	How does this current process mesh with the flawed Process underway in Wyoming that is largely ignoring grazing impacts? This new process provides an opportunity for BLM to fully incorporate grazing disturbance analysis that has been excluded there. It is unclear what BLM proposes to do with Wyoming as an outcome of this process. The Core Model is already being shown to be failing in Wyoming. Wyoming sage-grouse populations in some areas span state lines, and sacrifices of habitats nd populations in Wyoming will affect other states, too.	WY	Both	emc0411GB
2117.	The State of Wyoming is pursuing a sound policy with regard to wind power development in sage grouse habitat, that of excluding wind power development from designated Core Areas (although for several wind projects, Core Area boundaries have been shifted to exclude lands desired by the wind industry). Excluding wind power development from core habitats makes sense; in Wyoming, more than four million acres commercially viable for wind energy development are outside of Core Areas and have no other identified environmental conflicts (Molvar 2008), which represents approximately four times the maximum acreage needed for the high benchmark for wind development through 2030 (estimated at 10,000 turbines by the wind power industry). There are some real emerging problems, however, with Core Area boundaries being altered to allow wind projects to be built in lands originally designated as Core. The Power Company of Wyoming's Chokecherry project is the most egregious example of these, and is a thousand-turbine project in recently undesignated Core habitat that is likely heading for litigation. Another example is a proposal by Whirlwind LLC for the South Pass Core Area; a carve-out was granted for this project, and although Whirlwind has thankfully relocated to another site in Carbon County, the carve-out remains.	WY	Both	emc0343GB
2118.	Off-site mitigation is no substitute for on-site habitat conservation A great many vegetation manipulation projects are being undertaken in the name of sage grouse habitat improvement. In Wyoming, some of the more widespread programs are being undertaken by sage grouse Local Working Groups, the Wyoming Landscape Conservation Initiative (a federal project), the Sagebrush Conservation Initiative (an industry initiative), the Jonah Interagency Office (a joint industry/government operation), and the Wyoming Wildlife and Natural Resource Trust Fund (funded through the state legislature). These projects are being pursued in the name of maximizing the number of acres treated for sage grouse (and often more primarily, livestock) benefit, without regard to whether the vegetation manipulations undertaken improve sage grouse habitat in the short or long term, result in short-and/or long-term impacts to sage grouse habitats and populations, or have no effect at all.	WY	Both	emc0343GB
2119.	Public lands, and BLM-managed lands in particular, are key to sage grouse conservation and recovery. The BLM and Forest Service manage 58% of sage grouse habitat in Wyoming, while private landowners manage 38% (Connelly et al. 2004). Rowland et al (2006:2-9) observed, "The BLM has management authority for nearly 47% of the sagebrush in the [Wyoming Basins Ecoregion] study area (12.1 million acres), comparable to the 52% of sagebrush managed by BLM nationwide (Knick et al. 2003; Table 2.6; Fig. 2.7)." Indeed, according to Knick et al. (2003:627), "Responsibility for maintaining sagebrush	WY	Both	emc0343GB

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	habitats and bird populations rests squarely on public land management agencies because most species' summer ranges are owned publicly and managed by state or federal agencies." Rowland et al (2006:1-2) echoed this conclusion: "Due to the preponderance of sagebrush on public lands, the future of this ecosystem will be shaped in large part by public lands management." Yet over the past decade it has been the BLM that has been among the most recalcitrant opponents of changing land-use strategies.			
2120.	Standards for Sage Grouse Conservation In terms of standards that should be set in the sage grouse Plan Amendments, we endorse the recommendations in the Sage Grouse Recovery Alternative submitted by WildEarth Guardians, which we incorporate by reference into these comments. We would also like to point out that the National Technical Team recommendations harmonize with this alternative to a large extent, especially on oil and gas issues, and this document is a far more reasonable and common-sense approach than is currently embodied in the Wyoming BLM Instruction Memoranda.	WY	Both	emc0343GB
2121.	As you craft this strategy and the policies to implement it, we urge you to stand firm behind strong conservation measures that reflect the biological requirements of the bird as elucidated in the science. This strategy should establish core habitats where sciencebased protection measures are applied, ensure that protection measures are sufficiently rigorous to prevent grouse declines and encourage grouse recovery, and close the loopholes in the Wyoming core area strategy in all cases where the federal government has habitat management authority.	WY	Both	emc0343GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	The time of high bird numbers was when the livestock industry poisoned the predators with 1080 poison. This killed all predators (coyotes, lions, bobcats, badgers, foxes, eagles, ravens, crows and anything else that ate the birds or their eggs). There were livestock, mines, roads, mining claim makers, fences and humans around then. When the 1080 poison was stopped the Sage Grouse population began its decline.	All	Both	rmc0022GB
2.	If the petitioning groups want high numbers of birds, then we will have to use predator control again. This is the only management plan that will get the high bird numbers again.	All	Both	rmc0022GB
3.	Further, MWGA's membership hopes to work cooperatively with the BLM to ensure that sage grouse do not become a listed species under the Endangered Species Act (ESA). If that were to occur, because of the restrictions it places on predator control methods, such ESA listing, would further inhibit the ability of Montana's sheep producers to effectively manage their ranges and to profit from their livestock operations.	All	Both	rmc0021GB
4.	The EISs and SEISs must analyze the impact of predation as a leading cause of sage grouse mortality, and must analyze the benefit predator control efforts have on keeping sage grouse populations healthy.	All	Both	rmc0021GB
5.	Predation, as it pertains to Sage Grouse management, is a major issue and its impact must be addressed as part of the EIS and SEIS process. - Numerous studies indicate that predation by eagles, foxes, coyotes, badgers, ravens, etc. is a leading cause of sage grouse mortality in the West; - This is not surprising as sage grouse are an easy prey species; - Recent studies conducted in Wyoming indicate that predation can account for up to 80% of sage grouse chick mortality. - Ravens, perhaps the primary predator of sage grouse, are now on the protected species list and the increase in raven numbers is certainly resulting in loss of sage grouse chicks. - As a result, MWGA's membership believes that predation on sage grouse is a proper issue to be analyzed and addressed during the EIS/SEIS process.	All	Both	rmc0021GB
6.	Promotion of Predator control efforts is key to sage grouse survival and the benefit of predator control programs must be analyzed. - Predator control efforts and programs are critical for healthy sage grouse populations; - Studies indicate that sage grouse populations have greater numbers in areas where aggressive predator control programs are conducted; - At this point in time, it is clear to MWGA's membership that BLM management is not looking at, and is not taking seriously, the negative impact predator populations have on sage grouse populations in the West; - As a result, MWGA's membership recommends that the BLM conduct a thorough analysis of predator control programs and their benefit as part of the EIS/SEIS process.	All	Both	rmc0021GB
7.	The bottom line is that any proposed alternative must incorporate a predator control analysis. Landowners and individuals who live and work on the landscape in Montana understand based on years of on the ground observation that the elimination of predator control methods, namely the use of certain types of poisons, in the 1970s has resulted in a dramatic increase in predator populations which, in tum, has played a large role in sage grouse mortality. This view is supported by numerous scientific studies. See, L M. Cote and W.J. Sutherland, The effectiveness of removing predators to protect bird populations,	All	Both	rmc0021GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	Conservation Biology II, 395-405 (1997); C.E. Braun, Sage grouse declines in western North America: what are the problems? Proceedings of the Western Association of State Fish and Wildlife Agencies, 78, 139-156 (1998); M.J. Holloran and S.H. Anderson, Spatial distribwion of greater sage-grouse nests in relatively contiguous sagebrush habitats, Condor, 107, 742-752 (2005); W.M. Batterson and W.B. Morse, Oregon sage grouse, Oregon Fauna Series I, Oregon Game Commission, Portland, OR, USA (1948); MJ. Willis, G.P. Keister, Jr., D.A. Immell, D.M Jones, R.M. Powell, and K.R. Durbin, Sage grouse in Oregon, Wildlife Research Report 15, Oregon Department of Fish and Wildlife. Portland. OR. USA (1993).			
8.	Further, MWGA's membership strongly recommends that the BLM analyze the importance and benefits of: a. Mandatory coordination with local, state and tribal governments. These entities should be granted full cooperating agency status; b. Incorporating scientific data and/or findings specific to local Sage Grouse populations and sharing such data with cooperators and coordinators; c. Mandatory incorporation of current state and local management plans and deference to the same, if such plans are in existence (which is required under Secl4(g)(l) of the ESA); d. Seeking the guidance of local expertise and local landowners; e. And recognition of local customs activities, land uses and historic economic generating industries, such as timber, mining, and agriculture.	All	BLM	rmc0021GB
9.	MWGA recommends that BLM establish a base line sage grouse number to measure the success or failure of sage grouse management.	All	BLM	rmc0021GB
10.	- In order to better understand and to better measure the success of BLM's sage grouse management policies, MWGA's membership recommends that the BLM determine and set forth sage grouse management population numbers for various years and over time. For example, MWGA's members recommend that the agency denote sage grouse numbers in 1972, 1992, and 2012 by area and/or by region. - Establishing sage grouse population numbers would help the agency better track and understand the success of its sage grouse management policies both looking back and going forward.	All	BLM	rmc0021GB
11.	If Sage Grouse numbers have declined to the point that they are considered to be put on the Endangered Species list it seems logical that they not be hunted. In Idaho there is presently a hunting season for Sage Grouse.	All	Both	rmc0030GB
12.	I would submit that decreasing predation (mainly coyotes) would be the most beneficial benefit to increasing numbers at the present time.	All	Both	rmc0030GB
13.	It is not justifiable to have Sage Grouse on the "Endangered Species" list and hunt them at the same time.	All	Both	rmc0030GB
14.	Priority Habitat Areas need to be qualified. What is the definition? What was the data used to determine the boundary? What is the bird density? How did they measure that bird density and can the bird density be proven? Who made the determination and what were their qualifications to do so?	All	Both	rmc0027GB
15.	In a recent Six County Natural Resource Committee meeting, the SCAOG invited a Sage Grouse Conservation Specialist from Utah State University Extension (USU) to educate regional officials about the Sage Grouse, its habitat and management requirements for sustained and increased population growth. We were impressed by the many years of extensive research	All	Both	rmc0034GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	and data collection on the Sage Grouse that USU has compiled. From this training, we gained a greater appreciation for the factual realization that a Sage Grouse population flourishes when the following are managed properly: 1) Sage Brush - It is evident and we understand that new growth on sagebrush is their primary fed source and is critical to a thriving Sage Grouse population. Research data has demonstrated that vegetation management practices that stimulate new growth or regrowth of sage brush are responsible, in part, for dramatic increase in grouse population. We request that this condition be attained through grazing, where possible, and with other mechanical or chemical methods as alternatives for old growth sagebrush. 2) Predator Control- Management of predators is a must in maintaining a healthy Sage Grouse population. We request that a more aggressive predator control program be initiated in Sage Grouse Populated areas. 3) "One Size fits All" - Finally, but perhaps most importantly, is we believe that each Sage Grouse Lek and associated area of habitat must be managed individually for their unique needs and deficiencies. We believe that an across the board approach to Sage Grouse management will compromise the overall goals and objectives of the Planning Strategy and have a significant negative impact on multiple land uses.			
16.	We are greatly concerned about the general health of Sage Grouse population in that it has critical impacts in obtaining utilization of natural resources including grazing, mining, oil extraction, timber cutting, recreation, and etc., which is vitally important to our Region.	All	Both	rmc0034GB
17.	Likewise I believe that all federal lands with Greater Sage-Grouse habitat should be included in the planning process, including the Mono Basin and Columbia Basin Distinct Population Segments of sage-grouse.	All	Both	rmc0020GB; rmc0004RM
18.	Additional Land Use restrictions will not make any noticeable improvement to habitat for the sage grouse. The habitat is virtually unchanged. Keg Spring Wildlife Management Area has been virtually untouched for 20+ years with no competing uses. The area should be loaded with sage grouse if current BLM area resource management plans were detrimental to the sage grouse in other areas. Today there are few ifany sage grouse in the Keg Spring area-its not the habitat its something else!	All	Both	rmc0041GB
19.	The BLM needs to focus on the Sage Grouses relationship to predators before creating any new land use restrictions.	All	Both	rmc0041GB
20.	Putting the Sage Grouse as an endangered species would limit or stop any land improvement thus curtailing growth and numbers of sage grouse and other species of wildlife.	All	Both	rmc0040GB
21.	The sage grouse have two basic needs, large areas of sagebrush and water.	All	Both	rmc0017GB
22.	The sage grouse seem to prefer the waterholes which were dozed out in the big flats. When we had a dry summer we would clean the silt out of the waterholes so they wouldn't get too shallow.	All	Both	rmc0017GB
23.	We are very concerned about the domestic livestock grazing systems authorized by many of the administrative units ofthe Bureau of Land Management (BLM) and U.S. Forest Service (USFS). Greater Sage-Grouse require sufficient cover for nesting (April and May), brood rearing (May, June, July) and survival, and it is our opinion that few grazing systems authorized by these administrative units provide adequate cover for these activities and during these times of the year to ensure sufficient reproductive success for Greater Sage-Grouse. Without adequate cover for nesting and brood rearing, it is our opinion-and the professional opinion of many scientists-that Greater Sage-Grouse populations will continue to decline throughout their range.	All	Both	emc0074GB

Table C-4.A
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	We believe that nearly all grazing systems need to incorporate adequate rest or very low livestock stocking rate (>35% annual utilization) to enablethe native vegetation to maintain its health and vigor and to provide adequate cover for Greater SageGrouse and other grassland/shrubland birds. To provide for successful nesting and brood rearing, good cover is needed in the spring from the previous years growth and in the spring and summer from the current years growth. Even with less than 35% utilization, many areas near water sources can be overgrazed and ultimately provide poor nesting and brood-rearing success.			
24.	Currently the greater sage grouse can be found in sagebrush habitat in approximately 454,000 acres in the 11 western states. The population in Utah amounts for about 11 % of the total range wide population. Sagebrush rangelands provide suitable habitat for the sage grouse on approximately 11,000 square miles and is composed of Federal, State and Private rangelands.	All	Both	rmc0001GB
25.	It has been proven that it is impossible to determine an exact population number of sage grouse and we are therefore left to biologists to tell those making decisions for the management to lands what is required to satisfy the sage grouse needs. The biggest problem is that the sage grouse are so dumb that they are unable to read the literature witten about their needs and requirements. For example, the biologist tells us that we can continue to hunt this species and that taking a given number will not affect the continuation of the population. Yet, the predator impact on the populations continues to have a large affect on the numbers.	All	Both	rmc0001GB
26.	Enclosed in the form of my comments is an article on the effects of predation on the sage grouse. The article further suggests that activities in sage grouse areas may be more of a benefit than a detriment. In the instance of predation on sage Grouse there have been several studies that indicate its having a huge impact on the grouse populations. However, the "scientific community" always makes efforts to try to discredit these findings in an effort not to have to deal with problem. As to the effects of activities in sage grouse areas possibly being a benefit to the grouse populations, I realize that the research is new. (as per the article attached) However, I don't feel it should be so rapidly dispatched, due to lack of science, as is done by Mr. Keefe in the article. Furthermore, there is research being done by the University of Idaho, which demonstrates the impact that grazing has on increasing the insects necessary for the diets of the young sage grouse chicks, and the importance those insects have on the young chicks survival.	All	Both	rmc0012GB
27.	PPH and PGH areas have been identified by BLM working with State wildlife agencies as breeding, late brood rearing and winter concentration areas. A) buffer distance needs to have flexibility to consider: Consider cliffs and elevation differences. Established barriers B) Any plan must establish consistency for the beginning measuring points for buffers. Buffer polygons should be created from	All	Both	rmc0004GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	center of the PPH or PGH area. Observation data shall be the priority for setting buffers, timing and seasonal restrictions. If no observations data is available and preclude that type of determination: the data used must be scientifically supportable under the elements of the Federal Data Quality Act. D) timing flexibility is needed; fixed dates are not always necessary or effective: time of again may not be necessary; the flexibility of these standards shall be based on monitoring and observation			
28.	In creating PPH/PGH mapping suitability of the terrain and preservation of other values should be considered. PPH boundaries should preclude lands within these polygons based on topography adaptability and behavior of sage grouse. In many areas 100% of a polygon is not necessarily Sage Grouse habitat.	All	Both	rmc0004GB
29.	From this training, we gained a greater appreciation for the factual realization that a Sage Grouse population flourishes when the following three things are managed properly: sage brush, predator control, and "one size fits all".	All	Both	fxc0004GB
30.	Last but not least "one size fits all" is important because we believe that each Sage Grouse Lek and associated arc of habitat must be managed individually for their own unique needs. We believe that an across the board approach to Sage Grouse management will compromise the overall goals and objectives of the planning strategy and have a significant negative impact on multiple land uses.	All	Both	fxc0004GB
31.	Well it's time for a NEEDED CHANGE. We out west want a new mission statement, and clarification, of the goals to be reached in listing and delisting of a species. Many of us who live in sage brush country and observe sage grouse regularly don't see a problem with the existing grouse habitat, as there are more than 160 million acres of public and private sage brush lands. What we ARE short of are birds!!	All	Both	rmc0047GB
32.	I have seen a large increase in sage grouse the last couple of years. The fires are the number one cause of loss.	All	Both	emc003GB
33.	Your website acknowledges that: "Sage grouse have declined in numbers due to loss, degradation, and fragmentation of sagebrush habitats essential for their survival," yet the scoping letter we received and your website give no details as to how the BLM plans to recover and restore lost, degraded, or fragmented sagebrush habitat to meet the needs of sage grouse and other sagebrush-obligate species. Surely, you must have some management strategies and restoration methods in mind?	All	Both	rmc0039GB
34.	Your website also recognizes that: "Greater sage grouse now occupy only about 56% of the habitat that was available to them before the arrival of settlers of European descent." So- what are the BLM's plans to recover lost habitat? There should be analysis as to where former habitat existed and what parts of it are recoverable and as to how these areas could be reinstated as sage grouse habitat.	All	Both	rmc0039GB
35.	Sage grouse are clearly a keystone species for the viability and vitality of other sagebrush-dependent species. They should therefore be classified as a Management Indicator Species as well as an Endangered species, with their protection being given top priority accordingly. There should also be analysis done as to the habitat needs of other sagebrush-dependent and obligate species which may be additional to or different from the needs of sage grouse.	All	Both	rmc0039GB
36.	However sage grouse are not adapted to livestock grazing, utility and transportation corridors, toxic herbicides, and development, which eradicate and fragment their habitat. So conservation plans should be focused on removing these and other unnatural threats to sage grouse survival and vitality and on restoring lost habitat wherever possible.	All	Both	rmc0039GB

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37.	Detrimental activites in core sage grouse habitat must be stopped and lost historic habitat must be recovered and restored as suitable habitat to the maximum extent possible. Leaving too much discretion to District managers to do less than what is necessary will replicate the status quo and inevitably lead to uplisting.	All	Both	rmc0039GB
38.	The DEIS should discuss specific approaches for conserving interstate migratory populations like the one regularly moving between parts of southwest Montana and eastern Idaho. The implication for the draft EIS is that it should consider not only resident grouse populations, but also migratory populations and the requistite habitat connecting seasonal grouse habitats. Continue the monitoring and study of interstate and instate migrations to better understand movements and habitat requirements.	All	Both	rmc0028GB
39.	The core area "priority habitat" is appallingly bad for Idaho. Idaho has already lost so much sagebrush that protecting all that remains is the only way to sustain populations. Core=Triage=Sacrifice=Impossible to maintain viable population.	All	Both	cfc0003GB
40.	Sage-grouse habitat has been seriously modified by grazing, vegetative treatments, fire and plant succession (under current environmental conditions)	All	Both	cfc0016GB
41.	Please also rely upon sage-grouse experts such as Clait Brown and Jack Connelley. Please include ALL the factors (variable) impacting native sage habitats including domestic livestock, fences, whatever, windmills ravens, hunting.	All	Both	cfc0022GB
42.	We need predator control to help let the chick grow up.	All	Both	cfc0024GB
43.	The Strawberry poplulation is increasing and listing will stop our efforts to improve habitat.	All	Both	cfc0017GB
44.	Salazar's IM pointed out several concerns with sage grouse habitat and did not list the major cause for population declines i.e. predators and hunting. A prime example is that Raven and Red Fox have rapidly increased in populations and are creating the heaviest impact on the Sage Grouse population. Also, when states allow hunting of a species, it has a direct toll on that population that is often not fully measured i.e. illegal hunting, over bag limits and wounded birds.	All	Both	cfc0017GB
45.	With a number of state and local groups pushing hard to develop sage grouse conservation strategies, the National Wildlife Federation opposes a federal endangered species listing. I also oppose the listing of the Greater Sage Grouse as an endangered species	All	Both	cfc0017GB
46.	In order to manage the Sage-grouse you have to illiminate their predators and the same time the deer herd will come back with the grouse.- Control all predators - keep the grazing going and do more improvements.	All	Both	cfc0025GB
47.	If you want Sage hens or phesants or deer or bighorn sheep. You have to control their predators. This should be elemental education. I should say control them I should say eliminate them. You need to control DWR which protects these predators.	All	Both	cfc0026GB
48.	Preadtors are a major cause of sage-grouse decline in our area, coyotes, ravens, eagles, foxes, etc.	All	Both	cfc0027GB
49.	Scientific research indicates that properly managed grazing is beneficial to the greater sage-grouse and to a host of other wildlife. Grazing can improve sage-grouse habitat by increasing the quality and accessibility of forbs and other beneficial vegetation and also aids in the control of invasive plant species.	All	Both	emc0202GB
50.	Management of habitat for the greater sage-grouse occurs on a complex sagebrush dominated landscape with tremendous variability locally and range wide. It is ecologically impossible to regulate for improved sage-grouse performance with	All	Both	emc0202GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	species-specific regulatory measures.			
51.	The extensive encroachment of pinyon-juniper into sagebrush communities, coupled with vast expanses of decadent single aged sagebrush communities, has drastically decreased productive habitat for nesting and brood rearing sites for sage-grouse throughout the Great Basin and much of the West. The proposed range-wide guidelines do not recognize the variability of issues across the west and do not focus on or prioritize specific issues at the needed scale.	All	Both	emc0202GB
52.	The decrease of livestock grazing public lands has directly contributed to the degradation of sagebrush and other habitat due to the loss of consistent grazing activities that help initiate fresh habitat growth. The theory that the European settlers somehow caused loss of habitat and changes to the Sage-Grouse habitat and populations is not a plausible concept. Elko County has taken countless public testimony and researched many historical documents and journals of settlers, pioneers and explorers that expressed and documented that Sage-Grouse or any type of wildlife was not as abundant in our region before western settlement as many would believe. It has been documented by many lifelong ranchers, hunters and recreationist that that the Sage-Grouse and wildlife populations did not increase until settlers and ranchers established ranching and farming operations and livestock grazing was introduced to the west.	All	Both	rmc0026GB
53.	Sage grouse are an integral resource in the American west. It is extremely important that their habitat be preserved. In order to do this, certain restrictions must be placed on use of off-road vehicles, siting of large energy projects, and activities which can have the effect of destroying lands and waters. I urge you to do a complete inventory of sage grouse habitat and then impose proper restrictions. There also needs to be a count of the birds in each location. This should be followed by monitoring what is happening on the land and to the populations.	All	Both	emc0201GB
54.	Some manageable issues, ideas and options that should be addressed in and EIS can be broken down into the following principal points. 1. Hunting Pressure both legal and illegal.	All	Both	emc0200GB
55.	Some manageable issues, ideas and options that should be addressed in and EIS can be broken down into the following principal points. 3. Habitat Loss	All	Both	emc0200GB
56.	Illegal hunting must be controlled more effectively. In at least one case I am aware of, many years ago, a population of sage grouse was virtually exterminated by local indians exercising their "indigenous rights" to hunt out of season. They continued hunting the population off season until there was no longer a viable breeding population left. State fish and game departments are generally to afraid of the back lash to enforce hunting regulations for indians. This deplorable situation must be stopped. Indigenous rights should be limited to historical hunting techniques, and not allow the use of high power rifles and shotguns out of normally set hunting season. Sage grouse habitat should be monitored more closely for illegal hunting, especially during the non-hunting season when much of the poaching takes place.	All	Both	emc0200GB
57.	Legal Hunting Pressure should also be more effectively regulated. The current practice of simply limiting daily bag limits is completely inadequate to manage and monitor bag limits for a species. A much more effective technique would be to issue tags, with a limit on the number of tags (maybe 5 or 10) anyone individual could have in a season. This season limit could be in conjunction with a daily bag limit of perhaps one or two birds per hunter to prevent excesively heavy collection in the event	All	Both	emc0200GB

Table C-4.A
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	of an abnormal population concentration. Upon success the individual would have to affix the tag to tile grouse probably the wing as is currently done with the whistling swan tags, and then would have a fixed amount of time (1 week) to take the tagged animal or part of the animal to an appropriate officer who would record the success. Upon reaching a set number of success's the season would close upon 24 or 48 hours notice that could be posted on appropriate websites.			
58.	Various sage grouse population figures show a decline after the 1972 1080 ban. However, population figures in Oregon over the past 30 years suggest stable populations which is an indicator of what they may have been historically. Therefore, Oregon chose 2003 as a baseline for spring level breeding numbers. Idaho, in the meantime, chose a baseline based on population data taken prior to the 1080 ban which is unrealistic.	All	Both	cfc0030GB
59.	Don't Reinvent the wheel. Look at areas with stable populations and imitate them.	All	Both	cfc0031GB
60.	Let us protect the leks, control the predators and actually manage the land, not lock the area up and call that good management!	All	Both	cfc0035GB
61.	I have two ideas thaT I think should be tried to help sage grouse neither is comlicated or expensive. The first would be targetted predator control in specifc areas during a specific time. The area would be just in nesting areas. The time would be when grouse are most susceptible to predation: during nesting and when the chicks are young. The main predators to target would be hawks and ravens. Especially ravens, which are very smart. Use shotguns for this predator control.	All	Both	cfc0036GB
62.	The second idea is to transplant sage grouse from areas with lots of them to areas with few. At least try it, see if it works. Don't wait for the EIS, do it now.	All	Both	cfc0036GB
63.	The reason for low sage-grouse numbers are #1. No Predator control, raptors, wolves, ravens, coyotes, foxes, etc. historically this was done by the sheepmen, at that time, birds were plentiful.	All	Both	cfc0041GB
64.	Increase the amount/number of ravens that can be killed especially around garbage dumps, harvested fields, grain and animal feed facilities. The number of road kills to be picked up promptly and covored.	All	Both	cfc0044GB
65.	We cannot expect to maintain current population numbers if we do not protect and manage all the seasonal habitat. And, it is important to remember that current population numbers are not sufficient to prevent the grouse from being listed under the endangered species protection.	All	Both	emc0181GB
66.	In areas where sagebrush steppe has become fragmented by perennial grassland seedings, invasion of annual grassland following fire, agricultural development, or infrastructure development (including all transmission lines not just the larger ones and wind development) it will be important to develop ways to reconnect these fragmented sagebrush steppe areas. Understanding both how sage-grouse now use these areas as well as how they traditionally used them before fragmentation will be key to recovering sage-grouse. Therefore, all infrastructure development must be mapped and their management coordinated to prevent continued habitat fragmentation.	All	Both	emc0181GB
67.	Finally, I recommend that all sagebrush steppe, and perennial grassland and annual grassland adjacent to or surrounded by sage-grouse habitat be placed into an undetermined status and managed for sage-grouse. Some of these areas may be used by low numbers of sage-grouse now but become vitally important to sage-grouse in the future as populations recover. If we continue to exclude these areas it may become impossible to maintain a recovered greater sage-grouse species in the future.	All	Both	emc0181GB
68.	Habitat Restoration and Conservation: Habitat restoration and conservation will be a key factor in maintaining a viable	All	Both	emc0180GB

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	population of the species. Two major factors contributing to sage-grouse habitat loss are of concern.			
69.	There is a pressing need for timely, regular, accurate, and reliable monitoring of habitat conditions and bird populations based on measured data rather than subjective assessments. If we cannot objectively monitor, we cannot manage.	All	Both	emc0169GB
70.	Plans should address cumulative impacts of nearby land disturbance activities on habitat suitability for all stages of the species life cycle: wintering, breeding, and brooding	All	Both	emc0169GB
71.	Fish and Wildlife Service assumes that existing regulations do not protect sage-grouse from extinction. This idea is false. They concluded that only 5,000 grouse are needed to avoid extinction. There are currently far more than 5,000 of these birds in existing wilderness areas which ara already subject to the kind of rules you claim are needed to protect grouse from so-called threats to their existence. It seems to me that the rules governing wilderness already protect more sage-grouse than needed to prevent their listing under the Endangered Species Act (ESA).	All	Both	emc0160GB
72.	The similarity between wilderness regulatory restrictions and the rules proposed to protect sage grouse, and the ability of existing wilderness areas to provide for the minimum sustainable populations of sage-grouse (a total of 5,000 birds) is an issue that needs to be evaluated.	All	Both	emc0160GB
73.	You are intentionally shifting the focus from management that complies with the ESA to management that greatly expands your power, and reduces my freedom. Instruction Memorandum No. 2012-044 reports that the sage-grouse planning strategy will "maintain genetic diversity needed for sustainable Greater Sage-Grouse populations," which is consistent with the ESA. That same Memorandum references A Report on National Greater Sage-Grouse Conservation Measures and implements its guidelines. That Report endorses a goal based upon existing numbers to "sustain these populations." The Report shifts the goal to "sustain" current populations, rather than to maintain "sustainable" populations to avoid extinction as required by the ESA. So, the Memorandum states that the goal of sage-grouse planning is to manage for "sustainable" populations, but deceptively expands that goal by instructing all BLM field officers in all program areas to comply with an alternative goal to "sustain" current populations, 350,000 sage-grouse (70 times as many as the "sustainable" number of 5,000). The purpose for the sage-grouse planning effort is reportedly to implement management guidelines through land use plans that will reduce the need to list the species under the ESA. Thus, the overarching population goal for sage-grouse must be based upon the ESA requirement to maintain sustainable populations that are not at risk of extinction, not to maintain existing populations that are far larger. The scope of the planning effort, and associated issues to be addressed, are constrained by the overarching goal.	All	Both	emc0160GB
74.	After attending the January 18th, 2012 Sage Grouse Stakeholders meeting in Carson City,Nv., I was encouraged by all the experts and agency heads agreeing that they do not want to list the Sage Grouse, and that with proactive measures the Sage Grouse should not need to be listed as endangered.	All	Both	emc0114GB
75.	it seems the first thing that should be done is to stop hunting them for a few years, and see what effect that has.	All	Both	emc0157GB
76.	The Federal Register notice for a "warranted but precluded" listing of the sage grouse should provide some guidance to the EIS on the (d) issue above. How will the BLM consider this document as "more adequate regulatory mechanisms" are considered?	All	Both	emc0071GB
77.	Fragmentation is listed as a focus. Will there be an analysis of where, when and how fragmentation on public lands is occurring? If wildfire is determined to be a major cause of fragmentation how will it be controlled by regulation? How will any new wildfire regulation be coordinated with the many other regulations on fire? It would seem that if man's activities are the cause	All	Both	emc0071GB

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	of fragmentation that a projection of planned or possible projects might help in the analysis.			
78.	The Beaverhead Co. Board of Commissionors are concerned that the Sage-grouse planning process not add further restrictions on noxious weed control methods on domestic livestock grazing alotments and on the use of fire for vegatation management.	All	Both	cfc0051GB
79.	Also, the greater increase of avain predators on sage-grouse should be documented.	All	Both	cfc0051GB
80.	The REMAINING Habitat is much diminished from historic levels and the sage grouse will certainly be lost with further degredation of the areas that remain. Although I live in thre east , I spend some time each year traveling around the west. It would be an terrible cost to loose any or all population of this wonderful american icon.	All	Both	emc0073GB
81.	To insure this species survives, and hopefully once again thrives, I believe a basic change in approach to management of these lands must occur. The management must focus first on the habitat needed for these birds (and for other wildlife dependent on this high desert environment) and then, using best available science, undertake practices that properly protect the habitat, including steps to try to reconnect the currently isolated areas where some populations of the birds still survive in reasonable numbers.	All	Both	emc0065GB
82.	The bigger picture of specie and habitat decline is one which needs to be more carefully considered. In other areas (particularly in the western states) habitat loss responsible for declining numbers of ungulates as well as other animals. Rather than focus on correction of habitat loss (such as planting trees, and/or whatever else constitutes habitat) the declining numbers are currently being primarily blamed on predators. This causes long term concern because after predators are reduced, and numbers still decline, who will shoulder the blame for these losses?	All	Both	emc0064GB
83.	Stop hunting of these birds - pernits allowed in all western stetes and area you are targeting.	All	Both	cfc0057GB
84.	One thing the BLM and Forest Service need to realize is that results will not show as long as there is still a hunting on sage-grouse. The BLm and Forest Service need to take the stand that the states need to stop shooting them and let there nembers rebound back to a level where hunting could resume again when populations recover.	All	Both	cfc0058GB
85.	Basically from years of living in the Great Basin and from the BLM map display I think one salient problem is that so much critical Sage-grouse habitat is also designated as grazing allotment	All	Both	cfc0066GB
86.	When will that mapping be updated to show 2010 and 2011 data? That should be available by now since the lek counts would have been in April 2011? If we start out already two years behind, it seems to me that a rosier picture will be painted of conditions. It can't be too hard to run the models that Doherty et al did and use current data	All	Both	emc0026GB
87.	Time's running out. No more conversion of sage to crested wheatgrass, no more fencing for livestock management to the detriment of all wildlife, no more off road vehicle use, no more wide open coal and natural gas extraction.	All	Both	emc0058GB
88.	Everything being done out on the ground must be in support of preserving and enhancing what little sage habitat remains. This will require a full agency flip-flop in priorities from decades of managing for livestock and resource extraction first to now managing for wildlife first.That following the BLM's National Sage-grouse Conservation Strategy is one of your criteria for this process provides little confidence in your approach since this strategy has proven to be inadequate at least as applied to date. Your agencies have two choices - do it right now while pockets of these species and their habitats remain, or wait until a	All	Both	emc0058GB

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	cascade of listings occurs and then try and catch up after it's too late, e.g. northwest spotted owl and salmon.			
89.	I have participated in local meeting dealing with grazing decisions. When Sage Grouse issue comes up you hear comments from the ranching/oil community like, "why are you always putting animals over humans", or "the preditors are killing off all the Sage Grouse, there is no problem with habitat", or from the local BLM PR person, "we are doing everything right, we have no problem with habitat".	All	Both	emc0057GB
90.	In Montana, the State BLM director instead of changing grazing practices, from the massive data available, requested information "Data Request for the Annual Review of the Greater Sage- Grouse Candidate Status" Here is some of the information I have found in the above study: The status of sage grouse populations and habitats has been a concern to sportsmen and biologists for >80 years. Despite management and research efforts that date to the 1930s, breeding populations of this species have declined throughout much of its range. In May 1999, the western sage grouse (C.urophasianus phaiosArtemisia spp.). Despite the well-known importance of this habitat to sage grouse and other sagebrush obligates, the quality and quantity of sagebrush habitats have declined for at least the last 50 years.	All	Both	emc0057GB
91.	Seasonal movements and home range Sage grouse display a variety of annual migratory patterns . Populations may have: 1) distinct winter, breeding, and summer areas; 2) distinct summer areas and integrated winter and breeding areas; 3) distinct winter areas and integrated breeding and summer areas; or 4) well-integrated seasonal habitats (nonmigratory populations). Seasonal movements between distinct seasonal ranges may exceed 50 miles which complicates attempts to define populations. Thus this study suggested that sage grouse populations be defined on a temporal and geographic basis.	All	Both	emc0057GB
92.	Per the U.S. Fish and Wildlife Service, this bird deserves protection under the Endangered Species Act even if it is not currently listed. Treat the species as listed and implement the proper protections as if it were currently listed. Do not wait for it to be too late.	All	Both	emc0055GB
93.	Habitat loss and degradation have been shown to be the major cause of decline of this species. Therefore, is important to involve all federal agencies holding land, as good habitat can be shared by multiple jurisdictions	All	Both	emc0068GB
94.	Connectivity is a loosely defined word that could be used to expand priority habitat areas. The EIS needs to address the definition of connectivity and specific parameters used for determinations and boundary establishment. Corridors should not be managed as priority habitat areas. General sage-grouse habitats should not be reclassified as priority habitat to provide connectivity.	All	Both	emc0103GB
95.	The severity and scope of the threats to greater Sage-Grouse should be provided and prioritized. Instead of a list of threats to habitat, please clarify in the EIS how large of a relative threat each are to the habitat areas. For example, if wildfires, epidemic, and hard rock mining are all threats, do fires account for 90 percent of the threat to sage grouse, epidemic 8 percent, and hard rock mining account for 2 percent of the threat? In calculating threat levels relative to each other, each threat can be managed more efficiently and resources better allocated in the protection effort. Management of lands for the protection of sage grouse should be proportionally managed according to the level of each threat.	All	Both	emc0103GB
96.	I also hope distinctions are drawn between areas where sage grouse habitat and populations are dwindling, and those where	All	Both	emc0107GB

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	they are holding their own, sage as Oregon, which holds an estimated 30 percent of the West's sage and has healthy, stable sage grouse numbers			
97.	#4 We question including greasewood in sagebrush grouse habitat. We have not seen sage grouse in greasewood, Hungarian Partridges, yes but not sage grouse. Do you have data to back this up?	All	Both	cfc0025RM
98.	It is important that sage grouse conservation measures be enforceable and limit the discretion of mangers to ignore or modify recommended actions necessary to ensure the health and viability of sage grouse populations. Employee performance evaluations should include how well employees apply the sage grouse management recommendations as informed by the best available science.	All	Both	emc0078GB
99.	It is critical to use and apply the best available science in the NEPA process. Recent science indicates that sage grouse are likely more far-ranging than previously realized and they require habitat conservation at larger scales. We are concerned that the recommendations in Connelly et al (2004) and other science/policy documents are partly the result of politics rather than science and that those recommendations have been watered down and do not represent the optimal management for sage grouse and their habitat. The NEPA process should clearly identify what is biologically and ecologically optimal for sage grouse, as distinguished from what is politically pragmatic.	All	Both	emc0078GB
100.	I do not believe they are endangered at this time.	All	Both	emc0336GB
101.	I do not believe sage grouse are under any threat of being endangered as their numbers are well above the recommended number of 5000 that would qualify them to be listed under the Endangered Species Act. I have seen reports of bird counts taken by the USFWS that had a count of Sage Grouse over a 12 month period from 350,000 to 535,000 birds.	All	Both	emc0286GB
102.	Efforts should continue to improve the Habitat throughout the BLM controlled lands.	All	Both	emc0217GB
103.	The "Preliminary Categories for Planning Issues" does not specifically include "Predation". I believe this to be a significant detriment and threat to Sage-Grouse recovery. As such, this must be included as you consider the issues affecting the Sage-Grouse. Birds of Prey, coyotes and cats are a continual threat since they inhabit the same environment.	All	Both	emc0033GB
104.	It is hard for me to believe the accuracy of the "US Fish and Wildlife Service Identified Threats to Greater Sage-Grouse" graph. The graph shows Human threat being equal to Predation. The vast area of Sage-Grouse habitat is affected by off road and human use occasionally, however, predators are present all of the time.	All	Both	emc0033GB
105.	I've seen the period of time when sage grouse numbers were high and there is one reason that stands out as to why sage grouse numbers are lower. That reason is Predators. Since 1972 the number of coyote, Crows and Raven, fox and hawks, have increased considerably. In 1972 the use of 1080 for predator control was removed. Cattle and sheep ranchers, government trappers and wildlife experts used the predicide to kill coyote and in the process where it was put on carcasses it also killed crows and ravens and other predators that consumed the carcass. In 1972 the Ravens were protected via a treaty with Mexico. In 1972 the remainder of the Hawks became protected. In the last 30 year I've seen the population of fox increase many fold. These all prey on Sage Grouse and other ground nesting birds from the nest to adult stages. The problem with Sage Grouse is not so much the habitat but rather the predators!	All	Both	emc0032GB
106.	So what can you do as land managers to improve the habitat for sage grouse considering the main problem is predators? #`1. Develope as many water developments for livestock as possible. The more water you have available the better	All	Both	emc0032GB

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	distribution of livestock and wildlife will be and the better the habitat for sage grouse. I'd encourage water developments to allow some water to flow out of the troughs and into dirt collection tanks which is preferred for use by sage grouse			
107.	4. Coordinate with the US Fish and Wildlife Service to establish predator control of the Raven and Crows that are the main depredator of Sage Grouse nests and nests of other ground nesting birds. We know that Ravens have also pecked the eyes out of baby calves and thus we know they use this same method on baby antelope and deer. If you truly want to make an improvement in the population of sage grouse predator control is certainly a wise tool that must be employed	All	Both	emc0032GB
108.	Loss of habitat is less than decline in bird population whereas one would expect just the opposite of such a mobile and broadly adapted bird.	All	Both	emc0038GB
109.	There are oceans of suitable historic habitat lacking sage grouse.	All	Both	emc0038GB
110.	The systemic regional decline includes many areas where habitat changes have been few and subtle.	All	Both	emc0038GB
111.	If it were habitat, the probability of practical improvement on anything like the scale needed to bring back sage hens in a significant portion of their range in a useful time frame is minute. But I strongly doubt that habitat is high on the list of limiting factors, and indeed much fine-looking habitat is vacant or scantily occupied throughout MT.	All	Both	emc0038GB
112.	Time is of the essence. To avoid listing and restrictions that will make your proposed efforts look feeble, BLM must identify causal factors now. The response variable must be the birds themselves, not vegetation monitoring or some assumed but unproven tertiary variable. I suggest bird harvest or something similar. Not leks. Not nests. Not chicks, but birds that ideally have survived to reproductive age or an approximation thereof	All	Both	cfc0038GB
113.	Focus on hypotheses, whether they fit your reigning paradigm or not, that can be quickly modified and monitored for several years, not decades. A few examples follow: 1. Small predator control such as skunks, fox, raccoons if appropriate, and even ground squirrels. 2. Raptor control especially in light of additional man-made perching sites. When I was a kid, we trapped hawks and owls with leg-hold tracks on pole sets. Surely you can get a variance to do this. I have seen almost unbelievable raptor densities in places that historically had dense sage grouse populations. And I have seen many sage hens furtively looking upward as they hide under a bush. 3. West Nile – are uninfected populations doing better than infected ones in similar habitat not too distant? 4. Do domestic sheep through their nibbling of sagebrush promote succulent sagebrush leaves that benefit sage grouse? 5. I have seen my share of road hunting for sage hens and find my best hunting in restricted access areas or as far from roads as possible. We're not talking energy development traffic but hunter traffic, excessive vehicular access.	All	Both	emc0038GB
114.	As an avian biologist, my main recommendation on the EIS would be to amass the best research data currently available, in an attempt to ascertain the most realistic estimates possible regarding all the various demographic factors of this species.	All	Both	emc0041GB
115.	Of particular interest to the drafters of the EIS should be the determination of the magnitude of the many possible sage-grouse mortality factors, and particularly those that are human caused or human influenced.	All	Both	emc0041GB
116.	For instance..... in sage grouse occupied habitat..... 1) What do we know about the incident of sage grouse collision mortality rates caused by: 1) barb wire fences (# deaths per year per 100 miles of fence)	All	Both	emc0041GB

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	2) high level power lines (" 100 miles of line) 3) low level power lines (") 4) utility poles and towers (") 5) other artificial structures.			
117.	What do we know about the incidence of raptor predation rates on sage grouse that occur: 1) in unaltered areas with no fences or utility structures within 2 miles of a lek, 2) in areas with only a few fence lines in line-of-sight of a lek, 3) in areas with only utility poles or towers in line-of-sight of a lek, 4) in areas with both fences and utility poles or towers in line-of-sight of a lek.	All	Both	emc0041GB
118.	What is known about grouse movements in late summer, fall and winter, outside of the time period of their courtship, breeding, nesting and brood rearing activities? 1) What kinds of habitats are utilized during the dispersal of juveniles? 2) How much seasonal movement occurs between the breeding range of a population and where the individuals from that population spend the winter (migratory? or resident?) 3) Are there travel corridors that are ecologically important but pose additional hazards?	All	Both	emc0041GB
119.	What has been the human impact on the availability of potential sage grouse habitat..... intact contiguous sage brush areas versus habitat loss and fragmentation, etc. ..... as a result of: 1) agricultural cropland development and management. 2) subdivision and other human residential conversion. 3) road system development. 4) utility corridors and other developments.	All	Both	emc0041GB
120.	One of the other problems is the Crows and Ravens well open the hunting season up for a longer period of time and put a list on them or put a bounty on them. I know you will say that is against the migratory bird act or some such. You are going to have to make up your mind which endangered species you are going to protect first and you can't take man out of the equation, because he is/was/ will be here and he is the one that is paying all the bills---money wise, loss of habitat wise, public land use wise, economic /social impacts, and list goes on.	All	Both	emc0045GB
121.	Still have hunting season ??? Is this a problem or not, according to your paper work it is not.	All	Both	emc0045GB
122.	Public land grazing in my opinion is not a problem, We have had grazing going on here since the 1870's and with Salmon/ Steelhead, Cutthroat, and Bull trout being listed there has been a lot of fixes put in place, some smart ones and some don't make a lick of sense, but done anyway.	All	Both	emc0045GB
123.	ISSUE: Most LUP's and the proposed Conservation Measures fail to address needing written vegetation objectives for a specific treatment area. Habitat treatment planning often refers back to generalized objectives outlined in the LUPs such as "improve riparian condition for sage grouse" or "manage woodlands to maintain existing sage grouse habitat". Specific vegetation objectives	All	Both	emc0083GB

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	aren't typically written, especially in BLM. These might read something like "reduce iris to 5% of the wet meadow community composition" or "increase mountain big sage cover to 60% of the community composition with grasses, forbs and other shrubs at or near 40%". By using specific objective statements, it is easier to locate a treatment area with the most potential and be able to consider a whole array of treatment strategies. After treatment, one knows if the objective has been met or appears to be going in the right direction. The USFS often uses this approach. This is a BMP that should be included.			
124.	MONITORING ISSUE: States are charged with sage grouse population and habitat inventory; it is impossible for states to perform this in a way that will get information to the federal agencies. Both federal and state biologists must do habitat inventory. It may be appropriate for state DOW biologists to do official sage grouse counts. However, using Nevada as an example, sage grouse are counted from a helicopter as part of the mule deer census. This is done along the same grid year after year. New grounds or satellite grounds are not sought during breeding season or other times of the year when these flights are made; there is only so much money, time and personnel. The problem is illustrated by the fact that several years ago, the NDOW had to change their traditional deer flight grid in an area due to weather and ended up accidently finding one of the largest lek complexes that exists in western Nevada. All BLM and USFS biologists should be charged with or be allowed to conduct sage grouse lek and other habitat inventory. Inventory for potential leks / satellites can be done yearlong along with other field duties if the biologist knows what to look for outside the breeding season. Confirmation can be done the following spring during breeding season. Until habitat connectivity and the potential for sage grouse populations to follow source and sink population science are known, no sage grouse occurrence, lek or habitat can be ignored in order for the species to survive. Federal biologists must learn what sage grouse leks, nesting habitat etc look like in the field. Leks and especially satellites can be very small; they don't necessarily show up on landscape scale GIS maps or even aerial photographs. When a biologist can recognize these in the field, they stand out in neon colors. The benefit comes when a biologist is in the field for any reason and sees a "neon" area that can be investigated further at another time. Federal biologists must often go to non-wildlife project sites and state what wildlife values are present. If the biologist sees a "neon" area that hadn't shown up on the USGS coarse filter maps or other official sage grouse map, they can say there could be a sage grouse issue present and ultimately save that area.	All	Both	emc0083GB
125.	OTHER ISSUE: The proposed Conservation Measures fail to address a process for incorporating new information in a timely manner. The State-wide Breeding Density Map Omits a Population(s) in Western Nevada points to a basic flaw in how new information is incorporated into planning. A population of sage grouse is missing from the map. I have 12 years experience working with sage grouse habitat in eastern Nevada with another 3 in western Nevada. I recently reviewed and consolidated known sage grouse sightings that had been officially recorded in my office by reliable sources. One area of my District had persistent sightings recorded right into the present. After plotting the sightings, it was unlikely the birds from the sightings could be associated with known leks due to distance. That meant it was possible there were undiscovered leks in a new area. There was also brooding, and winter habitat in the general area. Because the PMU's for Nevada had already been delineated, neither	All	Both	emc0083GB

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	NDOW nor my agency were anxious to re-open these or create a new one. Without having the new information officially acknowledged under this process, I couldn't really use it to try to manage for sage grouse, nor could I spend too much time trying to delineate a lek and other key habitats. Without official acknowledgement, if challenged in a planning process, those sage grouse use areas would be deemed not significant and not worth mitigation. As per the Breeding Density Maps to be used in this EIS, the birds and habitat I speak of remain unaddressed, and will remain in limbo if the state has to officially acknowledge it. This is an unacceptable situation in the area of incorporation of new information and the proposed Conservation Measures don't address this topic. It sets the federal agency up for a lawsuit. A quick and easy process must be written into every LUP for incorporating new habitat discoveries, even without state's blessings. Until habitat connectivity and the potential for sage grouse populations to follow source and sink population science are known, no sage grouse occurrence, lek or habitat can be ignored in order for the species to survive.			
126.	Designation of Sage-grouse Habitat Based on past and present BLM guidance, the types of sage-grouse conservation measures that will apply to a particular area may depend in part on whether the area is designated as priority habitat or general habitat. The BLM's planning documents indicate that the BLM intends to defer largely to state wildlife management agencies in determining the location and extent of such habitat. To date, many efforts to identify sage-grouse habitat have incorporated "broad brush" analyses that do not appear to include adequate site-specific field verification. For example, the mere presence of intact sagebrush-dominated vegetation alone is not a sufficient indicator of sage-grouse habitat. Moreover, historic range is not an appropriate measure for identifying current sage-grouse habitat or distribution. For example, some of the area currently mapped by the Nevada Department of Wildlife is occupied by cheatgrass and other non-native invasive annual species, pinyon-juniper woodlands, and salt desert shrub vegetation. The cheatgrass and pinyon-juniper areas may have once been sage-grouse habitat before crossing ecological thresholds and transitioning or converting to other vegetation, but these areas cuurently do not provide suitable habitat and thus, do not warrant habitat designation. They may be more appropriately identified for possible restoration efforts if the current ecological state is recoverable to suitable habitat. The salt desert shrub areas never were and never will be sage-grouse habitat and should also be excluded from the habitat maps. It is essential that any sage-grouse habitat designations be based on clear criteria and sound biological data. Broad, over inclusive, geographic designations are inappropriate and may have substantial adverse effects on multiple-use activities on federal lands while providing no benefits for the species. It is essential that the BLM closely coordinate with state wildlife agencies to ensure that habitat areas have been appropriately designated during and following the EIS process. Moreover, since the EISs will be covering large geographic areas throughout the western United States, the EISs and any land-use plans that incorporate sage-grouse conservation measures should recognize that it is appropriate for project proponents to have the opportunity to confirm the habitat designations based on site-specific information at the time specific actions or projects are proposed. Thus, where site-specific data documenting sage-grouse occupancy patterns or habitat does not meet the criteria for priority or general habitat, adjustments to those habitat boundaries are appropriate and should be made without the need for a formal LMP or RMP amendment.	All	Both	emc0084GB

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127.	In some cases, predation may also substantially affect sage-grouse populations, and local predator control measures in certain areas, such as known nesting areas, may provide substantial benefits. Focusing on conservation measures that address these types of impacts will provide a beneficial option whereby sage-grouse habitat would be protected without substantial adverse effects on economically-productive activities. Improving the quality of existing habitat should also be a high priority, as better habitat will support more birds and facilitate the inclusion of other land uses across the broader landscape.	All	Both	emc0084GB
128.	The Sage-grouse Report suggests that priority habitat be managed so that "discrete" anthropogenic disturbances cover less than 3% of the total sage-grouse habitat, regardless of ownership. The Report fails to provide any defensible basis for suggesting such a limitation. Any such prescription would have dramatic adverse effects on multiple-use activities in many parts of the western United States, and such a wholesale restriction is not necessary or appropriate. A "national threshold" that does not consider local conditions is not warranted. Moreover, if appropriate disturbance thresholds are developed during the BLM and FS land-use planning processes, they should not be used to establish an absolute prohibition on future activities. Instead, the adopted conservation measures should allow for use of onsite or offsite mitigation to address any impacts that exceed an appropriately defined threshold. The Report also suggests that fire may constitute a "discrete" disturbance that would trigger the 3% threshold.	All	Both	emc0084GB
129.	As noted above, fire has affected broad areas of public lands in many parts of the western United States, and the occurrence of fire should not be used to define threshold triggers. For example, depending on the severity or intensity of the wildfire, some ecological sites will respond favorably to fire, and will actually improve sage-grouse habitat conditions in the long-term.	All	Both	emc0084GB
130.	The Report suggests several broad-scale prohibitions on various land-use activities, which are over-inclusive and unnecessary. For example, the Report suggests that all off-road travel be prohibited in priority habitat (p. 11), and no new rights-of-way be allowed in priority habitat, except in limited circumstances such accessing VER (p. 12). Similarly, the Report suggests that all existing roads in Wilderness Study Areas and lands with wilderness characteristics be closed and restored. The use of such blunt prohibitions, rather than more narrowly tailored management prescriptions should be avoided. Periodic use of most such roads would not likely have an adverse effect on sage-grouse populations.	All	Both	emc0084GB
131.	At this time there is no shapefile mapping data available for certain sage-grouse populations, in particular, in the states of Colorado, Nevada, and California. And, only partial data is currently available for the state of Montana. This data details the preliminary priority and preliminary general habitat for sage-grouse populations in various states, and this information is of central importance to the proceeding. In calls today with BLM staff, the unavailability of this data was confirmed, and BLM staff advised that the release of this information was being coordinated at the state level and that BLM has been unsuccessful in obtaining access to the shapefile maps at issue. BLM staff also said that they thought the data would not be available until the beginning of March at the earliest, which is beyond the existing comment period in this proceeding.	All	Both	emc0086GB
132.	I have read the comments on Greater Sage-grouse habitat conservation submitted by the American Bird Conservancy and agree with their proposals. The prairie ecosystem on which the sage grouse depends would be difficult to replace once damaged, and many unique native species depend on it. I urge the Bureau of Land Management to coordinate with all the government agencies whose policies impact sage-grouse habitat and also to put protected sage-grouse habitat off limits to agriculture, drilling and other destructive uses. This bird is an umbrella species and protecting it necessitates protecting these	All	Both	emc0100GB

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	other species as well. I believe it is important to protect the entire ecosystem Thank you for consideration of my comments.			
133.	Greater sage-grouse (Centrocercus urophasianus) are unique to the sagebrush steppe ecosystem in the western United States and Canada. Land use changes, as well as energy development, invasive plants, and altered fire regimes have resulted in long term loss of the sagebrush habitats which are essential to the species' survival. These factors have resulted in recorded range wide declines in greater sage-grouse numbers over the last five decades, increasing the probability of extinction. Sage-grouse are a landscape species that inhabit lands owned and managed by multiple jurisdictions. Thus, the preservation of large tracts of suitable habitat and the management of these areas to maintain connectivity between populations along with the ability to document the effects of collaborative actions on population trends are imperative	All	Both	emc0099GB
134.	In 2010, the greater sage-grouse was designated by the U.S. Fish and Wildlife Service (FWS) as a candidate species for listing under the Endangered Species Act (ESA, 75 FR 13910). However, a litigation settlement requires the FWS to revisit this decision by September, 2015. One of the main factors identified by the FWS in the 2010 designation decision was that contemporary regulatory mechanisms were inadequate to conserve the greater sage-grouse and its habitat across its range. This factor posed a significant threat to the species. Because the majority of greater sage-grouse habitat is under the management purview of BLM and FS, the agencies have proposed to incorporate consistent objectives and conservation measures for the protection of greater sage-grouse and its habitat into relevant RMPs and LMPs by September 2014. These actions are intended to address the FWS concerns and thus avert a potential listing of the species as threatened or endangered under the ESA. We commend the BLM and FS for taking such proactive actions, but contend that the end state of this process should be implementation of conservation measures for the protection of greater sage-grouse and its habitat in relevant RMPs and LMPs that ensure the long-term viability of sage-grouse populations. We argue that if the planning actions fully consider measures which ensure long-term species viability listing the species under the ESA would not be required.	All	Both	emc0099GB
135.	1st bullet point: The use of the Western Association of Fish and Wildlife Agencies (WAFWA) Conservation Assessment of Greater Sage-grouse and Sagebrush Habitats (Connelly, et al. 2004) is useful, but outdated. TWS recommends that FS and BLM review and incorporate information synthesized in Studies in Avian Biology, Volume 38 (Knick and Connelly 2011). Currently, the criterion used to develop the preliminary plan omits several key points. We further recommend that the BLM and FS rely on peer-reviewed sources to provide the foundation for this effort so as to most accurately reflect the current research and management knowledge.	All	Both	emc0099GB
136.	13th bullet: The Federal Register notice states that BLM and FS efforts will result in… "coordination to determine appropriate local and regional management strategies that will enhance or restore greater sage-grouse habitats." This seems to be an admission that BLM and FS past management actions have had long-term cumulative effects on sage-grouse and that the only mechanism left is habitat restoration. We argue that, given the contemporary wide-spread distribution of the species and relatively large areas that still provide key sagebrush habitats, long-term conservation of the species is possible (Connelly et al. 2011). Because sage-grouse are a landscape species that inhabit lands owned and managed by multiple jurisdictions, the preservation of large tracts of suitable habitat and the management of these areas to maintain connectivity between populations as well as the ability to document the effects of collaborative actions on population trends are imperative. Thus,	All	Both	emc0099GB

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	it may be more economically feasible to protect the best habitats, than try to recreate them later.			
137.	The preliminary issues being considered to protect sage grouse include habitat management, energy production, hardrock and industrial minerals, rights-of-way, renewable energy, wildfires, invasive weeds, grazing, off-highway vehicles and recreation. Many are the usual suspects as charged in the anti-logging, anti-development campaign to protect the spotted owl.	All	Both	emc0087GB
138.	What part have the central planning agencies played in the decline of sheep ranching? Since sage grouse must consume soft-tissue foods, they used to thrive on sheep droppings. Fewer sage grouse, so apparently the central planners have to restrict mining. Ravens, perhaps the primary predator of sage grouse, are now on the protected species list. The surging raven population is further decimating sage grouse. An evident solution is restrictions on cattle ranching. With the subsequent fuel load buildup, fire years scorching hundreds of thousands of acres are now common. Sage grouse are lost in those infernos. So... restrict off-highway travel and recreation.	All	Both	emc0087GB
139.	On reviewing the Form, the grouse population count data are very instructive. The count, in seven management zones across eleven states, incorporates data from 2002 through 2008. The Form notes new counts were conducted in 2010, but does not report those numbers. Trends are discussed for two pages, with no clear and hard summaries. Preliminary review of many of the referenced articles indicates they are local and do not extend to range-wide conclusions. The lack of standard data impedes everyone's ability to diligently analyze both the data and the conclusions. If the tabulated numbers are to be accepted, approximately 535,000 sage grouse exist across the eleven states. Within the California/Nevada zone, the 2004 count is listed as 88,000.	All	Both	emc0087GB
140.	It is not clear how or if the BLM land use planning process will review and reconsider the identified priority and general sage-grouse habitats. It is our understanding that these were identified at the state level and it is not clear if the data used were reviewed by the BLM field offices and field-checked. As part of the planning process, the BLM should, at a minimum, conduct field work to verify the mapping and refine it as necessary. Since the BLM is proposing to delay ROW actions and/or prohibiting activities within priority areas, it is critical that these are accurately identified.	All	Both	emc0090GB
141.	Consider the circa May 14, 2011 (or later-dated) 5.3-mile 100% Breeding Bird Density (BBD) radius around all leks as a start, with intact sagebrush habitat buffered by Category 2 and other designations (see next bullet). Exceptions might be where radius takes in active mine areas. However, grouse use has been documented on post-active Dee Gold Mine reclamation in the past, as an example, but area is getting busy again. (Buckhorn Mine relamation?) I am starting to see some merit in the BBD as long as it is tempered with linkage to outlying critical summer/late brood-rearing and fall/winter habitat (Ken Gray documents 38 miles between summer and winter habitat through telemetry on Tuscarora PMU.) - Anything in a given previously-burned native/seeded grassland-dominated area within the 5.3-mile BBD radius shows the importance of trying additional ways to get sagebrush and other shrubs (bitterbrush) back on site in the future on a priority basis, as needed.	All	Both	emc0101GB
142.	I am writing to you to express my concern about resources utilization and the effects on Greater Sage-grouse. With their habitat shrinking, and what remains under increasing threats, it is very important to minimize impacts to this species. I understand that you are developing a conservation plan for Greater Sage-grouse. I urge you to do this in a very conservative manner with protection of the species as the primary goal.	All	Both	emc0102GB
143.	Protecting habitat should also include reserves where the primary purpose is protecting habitat and helping the species remain	All	Both	emc0102GB

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	stable or even increase in numbers. Too often protection of Sage-grouse is a lower priority than other uses and so we need places where the birds are the number one concern.			
144.	Key to the development of alternatives and mitigation measures is the identification of various types of habitat areas and their condition. It should be clearly noted where more data needs to be collected and build alternatives around current and future potential occurrences of outdated information.	All	Both	emc0103GB
145.	Conservation Measures should be specific. There has been much work performed on measures specific to analysis and enhancement of habitat quantity and quality. Conservation measures need to focus on these types of measures instead of being solely stipulation focused. These types of conservation programs can then be analyzed as alternatives (i.e. restoration of targeted critical habitat areas affected by fire, etc.). The Nevada Department of Wildlife has provided input to conservation plans that deal with quantity and quality of sage grouse habitat. These plans should be incorporated into the conservation measures of this EIS and associated RMPs.	All	Both	emc0103GB
146.	Alternatives could include programs such as incorporating no net habitat loss. A current survey of habitat in the proposed project area would provide relevant data for habitat classification according to established standards. The proposed action would be required to demonstrate avoidance whenever possible and mitigate any loss through an established or approved restoration program.	All	Both	emc0103GB
147.	A stated objective of the Report is to "Conserve, enhance or restore sage-grouse habitat and connectivity" and to "Restore historical habitat functionality …". Restoration and historical habitat functionality must be quantifiable to levels documented in relevant data. Furthermore, data utilized to designate "historical" greater sage-grouse distribution should be peer reviewed for relevance and adequacy	All	Both	emc0103GB
148.	The EIS must clearly define, in all alternatives, habitat types, boundaries and rationale for proposed setbacks and/or buffer areas. The EIS should also identify the methodology for determining bird density, the confidence and soundness of that data and its reproducibility.	All	Both	emc0310GB
149.	The EIS and its alternatives must stress national consistency with the various types of conservation measures, while providing sufficient recognition of habitat conditions and sage grouse populations by sub region. This will insure the flexibility required to consider local conditions during implementation.	All	Both	emc0310GB
150.	The EIS must define and provide the scientific basis and management implications for the goal to "manage or restore priority areas so that at least 70% of the land cover provides adequate sagebrush habitat to meet sage grouse needs".	All	Both	emc0310GB
151.	For perhaps for the first time, agency-generated sage grouse occurrence and habitat maps will be widely available to the public. This may reduce overall bird numbers due to more concentrated hunting in a key area. The EIS and its alternatives should analyze impacts to the species as a result of this potential for concentrated pressures from hunting.	All	Both	emc0310GB
152.	For perhaps for the first time, agency-generated sage grouse occurrence and habitat maps will be widely available to the public. This may reduce overall bird numbers due to more concentrated hunting in a key area. The EIS and its alternatives should analyze impacts to the species as a result of this potential for concentrated pressures from hunting	All	Both	emc0310GB
153.	Sage grouse needs some forage planted such as alfalfa and grass to prosper.	All	Both	emc0403GB
154.	It has been our experience and our parents and their parents that have lived in this area have always maintained that Sage	All	Both	emc0389GB

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	Grouse populations fluctuated though out the past.			
155.	Comments on "A Report on National Greater Sage-Grouse Conservation Measures" produced by the Sage-Grouse National Technical Team One of the objectives of the NTT report is to manage priority sage-grouse habitats so that discrete anthropogenic disturbances cover less than 3% of the total sage-grouse habitat regardless of ownership. Additionally, in priority habitats where the 3% disturbance threshold is already exceeded, to prohibit further anthropogenic disturbances until enough habitat has been restored to maintain the area under this threshold. This is a problem because it has the potential to prohibit development in vast tracks of public lands for years, if not decades, regardless of the status of the species, its habitat, or the specific impacts or mitigations from any such proposed development.	All	Both	emc0108GB
156.	The EIS should take a good hard look at the best available scientific data on habitat fragmentation in regard to sage-grouse populations. Protecting the species in constrained and isolated communities may be insufficient in the long term. Do certain types of fragmentation have far greater impact than others; for instance, are transmission line corridors more harmful than roadways or are mining operations more harmful than fossil fuel or geothermal drilling operations?	All	Both	emc0121GB
157.	The EIS should examine the "checkerboard" pattern of land ownership associated with the railroad ROW's that were granted in the 1800's. Does this pattern of land usage have a negative impact on sage-grouse populations or the ability to implement effective methods to protect them?	All	Both	emc0121GB
158.	Methodology of monitoring – should be flexible enough to allow local input and modifications on the adaptivity of the species	All	Both	emc0126GB
159.	We strongly support off-site mitigation for projects that impact sage-grouse habitat	All	Both	emc0126GB
160.	The historic numbers (from the 30s-50s) used for projected sage grouse populations are distorted and impossible to achieve today. - Those numbers came from a time when sage grouse predators were almost nonexistent due to the fact that the sheep and cattle producers were very proactive in predator control, using methods that aren't available or even legal today. - Prior to the onslaught of development, more habitat was available in the past. With so much traditional sage grouse habitat swallowed up with urban sprawl and essential farming operations there just aren't the acres of habitat available to sustain those historic numbers.	All	Both	emc0127GB
161.	n semi-arid rangeland regions vast extremes in precipitation often occur, especially during the major growing season for forbs, which is late March to early July. This variation can be as high as 300% between seasons, years, and groups of years. The resulting variation in production of plant species, especially annual and perennial forbs, can cause extreme variability of Greater Sage Grouse (GSG) reproduction levels.	All	Both	emc0388GB
162.	When I compare the consistent and desirable precipitation and abundant forb vegetation during the growing season on GSG habitat in Montana and Wyoming to the Great Basin, it makes one wonder if the Great Basin area plant ecology may be on the cutting edge of desirable habitat for the GSG.	All	Both	emc0388GB
163.	the ESA does not provide for the cost of a mitigation strategy to preclude its implementatlon, funding to implement strategies is none the less naturally limited. Our continued ability to serve a broad spectrum of multiple-use industries is crucial to	All	Both	emc0396GB

Table C-4.A
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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	maintaining their ability to provide beneficial habitat management and their financial viability to implement appropriate mitigation measures.			
164.	Our ratepayers grow weary of bearing the vast majority of the cost of salmon and steelhead mitigation while sportsmen and commercial fishing contribute very little to species recovery. This same problem is very evident in the sage grouse debate as many times utilities, ranchers and other commercial interests are asked to contribute most of the funding for mitigation and habitat improvement while the sportsman that hunt these species are not contributing a commensurate amount. \While we understand the right of the sportsman and the concept of multiple use, it seems very odd that hunting these birds, even though it is considered low impact. surely cannot help in the effort to improve populations of the sage grouse in these areas	All	Both	emc0396GB
165.	Areas which provide habitat for nesting and brooding should be defined in a similar fashion	All	Both	emc0396GB
166.	Please do what you can to preserve, protect and restore habitat for the Sage-grouse	All	Both	emc0183GB
167.	Regarding recreation, the plan amendments should direct local land managers to cooperate and coordinate with local governments and affected stakeholders to establish achievable goals for protection of the Grouse (lek /nest disturbance, wintering areas and sage habitat degradation) and to mitigate potential affects upon recreation through closure of existing, inventoried and managed routes.	All	Both	emc0199GB
168.	The analysis should also disclose impacts of the hunting of the Grouse, which is still allowed in at least 8 of the 11 states where it is found. Importantly, Sage Grouse conservation efforts such as seasonal restrictions and bag limits have been quite successful in maintaining healthy populations.	All	Both	emc0199GB
169.	There are many reasons for their decline and the reasons vary from predator consumption, weather cycles, chemicals etc.	All	Both	emc0311GB
170.	Greater sage-grouse are unique to the sagebrush steppe ecosystem in the western United States and Canada,and are a landscape species that inhabit lands owned and managed by multiple jurisdictions. Thus, the preservation oflarge tracts of suitable habitat and the management of these areas to maintain connectivity between populations along with the ability to document the effects of collaborative actions on population trends are imperative.	All	Both	emc0398GB
171.	The BLM and USFS will utilize the Western Association ofFish and Wildlife Agencies Conservation Assessment of Greater Sage-grouse and Sagebrush Habitats (Connelly, et al. 2004), and any other appropriate resources, to identify greater sage-grouse habitat requirements and best management practices. We suggest BLM and the USFS consider the findings published by Utah Wildlife in Need in Contemporary Knowledge and Research Needs Regarding the Potential Effects of Tall Structures on Sage-grouse (Centrocercus urophasianus and C. minimus) UWIN 2010). UWIN learned during its study "that there were no peer-reviewed, experimental studies designed specifically to evaluate the landscape effects oftall structures on sage-grouse" [emphasis in original]. This is significant in that BLM and the USFS are undertaking a process to establish greater sage-grouse and sagebrush management strategies in the absence of scientific knowledge on the effects of tall structures on greater sage-grouse.	All	Both	emc0399GB
172.	Avian and mammalian predation and hunting both have the potential to reduce population-level survival of greater sage-grouse. PCW's greater sage-grouse study evaluates cause-specific mortality when possible. Mortality for most seasons and for most grouse age cohorts is predominantly attributed to avian and mammalian predators. During fall hunting seasons, in areas of PCW's study site open to hunting, up to 30-40% of tagged birds are killed by hunters. These hunting mortalities	All	Both	emc0399GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	include all ages and sexes of grouse.			
173.	Tall Structures. As previously stated, PCW is unaware of any literature supporting measured avoidance of tall structures by greater sage-grouse. Literature regarding this issue is lacking and where it exists is contradictory. BLM should strike tall structures as an anthropogenic disturbance until the scientific evidence resolves this issue. Utah Wildlife in Need provided a robust summary of what is known regarding the response of greater sage-grouse to tall structures. The UWIN report should be reviewed prior to making statements regarding the impacts of tall structures.	All	BLM	emc0399GB
174.	Raptors Perching on Power Lines. The NTT Report claims that lek abandonment may increase if leks are repeatedly disturbed by raptors perching on power lines near leks (Ellis 1984). Ellis (1984) does not make any reference to raptors perching on power lines near leks, but rather a single observation of a golden eagle that was perched on the ground and flew adjacent to the lek and landed on a pump jack, causing some greater sage-grouse to flush and others to crouch. Greater sage-grouse continued to display within 30 minutes of the eagle perching. Ellis (1984), as are a number of other studies, is often misreported or misinterpreted.	All	Both	emc0399GB
175.	PCW disagrees that all management actions have negative effects. For instance, we have found in our studies that certain sagebrush treatments, such as Spike® treatments or mechanical thinning, may have beneficial effects to greater sage-grouse. Others have also observed beneficial effects from management actions. PCW agrees that in order to monitor effects to greater sage-grouse and its habitat, both beneficial and adverse, that BLM should establish standardize monitoring protocols, including standardized sampling protocols for collecting habitat measurements at the project level. Standardized sampling protocols will allow assessment of impacts at the landscape level across projects and across Field Offices	All	Both	emc0399GB
176.	History has shown that species populations continually rise and fall, due to various factors, including weather, predators or disease.	All	Both	emc0372GB
177.	Future strategies should recognize the statement from the Conservation Assessment of Greater Sage-grouse and Sagebrush Habitats (Connelly, et al, p. 13-8) that "Sagebrush habitats cannot return to some pre-settlement condition because many of the parts are no longer present or the sagebrush ecosystem has gone past a threshold from which recovery is not possible." Do not lay out strategies that are impossible to accomplish. Recognize the present conditions of the ecosystem, and work from that base, not pre-settlement conditions.	All	Both	emc0386GB
178.	Recognize that "we lack the information needed to better understand the underlying processes of sagebrush ecosystems at multiple scales (Connelly, et al p. 13-11) Do not develop strategies with an underlying assumption that ecosystem processes are understood.	All	Both	emc0386GB
179.	While we acknowledge there are fewer sage-grouse today we also believe there are several factors involved in their decrease.	All	Both	emc390GB
180.	I support the provision mandating that any "anthropogenic disturbances" cover less than 3% of the total sage grouse habitat.	All	Both	emc0184GB
181.	The past dry years have allowed sagebrush to squeeze into the tiny wet meadows where the hens take their young chicks to forage. These small wet meadows need some help to get the sage out..	All	Both	emc0406GB
182.	A landscape approach that uses science-based landscape ecological assessments and objectives to drive land use decisions. This includes determination of areas of high ecological value, e.g. sage grouse core areas, where incompatible uses should be	All	Both	emc0407GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	avoided, areas where certain uses are appropriate if impacts can be minimized, and identification of those areas that that could provide the best opportunities for mitigation investments. Such assessments must accurately measure landscape disturbance and must measure it in a cumulative fashion, including estimated future impacts of activities being considered. A robust assessment of cumulative impacts is essential;			
183.	We recommend that in the process of revising specific RMPs and LMPs to incorporate sage-grouse concerns, that strong consideration be given towards using administrative designation to set aside the highest priority areas for sage-grouse, including breeding, brood-rearing, migration, and wintering areas .)	All	Both	emc0407GB
184.	There is still an open hunt in Idaho. They claim that hunters don't kill enough birds to be significant. (around 7000)the last I heard. I don't know what they think is significant but hunting practices have changed as well. I see hunters riding double on ATV's and riding in jeeps on all four corners. When a group of birds gets up they kill a lot of them with their 10 or 12 gage mag with a full choke. Then they are mobile enough to watch where they land. When they finish they have killed the entire brood. That may be more damaging than the number they kill.	All	Both	emc0377GB
185.	Unless there is very specific information about affected sage-grouse populations and their habitat, the EIS will likely have information that is broad and too general to pinpoint habitat status and need to target measures to help ensure "healthy" populations. I think that the USFWS would want to see something specific per affected area on a priority basis. Background info as appendix items as selected or referenced, for example, Federal Register and latest BLM Strategy, latest Ims. Don't need to continually re-address life history, etc. Otherwise PMU Summary at a minimum as BLM has massive volumes of guidelines, plans, strategies, assessments, etc. dating back to, at least, Year 2000.	All	Both	emc0101GB
186.	In our area, sage grouse numbers peaked in the 1950-60's and have since fluctuated greatly. For history to repeat itself, meaning if we want the same number of birds as in the past, then we need to, if possible, simulate historic conditions. Sage-grouse numbers peaked because of the perfect sage-grouse storm: 1. due to grazing pressure rangeland health was generally poor, but with the reduction in AUM numbers rangeland health was in an upward trend, 2. Predators were actively controlled, 3. Landscape scale range rehabilitation projects were conducted, and 4. water was more abundant. Since the 1940-60's, livestock AUMs on BLM property has steadily declined, predators have increased, pinion/juniper encroachment and woody species have increased, small springs and streams have decreased from the increased water use by woody species, and the BLM has reduced the number of large landscape treatments	All	Both	emc0165GB
187.	In conclusion, sage grouse populations will be sus.tainable if the BLM addresses pinion/juniper encroachment, decadent sage brush stands and water development	All	Both	emc0165GB
188.	There are two main goals that need to be addressed: reduced sage grouse mortality, and increased habitat.	All	Both	emc0172GB
189.	There are three main causes of premature sage grouse death: predators, people and climate change.	All	Both	emc0172GB
190.	People have a negative impact on sage grouse. More than once I have nearly killed sage grouse driving. On roads that can be traveled at speeds greater than 25 MPH, it is very important to have good ditches to remove the water that attracts grouse.	All	Both	emc0172GB
191.	I think all lek information should be removed from public record just like with caves. We don't want the public to "love" the birds to death.	All	Both	emc0172GB

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Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
192.	Increasing quality habitat is important for sage grouse. I mainly see grouse around dirt tanks and water troughs. I think it would be ideal to provide sage grouse water along rancher's water lines. A location could be picked based on the amount of available cover, and distance from high speed roads. Thought would have to be given to season of use so that the lines don't freeze up. If there was an OHV system nearby funding might be able to come from them to help mitigate their disturbances. Funding would be needed for pipe extension and to defray electricity costs to pump water.	All	Both	emc0172GB
193.	Much consideration needs to be given to livestock grazing systems. Grazing pastures the same time every year can change the shrub to grass component percentages. Grazing in the late fall through winter generally increases the grass component, and decreases the sage and other brushes. Grazing in the spring and early summer decreases the grass and increases the shrubs. Sage grouse need the sage brush, but they also need the grass and forbs. If a prescription is given to never graze a given pasture in the spring for sage grouse strutting, nesting and rearing activity, that pasture will decrease in sage brush and increase in grass. A better system may be to allow grazing in the spring only once every four to five years.	All	Both	emc0172GB
194.	Predation also is not ranked as high on the "threats" graph but raven predation could be a major factor in grouse chick survival in this area.	All	Both	emc0173GB
195.	As noted, sagebrush densities appear to be lower in here as compared to many areas in Utah and Wyoming. A lower density of good brush cover combined with more dispersed succulent food and water sources may mean that sage grouse broods travel further and are more exposed to predation than in better grouse habitats.	All	Both	emc0173GB
196.	Fencing: Benefits to grouse broods could be provided by fencing of key habitats, such as taller, denser sagebrush stands, especially in water overflow areas, to protect the areas from cattle use. This could be seasonal technique that would have to be coordinated with the overall rest-rotation or other grazing system but it could be done. Fences could be buck and pole or split rail if they are in key areas near leks.	All	Both	emc0173GB
197.	Toxic pesticides specifically furadan was used for yeas. The EPA banned furadan in 1991. The toxicity is horrendous, it not only kills pests-insects, but anything that eats a pest that has eaten furadan dies. It is even highly toxic to verebrae. FMC is one of the most diversified chemical companies and is/was the maker of furadan to control grasshoppers. As of Janurary 1, 2010, furadan can no longer be used on any crops nor can it be sold legally. What affect over the years has this product had not only on sage grouse, but many other animals on the endangered species list?? There are so many factors involved in the sage grouse reclamation and many have not been addressed fully.	All	Both	cfc0003RM
198.	I expect part of the scoping process will include a consideration of the amount of disturbance to habitat and breeding by various human activities.	All	Both	emc0002RM
199.	Braun "estimates a viable population of approximately 2,000 birds needs around 400 square miles of unbroken habitat."	All	Both	emc0012RM
200.	relevant and llsefulliteralurc review (Tord l et al. 2002) identifies studies and research where empirical data has and has not been collected. which can be helpful in considering known facts about sage grollse and their habitats. Torell. LA .. J. A. Tanaka. N Rimbey. T. Darden. L. JI(m Tassell. and A. , :/r"l}. 2002. Ranch level impacts of clwn~illg grcdng policies 011 BLMland /0 pro/ecl/lie Gre(uer SageGrouse: evidel1ceJrom Idaho. Nevada, and Oregon. PACWPL Policy Paper	All	Both	emc0136GB
201.	The scale at which these maps were created is very broad, and to use these on project level planning allows the opportunity for quality habitat to be impacted negatively. We would strongly suggest the BLM visit and thoroughly investigate any	All	Both	emc0059RM

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	proposed project locations, prior to any projects or decisions, to verify the quality of habitat.			
202.	Sage grouse lek locations, habitat quality, as well as how the birds move through these habitats changes through time, therefore, the EIS needs to account for these changes and allow for flexibility in the maps as well as the management strategies.	All	Both	emc0064RM
203.	The scale at which these maps were created is very broad, and to use these on project level planning allows the opportunity for quality habitat to be impacted negatively. I would strongly suggest the BLM visit and thoroughly investigate any proposed project locations, prior to any projects or decisions, to verify the quality of habitat.	All	Both	emc0064RM
204.	I strongly urge the reclassification of isolated areas of "priority general habitat" that lie completely within priority habitat areas to include them within the surrounding priority habitat. The NTT document makes it a priority to "conserve, enhance or restore sagegrouse habitat and connectivity", it discusses how roads within the sage-grouse range lead to the fragmentation of habitat, and how mineral development and sage brush treatments can also lead to the fragmentation of habitat. It's clear that fragmentation of habitat is a major issue and I believe modifying the map to reflect this would not only protect the integrity of the continuous uninterrupted priority habitat but also the corridors that connect habitats.	All	Both	emc0064RM
205.	The 3% disturbance should be calculated within the priority habitat for a given lek and not the priority habitat as it is connected to other leks. Calculating the 3% this way will ensure that only disturbances within a 4 mile proximity will be included and not disturbances beyond that range.	All	Both	emc0064RM
206.	I don't believe off-site mitigation should be an option for allowing additional impacts to habitats that already meet or exceed the 3% threshold. Sage-grouse exhibit a high level of sight fidelity. To force the grouse to move to different habitats will lead to reduced populations.	All	Both	emc0064RM
207.	I am submitting this comment to discourage any action to list the sage grouse on the species of concern or endangered by any agency or group. The sage grouse has had cycles of ups and downs over the history of record keeping for the sage grouse. Any one can make statistics show what their agenda wants and I would hope that we keep the bird off any list. Any action would impact private landowners and rural and local governments.	All	Both	emc0109RM
208.	No amount of habitat cover will protect them from the West Nile virus.	All	Both	emc0139GB
209.	West Nile Virus (WNV). Although there is little the BLM and Forest Service can do to control WNV, it is important to discuss its impacts on sage grouse, monitor for the disease in populations, and continue to research methods of control. Hopefully, something will become available that allows for eradication of this disease.	All	Both	emc0142GB
210.	Each leck of birds should be studied separatly, and not combined with a western region, on state study. Making blanket decisions based on large areas of sage grouse activities, will not create management decisions, necessary to pinepoint the real reason, populations are changing each year	All	Both	emc0143GB
211.	The report does not indicate that populations outside of the developed areas were assessed to account for the possible effects of such factors on studied sage grouse populations	All	Both	emc0168GB
212.	No real science is being used to study the bird. For instance, it has been found that sage hens eat Mormon crickets. If we use poison on the Mormon crickets, and the hens eat the crickets, are we threatening an already diminishing bird, polluting the earth with more chemicals, and destroying a natural predator?	All	Both	emc0170GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
213.	Reliable population estimates are needed for managers to make appropriate decisions and understand the effects of actions on a particular site. In many areas, these data are lacking for specific local populations. In addition, scientific and professional literature pertaining to sage- -grouse contains some scientific uncertainties (Connelly et al. 2000c, Schroeder et al.1999). There is a lack of understanding of how sage---grouse use some important components of their habitats at the landscape level (Wambolt et al. 2002; PACWPL Policy Paper SG-02-02).	All	Both	emc0179GB
214.	Forbs are also a critical source of food for young chicks. During spring, important forb species include common dandelion (Taraxacum officinale), yellow salsify (Tragpopogon dubius), prairie pepperweed (Lepidium desiflorum), clover (Trifolium spp.), knotweed (Polygonum spp.), alfalfa (Medicago sativa), yarrow (Achillea spp.), sweet clover (Melilotus spp.), vetch (Vicia spp.), milk vetch (Astragulus spp.), and prickly lettuce (Lactuca serriola) (Schroeder et al. 1999).	All	Both	emc0179GB
215.	Dwindling sage grouse numbers indicate the need for the highest level of protection. They are among a number of organisms that have declined due to poor land management and wildlife protection. A number of things need to be done, such as, identifying priority habitat that includes breeding, brooding, and winter habitat necessary to support and expand the sage grouse population, reducing livestock grazing and vegetative treatments that reduce the native species they need and keeping their habitat free of energy production and generation.	All	Both	emc0203GB
216.	We can not afford to harm sage grouse populations anymore, we must support the preservation of all of thier breeding and living areas. Gas and Oil will come and go. One day all energy will be sustainable and no fossile fuel energy will be used. But will we have the sage grouse and other wildlife? Please see the long term, fossile fuel is relatively temporary and the losses we sustain from it in wildlife and water supply pollution are permanent. Do not intrude on sage grouse living and breeding areas.	All	Both	emc0206GB
217.	Sage grouse numbers were higher and stronger when cattle numbers were high, wide spread predator control and selective burning was at its highest. With cutting back on grazing, no control burns and less predator control the sage grouse numbers are going down.	All	Both	emc0207GB
218.	The West Nile Virus epidemic of a few years ago had a devastating effect on the sage grouse population. There were many sick and dying or dead birds. Never before this time or since have I been able to drive up alongside and stop by a sage grouse standing on the highway and has it not flown. Unfortunately, this obviously sick bird was later hit by a car. The Corvidae family of birds is a known carrier of West Nile Virus.	All	Both	emc0208GB
219.	I am in complete objection to the listing of the sage grouse on the endangered species list. First of all the birds populations far exceeds the criteria to be listed by the hundreds of thousands in Nevada alone. Second is the direct impact that it will have on the economy of the western United States. The proposed plans that the government has to protect the birds will have a direct opposite affect of which they are trying to achieve and will totally eliminate the species within a ten year period, cost the tax payers billions of dollars in fire fighting expenses and reconstructing of the land which will make the environment worse and worse as far as pollution and land destruction.	All	Both	emc0210GB
220.	To better understand the Sage Grouse issue, the Lassen MC would like the environmental documentto address the following: • What has been the decline of the Sage Grouse numbers at 5, 10 and 25 years ago? • What have been the Sage Grouse takes from hunting activities at 5, 10 and 25 years ago? • If there has been a reduction of Sage Grouse habitat, how has the habitat declined at 5, 10 and 25 years? • Are there other impacts to Sage Grouse causing the decline in numbers such as disease, increase in natural predators, fire or	All	Both	emc0214GB

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Comments Related to Greater Sage-Grouse in General

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	the lack of fire on the landscape?			
221.	We have approximately 250 miles of fence on our ranch and we ride or drive each mile at least 1-2 times a year and some areas get patrolled many times a year. In almost 50 years of checking fences I don't recall ever finding an injured or dead sage-grouse by a fence. I find it hard to believe that fences are a major threat to sage-grouse.	All	Both	emc0215GB
222.	Reliable population estimates are needed for managers to make appropriate decisions and understand the effects of actions on a particular site. In many areas, these data are lacking for specific local populations. In addition, scientific and professional literature pertaining to sage- -grouse contains some scientific uncertainties (Connelly et al. 2000c, Schroeder et al.1999). There is a lack of understanding of how sage---grouse use some important components of their habitats at the landscape level (Wambolt et al. 2002; PACWPL Policy Paper SG-02-02).	All	Both	emc0159GB
223.	Reliable population estimates are needed for managers to make appropriate decisions and understand the effects of actions on a particular site. In many areas, these data are lacking for specific local populations. In addition, scientific and professional literature pertaining to sage- -grouse contains some scientific uncertainties (Connelly et al. 2000c, Schroeder et al.1999). There is a lack of understanding of how sage---grouse use some important components of their habitats at the landscape level (Wambolt et al. 2002; PACWPL Policy Paper SG-02-02).	All	Both	emc0222GB
224.	Reliable population estimates are needed for managers to make appropriate decisions and understand the effects of actions on a particular site. In many areas, these data are lacking for specific local populations. In addition, scientific and professional literature pertaining to sage- -grouse contains some scientific uncertainties (Connelly et al. 2000c, Schroeder et al.1999). There is a lack of understanding of how sage---grouse use some important components of their habitats at the landscape level (Wambolt et al. 2002; PACWPL Policy Paper SG-02-02).	All	Both	emc0209GB
225.	Finally, any sage grouse conservation plan is incomplete without objective targets of both sage grouse population and habitat acres.	All	Both	emc0216GB
226.	Also, many of the older local ranchers remember when there were no significant numbers of sage grouse. It wasn't until the ranchers put in meadows and they began to flourish.	All	Both	emc0238GB
227.	We understand the desire of these agencies to protect and enhance the sagebrush habitat as a means to protect the sage grouse. We cannot help but point out the irony that in eight states it is legal to hunt and kill sage-grouse. Perhaps before deciding to lock up millions of acres of federal lands in an effort to save the sage-grouse, a temporary moratorium on the killing of the sage-grouse might be a more appropriate step. When the American eagle was on the endangered species list, stiff federal fines were levied against anyone convicted of killing an American eagle. Until the sage-grouse population has been revived, maybe it should be afforded similar protection.	All	Both	emc0324GB
228.	The BLM should also utilize existing data developed in Wyoming regarding sage-grouse populations and energy development. Four studies were prepared by Hayden-Wing Associates and Taylor Environmental Consulting LLC and were conducted using the most current publicly available data on lek attendance in developed oil and gas fields maintained by Wyoming Game and Fish Department and Wyoming Oil and Gas Conservation Commission. These studies, identified below, have been subjected to formal peer review by highly respected wildlife journals; and, we urge they be utilized as an integral part of the agency's analysis processes.	All	Both	emc0166GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	1. Human Impacts And Multilevel Processes In Greater Sage-Grouse Population Dynamics - Harju, Dzialak, Taylor, Clark, Hayden-Wing, and Winstead. 2. Factors Affecting Lek Occupancy Dynamics In Greater Sage-Grouse- Clark, Taylor, Dzialak, Hayden-Wing, Harju, Sutter, and Winstead. 3. Thresholds Of Energy Development And Greater Sage-Grouse Populations - Harju, Taylor, Dzialak, Clark, Hayden-Wing, and Winstead. 4. Identifying And Prioritizing Greater Sag-Grouse Nesting And Brood Rearing Habitat For Conservation In Human-Modified Landscapes - Dzialak, Olsen, Harju, Webb, Mudd, Winstead, and Hayden-Wing. Contrary to the conclusions reached in other studies, findings contained in these studies clearly demonstrate that energy development and viable sage-grouse populations can successfully co-exist when reasonable mitigation measures are utilized during exploration, development and producing activities.			
229.	Given the extent of planning, studies, and analysis that has been prepared in Wyoming regarding the greater sage-grouse, the BLM should be sure to utilize the existing data to the greatest extent possible. This is particularly important because the sage-grouse conservation measures developed by the State of Wyoming have received extensive support from both the Secretary of the Interior and United States Fish and Wildlife Service.	All	Both	emc0166GB
230.	BRC concludes the Grouse has been intensively studied for the last 60 years and there are a number of factors that have been identified as major contributors to the decline of the species. These include but are not limited to: · Habitat destruction/modification thru urbanization/fragmentation · Introduction of invasive plant species · Intrusion of Juniper ecotype · Wildfire and fire management including prescribed burns · Predation · Fragmentation from fences, power-lines, roads and other infrastructure · Hard and liquid mineral leases and development · Grazing · Wild horse/burro management · Disease (including West Nile Virus (WNV))	All	Both	emc0227GB
231.	The minimum effective population for greater sage-grouse to guard against the risk of extinction was determined by the FWS to be 5,000 birds (12-Month Findings, pgs. 13959 and 13985). The current estimated population is between 350,000 and 535,000 birds (12- Month Findings, pg. 13921), which is 70 to 107 times greater than the minimum effective population. Given the estimated contemporary (1985 to 2007) rate of decline of 1.4% per year (12-Month Findings, pg 13922), it would take 300 to 330 years for the current greater sage-grouse population to dwindle to the minimum effective population of 5,000. Speculating about what might occur three centuries later reaches well beyond the foreseeable future. The greater sage-grouse is not faced with imminent extinction or extinction in the foreseeable future, so is not legally qualified to be listed as either "endangered" or "threatened" under the ESA.	All	Both	emc0256GB

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
232.	There is ample greater sage-grouse habitat within existing Wilderness Areas, National Wildlife Refuges, National Parks, and National Conservation Areas to support the minimum effective population of 5,000 birds. These nationally designated areas are already managed under special regulatory mechanisms that in many instances mirror the proposed mechanisms that current sage-grouse planning strategies recommend for conservation of the species and its habitat.	All	Both	emc0256GB
233.	The EIS must establish population benchmarks for each land use plan that would prevent ESA listing.	All	Both	emc0242GB
234.	We request that the land use plan amendments be single-purpose; limited solely to those associated with sage grouse habitat conservation.	All	Both	emc0242GB
235.	We encourage the BLM to look not only at habitat availability) but also habitat suitability given the energy and mineral potential and other multiple use potential of preliminary priority sage grouse habitat areas. Mineral Potential and Reasonably Foreseeable Development studies should be used to make those habitat mapping determinations.	All	Both	emc0242GB
236.	The Sage-grouse National Technical Team's report "A Report on National Greater Sage-Grouse Conservation Measures" contains several unrealistic findings. For example, on Page 6 and 7, the report states that "Management priorities will need to be shifted and balanced to maximize benefits to sage-grouse habitats and populations in priority habitats." This statement makes conservation of sage grouse the highest priority land use in priority habitats at the expense of all other land uses. If that is the case, great care will need to be taken in the designation of priority habitat. Cooperating agencies and local sage grouse working groups must have an opportunity to review and comment on such habitat designations and the BLM must consider local and state land use plans and policies before establishing priority habitat. Habitat areas should not be designated by outsiders with a "broad brush," but should be based on local knowledge and limited to lands actually being used by sage grouse. Lands documented as having been used only once in the past ten years should not be considered priority habitat. We look forward to an opportunity to review the proposed habitat mapping.	All	Both	emc0242GB
237.	The BLM should provide for management flexibility in order to reduce the need to prepare additional land use plan amendments in the future and allow for land managers to use common sense given site specific conditions. RMP amendments must not become so prescriptive that incorporation of new science and data into management of sagebrush habitats would be restricted absent new planning efforts.	All	Both	emc0242GB
238.	Among the 15 issues covered in the joint letter, we particularly look forward to the opportunity to work with both the BLM and FS to identify important habitats and areas for special designations. Our organization has skills and expertise on sage-grouse, their habitats, and the best landscapes that deserve protection to benefit the species.	All	Both	emc0243GB
239.	The mere presence of sagebrush habitat alone is not sufficient to be classified as sage grouse habitat.	All	Both	emc0400GB
240.	Furthermore BLM must exercise prudence in map development ensure that areas depicted as existing Sage-Grouse habitat reflect existing conditions and are not expanded to include "Historic" range.	All	Both	emc0400GB
241.	Unusually severe predation of Sage Grouse should not be underestimated. Many years of land management decisions involving promotion of rapt or friendly power lines and structures has not occurred without some undesirable affects. These practices for new and previously installed structures should be reviewed and re-evaluated in potential Sage Grouse locations. In addition control programs to discourage corvid nesting and persistence should be considered in specific Sage Grouse areas exhibiting excessive numbers of these birds.	All	Both	emc0400GB

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242.	have not seen any documentation demonstrating that sage grouse populations are still on the decline in Nevada. At a recent BLM oil and gas lease sale, there were several representatives from the BLM that were "knowledgeable" of the Sage Grouse issue and none of them could comment on this. I think that before leases are deferred or withdrawn from any oil and gas lease sale there should be more reason than the area might have the potential to support a specific species that might become threatened or endangered.	All	Both	emc0245GB
243.	In addition, it appears that the definition of species has been seriously compromised in that the "Bi- State" population of Sage Grouse is being considered a separate species and in fact it is not a separate species as defined by most wildlife biologist.	All	Both	emc0245GB
244.	The characteristics of a lek need to be definitively analyzed and esta blished. Buffer zones, where necessary and appropriate, to protect leks should be imposed only when research and local land fianagers deem them to be esserrtial for greater sage-groffie habitat. The size of a buffer zone must be determined on a case-by-case basis and should account for variances irt topogtaphy, current utilization, vegetation and other factors. The perimeter should be defined by an irregular polygorr which reflects conditions. Rather than an arbitrary diarrreter dictated by policy,observation data should he used to derermine the maximum lck buffer perimeter. Areas which provide hahitat for nesting and brooding should be defined in a similar fashion.	All	Both	fxc0006GB
245.	We have observed sage grouse on our Forest allotments on ridges and near water developments and creeks. In the fall on warm days we can find grouse where our cattle have grazed areas around water developments and springs. On cool days the sage grouse can be found on ridges and rocky hillsides with low brush and grasses. Many factors have been listed as possible causes for the decline in sage grouse populations. But nature also has cycles of its own. What is the possibility that this is a cycle in the sage grouse's survival over history? Over the years we have found that cool wet spring weather produces a poor hatch. The last few springs have been cool and wet up into the month of June. That surely has hurt the sage grouse population. Regulation can't correct this problem.	All	Both	fxc0012GB
246.	The government has been managing 87% of Nevada land since the 1934 Taylor Grazing Act. During this BLM managem.ent period, sage grouse populations have peaked and decreased. When the population peaked, therewere many more sheep and cattle grazing on the BLM land, predator control was a major investment with 1080 being used prevalently, fire was used to control total sagebrush thickets, invasion of Junipers and wild horses were controlled and sagebrush range conversion to crested wheatgrass was encouraged. When the BLM' started changing their policies from the past ones to the current ones correlates with the beginning of the decrease of sage grouse populations.	All	Both	fxc0013GB
247.	-We contend that the peak bird populations were man caused through development of meadows and water sources, predator control, and cattle and sheep grazing. The current decline is caused by regulations that are stifling these activities.	All	Both	fxc0013GB
248.	A major defense mechanism is sheer large numbers in winter groups. Early consideration of remnant groups caused some habitat to be abandoned. Now as numbers decline the large group defense mechanism is becoming less effective.	All	Both	cfc0011RM
249.	More work needs done on captive breeding programs, & private enterprise should be allowed participation. While this could eventually result in someone making a profit (antathema to many displaced communist do-gooders) the result could be greater numbers of grouse- the real bottom line!!	All	Both	cfc0018RM
250.	There seems to be too much emphasis on "studying" these chickens. Radio collaaring is not a good idea --too many birds die. A 70% mortalilty rate does not make for a sustainable population.	All	Both	cfc0032RM

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251.	The RMP should take a hard look at places where cattle have been removed to see what impact this has had on the sage grouse. Grazing clears areas the grouse can use as leks. Stock ponds provide water. Disturbance encourages growth that can provide nesting cover the following spring.	All	Both	emc0013RM
252.	Characteristics of wilderness-quality lands such as naturalness, roadlessness, and primitive settings are also valuable characteristics of important sage-grouse habitat. Protecting lands with wilderness characteristics can support the principles for protecting and managing sage-grouse habitat as outlined in BLM's National Strategy and reiterated in IM 2012-043, namely protecting unfragmented habitats and minimizing habitat loss and fragmentation	All	Both	emc0234GB
253.	Under FLPMA, the inventory of resources on the public lands must "be kept current so as to reflect changes in conditions and to identifY new and emerging resource and other values." 43 U.S.C. § 1711(a). FLPMA requires BLM to rely on its public lands inventory when updating land use plans. Id. at § 1711 (c)(4). The REAs will provide key information that will assist BLM in updating and maintaining its inventory of public lands. BLM should incorporate this information into the sage grouse process and use the data in creating a strategy for recovery of the species.	All	Both	emc0234GB
254.	Further, a vigilant science-based monitoring system should be set out in the sage-grouse process in order to address unforeseeable shifts to the ecosystem. "Such intervals and standards shall be based on the sensitivity of the resource to the decisions involved and shall provide for evaluation to detennine whether mitigation measures are satisfactory, whether there has been significant change in the related plans of other Federal agencies, State or local governments, or Indian tribes, or whether there is new data of significance to the plan." 43 C.F.R. § 1610.4-9. Such vigilant monitoring is absolutely necessary in order to create an effective adaptive management framework in the face of climate change.	All	Both	emc0234GB
255.	BLM should recommend that important and sensitive sagebrush ecosystems be protected through conservation designations.	All	Both	emc0234GB
256.	Many of the current and future proposed units of the National Landscape Conservation System overlap with areas containing greater sage-grouse habitat. One way to help ensure protection of the sagebrush ecosystem for the survival of the species is for Congress or the president to expand existing units and designate new units that are added to the Conservation Lands for the conservation, protection and enhancement of these areas.	All	Both	emc0234GB
257.	Ecosystem-based management ofthe Conservation Lands extends beyond the borders to the important and sensitive lands and waters that provide habitat for sage grouse and other wildlife on public lands that may not have adequate management prescriptions in place to allow for the species to survive. BLM has committed to conservation of sage grouse and its habitat and should use Conservation Lands as a tool to achieving those conservation goals and recommend the addition of more conservation areas to BLM's Conservation Lands portfolio in order to facilitate the survival of the species.	All	Both	emc0234GB
258.	Recommendations: BLM should actively research the impacts of climate change and other stressors on sage grouse habitat as part of the strategy to recover populations. BLM's plan should include specific direction for the role that the National Conservation Lands and science can play in addressing and mitigating the impacts of climate change.	All	Both	emc0234GB
259.	We also believe the impact of the pipeline on migratory corridors has been overlooked. While alternative B bisects only a small portion of Montana sage-grouse core area 1, it bisects key migratory pathways for sage-grouse coming from and moving	All	Both	emc0034RM

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	to Canada. Because sage-grouse from core areas 1 and 2 provide 'source' populations for sage-grouse that are federally listed as endangered in Canada, it is imperative that we not disrupt their migration in this region. All pump stations and other permanent structures should be placed a minimum of 2 miles (3.2 km) from the nearest lek, with a preferred distance of >4 miles (6.4 km) from active leks, based upon the best-available data from Naugle et al. (2011). Power lines should be buried whenever possible to decrease impacts from aerial predators. These recommendations hold for all types of oil and gas development within the range of greater sage-grouse and should be applied to the Keystone XL pipeline on BLM lands without exception.			
260.	The petition also notes that the known historic habitat for Sage Grouse is impossible to accurately determine. The BLM has already published a map which identifies all existing range, and probable historic range. We have serious concerns regarding the identification of historic range based on anecdotal information. Even if the anecdotal information is correct the mere presence of Sage Grouse does not mean it was ever a significant species in the areas identified.	All	Both	emc0032RM
261.	We are greatly concerned that conservation and environmental groups have hijacked and abused the Endangered Species Act as way to stymie all "human" development and roll the western landscape back to a pre-European condition. The extent of this strategy is evident by the consideration given to "potential" habitat. While we support collaborative partnership efforts being made to preserve current and proven historic Sage Grouse habitat on a voluntary basis, in effort to conserve the species and avoid a listing, we object to the very concept of "potential" habitat. Potential habitat is just a tool used by those opposed to multiple-uses to lock up public and private lands in areas that may have never supported any populations of Sage Grouse, and for many reasons may not support any Sage Grouse now.	All	Both	emc0032RM
262.	The SG data that I've reviewed does not come anywhere near meeting endangered species criteria. The populations are widespread and for the past five years the populations for the most part are not in an accelerating decline. In fact, in some areas SG populations have increased, and in no regional area can population reductions be considered endangered. A much more data-based region by region analysis must be presented to support the premise that the SG is potentially threatened. Data does not support it and just because one area may be undergoing SG population decline, does not mean an area with a stable SG population should have any restrictive use rules.	All	Both	emc0260GB
263.	The data shows rather dramatically different population trends in different regions. Rather than a "one size fits all" approach to rule making, the BLM should prioritize areas of greatest concern based upon real population data. In other words: 1) regions that have demonstrated stable SG populations for the past several years should not have any special SG protection rules; 2) Regions that have minimal SG population declines should have minimal new sage grouse protection rules. All regions should be monitored to see iffuture additional protections or reductions in protections are required. Regions of greatest concern should have protections that are realistic, but to the largest extent possible, do not significantly impede the normal multiple-land uses for those lands, such as recreation, grazing, logging or mining. I would strongly suggest restrictive rules be kept to a minimum for all areas with strong SG population monitoring, and if population materially declines, then increase protective rules. SG is not in any danger of becoming extinct, so a scalab.le approach to restrictive land use rules is absolutely warranted.	All	Both	emc0260GB

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264.	5) Clarification/suggestions ! Page 7 of the NTT Report states "To reach this objective, it will be necessary to achieve the following sub-objectives for priority habitat: Designate priority sage-grouse habitats for each WAFWA management zone (Stiver et al. 2006) across the current geographic range of sage-grouse that are large enough to stabilize populations in the short term and enhance populations over the long term." On page 9, the NTT Report states "It will be necessary to achieve the following sub-objectives for general habitat: Assess general sage-grouse habitats to determine potential to replace lost priority habitat caused by perturbations and/or disturbances and provide connectivity (Knick and Hanser 2011) between priority areas." Because of the reference to enhancing populations over the long-term and replacing "lost priority habitat", all EISs should depict and quantify the status of all sage-grouse habitats using HAF terminology as to, for example, suitable and occupied, suitable but unoccupied and potentially suitable, irrespective of whether they are priority or general sage-grouse habitats. The approach should be consistent range-wide.	All	Both	emc0113GB
265.	17b) Comment: Activity plans and Habitat Assessments Consider issuing guidance that no activity planning effort will be initiated until a complete HAF evaluation has been completed for the entire planning area under consideration and adjacent sage-grouse habitats that are either part of a sage-grouse population's annual range or that may be impacted by activities in the activity plan area under consideration	All	Both	emc0113GB
266.	22) Comment: Tracking changes in the amount and status of sage-grouse habitat Presumably the BLM will prepare annual or other periodic reports tracking changes in greater sage-grouse habitat, gains and losses in acreage and suitability. During the EIS process, consider identifying what parameters will be tracked for such reporting, and solicit comments for additional parameters that might be considered. In addition to changes traditionally tracked, such as due to fire, restoration treatments, physical disturbance and infrastructure, consider also tracking acoustic and viewshed footprints, and changes in habitat suitability.	All	Both	emc0113GB
267.	However I would like to know whose research, if any, BLM is using in determining your Sage Grouse policy. I have spent many hours of time on BLM land around the Elko/Jackpot area and have seen a vast number of these birds, (which I do Not hunt), from the roads and hiking. The areas where I do not see as many birds, mostly in the nesting season, have a higher concentration of skunk, fox and coyote populations. I have talked to the USFS people in charge of their grouse survey and their numbers do not match with what I see. Possibly, because they are not out and about as much and they are are trying to rely on their tracking collars to much	All	Both	emc0267GB
268.	In preparing the EIS, the County recommends the BLM examine the historic and current impact of predation and natural low recruitment on the overall numbers of the sage-grouse as these impacts and how management can help these other factors is lacking in the GSGCM report. It has been suggested that as the United States federal policy changed over time from the early 1970's, certain tools were eliminated that were used to control certain predator populations such as coyotes, and habitat improvement project are now under-funded. It has also been suggested that because of these policy changes the SGS population numbers in the United States significantly decreased (as documented in research conducted by John W. Connelly,	All	Both	emc0058RM

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	recognized sage-grouse biologist with the Idaho Department of Fish and Game, Blackfoot, ID) because the predators were no longer heavily controlled and other factors have negatively impacted habitats. This research suggests that the high population numbers reported in the late 1960s (showing approximately 350% of the 2003 population according to Connelly) were the result of significant predator control and that the normal population numbers were likely much less. In other words, the EIS should carefully review and present research that examines the rise and fall of the GSG populations with the rise and fall of predator control policy and habitat improvement/management to place rea listic population numbers and other population control factors into context, and not solely place the burden of protecting sage-grouse on the energy industry.			
269.	preservation of the sage grouse is essential to the continued balance of the prarie eco system	All	Both	emc0085RM
270.	With regards to linkages between priority and priority habitats, these linkages should be given a priority status, therefore adding to and extending the coverage and classification of priority habitat. This is given due to an acknowledgement that priority habitats are currently classified due to known lek sites. However, currently considered areas of high priority are also areas in which oil and gas development is taking place on both public and private lands. Therefore, continual and arguably permanent disturbance has already taken. Since the BLM has the only potential to guarantee saved habitat for the Greater Sage Grouse, I argue that more extensive measures need to be taken to define GSG habitat for the next twenty year plan. The current NTT goals and objectives do not address this important consideration, and fall short in the agency's responsibility to protect the Greater Sage Grouse and its habitat.	All	Both	emc0074RM
271.	With regards to linkages between general and general habitats, these linkages should also be given a general status, therefore withdrawing them from further consideration of their status.	All	Both	emc0074RM
272.	When a priority and general linkage overlap, the linkage will default to a priority status.	All	Both	emc0074RM
273.	The first step should be to determine how many sage hens exist in NV. Before a capital heavy study is gone, you should determine if the sage hens are endangered. Maybe there are many birds and this is all a waste of money and time.	All	Both	emc0098RM
274.	First Under the Endangered Species Act (ESA), a species can only be listed as "endangered" if it is in imminent danger of extinction, or as "threatened" if it is in danger of extinction in the foreseeable future. The minimum effective population for greater sage-grouse to protect the species from the long-term risk of extinction range-wide has been determined by the FWS to be 5,000 mature birds, while the minimum effective population on a regional scale has been determined to be 500 breeding adults. See FWS Findings (footnote 4) at pages 13959 and 13985. The proposed EIS process must analyze the current population level in relationship to the minimum effective population. The current estimated population for greater sage-grouse is between 350,000 and 535,000 birds, which is 70 to 107 times greater than the "minimum effective population" of 5,000 birds. See FWS Findings (footnote 4) at page 13921. In fact, given the estimated contemporary (1985 to 2007) rate of decline of 1.4% per year (see FWS Findings (footnote 4) at page 13922), it would take 300 to 330 years for the estimated current greater sage-grouse population to dwindle to the minimum effective population of 5,000 birds. Clearly, the greater sage-grouse is not endangered with imminent extinction, and it is unreasonable to conclude that the species is threatened with extinction in the foreseeable future, so there is no reason to list the greater sage-grouse as "endangered" or "threatened" under the ESA. Comments at a hearing in Elko, Nevada on the evening of March 21 by a USFW representative confirmed that the beginning number for which is being used to establish initial Sage Grouse numbers, which is 2 million, was not based on	All	Both	emc0299GB

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	actual numbers of Sage Grouse but rather an estimated acreage of Sage brush ecosystem for which numbers were extrapolated. This determination is seriously flawed and in fact history has plenty of records to show that this is incorrect. History shows that there were few Sage Grouse in the early to middle 1800's considered pre-settlement and as the lands were settled and agriculture started creating more and more good habitat for Sage Grouse the population started to increase. As livestock numbers increased in the late 1800's and early 1900's the grass base was used enough that more Sage brush was encouraged and again the Sage Grouse population was provided an improving habitat that helped their population expand to a high point sometime in the late 1960's. Because of high numbers of livestock, particularly Cattle, on the public and private rangelands, fire danger was kept to a minimum and few range fires of any size were recorded. There was a positive correlation between cattle numbers and Sage grouse as you can see from Table 1. showing Cattle and Sheep and Sage Grouse numbers. The Sage Grouse data is from written history, the best information available, up to 1970 and then from 1970 on from US Fish and Wildlife Service records. Some University Studies have also shown this positive correlation i.e.; "Anthropogenic and Natural Determinants of the Population of a Sensitive Species: Sage Grouse in Nevada" Gerrit Cornelis van Kooten, Alison Eagle and Mark Elswerty of University of Victoria, Department of Economics, Resource Economics and Policy Analysis Research Group. The 33 page report is available at https://web.uvic.ca/~repa/publications/REPA%20working%20papers/WorkingPaper2004-08.pdf . Using a hypothetical Ecosystem need vs. a actual threatened or endangered population is not an acceptable multiple resource management tool. NOTE: Table 1, Number of Animals by Species, included in original email			
275.	We believe it is the obligation of BLM to protect and manage CEUR habitat under the Federal Land Policy and Management Act of 1976 (FLPMA). We understand BLM is not required or responsible for meeting the needs or desires of private interests. The Special Status Species Policy mandates that BLM "shall ensure that actions authorized, funded or carried out by BLM do not contribute to the need for the species to become listed" (BLM Manual 6841.06C). The Greater Sage-grouse EIS must comply with the sensitive species policy.	All	Both	emc0316GB
276.	PFA believes BLM's Preliminary Sage-grouse Habitat Map, based on the Wyoming Core Model, does not accurately reflect what is happening on the ground in Idaho. It is not a true picture of sage-grouse habitat in Idaho. When we place the BLM's map of Idaho side by side with the Idaho Sage-grouse Conservation Plan maps (2009 and 2010), derived from Idaho Fish and Game data and local working groups, the key and restoration areas on the Idaho maps are larger than the core habitat polygons on the BLM map. On the BLM's map, General Habitat and Priority Habitat for small populations, and ones already cut off by development, are smaller. The BLM map sacrifices important sagebrush habitat, especially winter habitat, and excludes many areas where restoration is essential. There is nothing in the Instruction Memorandum 12-27-2011 that assures us that the BLM will protect "general" habitat in any meaningful way. On the BLM's map, if General Habitat is open to development and Priority Habitat can have 3 to 5 % percent	All	Both	emc0316GB

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	development, it appears there will be an even greater loss of habitat. Also, when we look at the BLM map general habitat, (where development is allowed) many surround small priority habitat areas, chopping up this essential habitat and eliminating connectivity. This could push Sage-grouse into smaller and smaller areas and extirpating them altogether. It is our understanding that the BLM's core model is based on lek surveys for the most part, but does not seem to include important wintering habitat etc., thus leaving out other large tracts of intact sagebrush steppe habitat essential to CEUR at both high and low elevations. Idaho has already lost a lot of sage steppe to development and degradation. The Greater Sage-grouse is a landscape species which requires huge tracts of undeveloped and intact sagebrush steppe. An example of the core model not working is the recent Powder River Basin Study.			
277.	Again, the Special Status Species Policy mandates that BLM "shall ensure that actions authorized, funded or carried out by BLM do not contribute to the need for the species to become listed (BLM Manual 6841.06C). We believe that BLM is not ready to preserve sage-grouse as a landscape species as mandated by the Special Status Species Policy or directed by their own NTT. We cannot find any conservation measures that protect Sage-grouse habitat from energy projects, destructive BLM and USFS grazing management etc. now or later.	All	BLM	emc0316GB
278.	The BLM's Preliminary Sage-grouse Habitat map for Idaho seems to be a lek-based model that does not represent Idaho's more "diverse and naturally fragmented landscape." It fails to include all of the habitat shown in Idaho's Sage-grouse Conservation Plan (ISCP) maps 2009 and 2010. These Idaho's maps are based on data collected by state and federal agencies, as well as local working groups, and show all areas of year round use by Greater Sage Grouse, including intact sage steppe.	All	Both	emc0316GB
279.	There is a need to develop an honest, environmentally sound baseline for sage steppe habitat quality based on "best available science" across the board, east and west. Many of the same impacts and threats occur across all Greater Sage-grouse habitat such as grazing, infrastructure, roads, invasive grasses and weeds, energy projects etc.	All	Both	emc0316GB
280.	Do not use the BLM's Preliminary Sage-grouse Habitat map for Idaho, as it does not realistically depict Idaho's Sage-grouse habitat. It fragments habitat and reduces connectivity amplifying impacts such as new development, and leaves out important intact sagebrush areas important to Sage-grouse and other sagebrush-dependent species. Three percent development is still quite large when considering linear disturbances such as livestock developments, roads, fences, transmission lines, and wind farms.	All	Both	emc0316GB
281.	Use the Idaho Conservation Plan map 2010 with data collected by state, federal, and local working groups, it shows the key, restoration, and historical intact sagebrush steppe area.	All	Both	emc0316GB
282.	Close large tracts of key and restoration sage grouse habitat on public land to any development period, for the foreseeable future;	All	Both	emc0316GB
283.	Not allow or issue permits for new right-of-ways and/or development of any kind, suspend and review any pending projects in key and restoration areas that are currently used by Sage grouse, and make sure projects on the ground are meeting their obligations;	All	Both	emc0316GB
284.	Complete realistic (not a computer model) analysis of Sage grouse habitat in Idaho, identify populations that have the greatest need, such small and isolated ones, and apply conservation measures now;	All	Both	emc0316GB
285.	Provide more public transparency and realistic information online, assessments done on the natural resources in sage grouse	All	Both	emc0316GB

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	habitat and the methods used. Example; the NTT does not provide population numbers or status of populations. There is no discussion of any management changes in the works to stop further habitat deterioration; It appears that maps and information was given to State Governors and their "Task Force" before the public could review them.			
286.	Develop an honest, environmentally sound baseline for sagebrush-steppe habitat quality based on "best available science" across the board east and west. Many of the same impacts and threats occur across all Sage-grouse habitat such as grazing. Infrastructure, roads, invasive grasses and weeds etc.;	All	Both	emc0316GB
287.	Develop an understanding of the levels of severity of impacts and conditions in sage-grouse habitats that can serve as a basis for applying conservation measures, both active and passive, that will realistically conserve and restore these areas;	All	Both	emc0316GB
288.	Apply "mitigation by avoidance" in all key areas as these important areas are for the most part irreplaceable. Disturbed areas within key habitat should be restored and not used to develop new projects or infrastructure. As stated in BLM's Best Management Practices(BMPs), "Place new utility developments, powerlines, pipelines, etc. in existing utility or transportation corridors".	All	Both	emc0316GB
289.	Make sure that mitigation in restoration areas is done using "best available science". All developments in key and restoration habitat should not be "grandfathered in" but assessed and/or removed for their impact on Sage-grouse and Sage-grouse habitat.	All	Both	emc0316GB
290.	BLM should take this opportunity to seek greater independence and breadth of opinion and expertise in the review and application of scientific information to support development of sage grouse management policy, conservation measures, adaptive management, and BMPs. By recognizing the more diverse scientific and technical expertise available, the BLM can increase the number of management options available for consideration, as well as increase the overall effectiveness of its National Sage Grouse Strategy. At present, a small number of sage grouse specialist/authors have had what appears to be a disproportionate influence on formulating federal policy on sage grouse, which has also limited the diversity of opinions and expertise available to decision makers. This includes the recent and highly Influential Greater Sage-Grouse: Ecology and Conservation of a Landscape Species and Its Habitats (Knick and Connelly 2011). This monograph figured prominently in the "warranted but precluded" Endangered Species Act (ESA) listing decision on sage grouse and in the recent NTT Report. Neither of these documents a employ hypothesis testing approach (or mention the term). The data used in several of the most influential monograph papers are not publicly available, which precludes an independent assessment and is contrary to the Information Quality Act, Department of Interior's information quality guidelines (requiring that reproducibility "shall generally require sufficient transparency about data and methods that an independent reanalysis could be undertaken by a qualified member of the public," (Department of Interior 2002)), as well as recent White House policy directives (Obama 2009; Holdren 2010, 2011). The review standards established by the National Academies address these issues and may be found at http://www.nationalacademies.org/coi/index.html. By implementing these standards, National Academy of Sciences has sought	All	BLM	emc0346GB

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	to diversify its review panels with independent experts from diverse disciplines and backgrounds in order to "conceive new ways of thinking about a problem" and "to provide a balance of perspectives." Because the effects from future RMP amendments will potentially affect multiple use constituents and state economies, API strongly recommends that BLM adopt these review standards for future activities related to the development of a National Sage Grouse Strategy. API also strongly recommends that prior to developing the strategy, BLM should convene an independent panel of scientists from diverse disciplines and backgrounds to provide the agency a review of the current NTT Report. That review should also seek to provide BLM alternative approaches to Greater Sage-grouse management that also meet the objectives of Report. API recommends that BLM work with the affected State Governors for appointments to this panel.			
291.	In addressing threats identified by the US Fish and Wildlife Service (FWS), we propose that the BLM formulate multiple, alternative hypotheses regarding the specific cause and effect mechanisms of each threat. Then the agency should deduce testable (e.g. potentially falsifiable) predictions, and establish thresholds for testing these against the available scientific data. This strategy of strong inference has the greatest potential for rapid advancement of scientifically informed decision making (Platt 1964; Rehme et al. 2011). This is especially important to adaptive management as proposed by the BLM. API believes that if BLM elects not to employ this approach, the agency must disclose in the strategy and subsequent RMP amendments the scientific uncertainty that is present concerning specific cause and effect mechanisms affecting Greater Sage-grouse persistence.	All	BLM	emc0346GB
292.	API is well aware that programs based on priority habitats are moving forward in Wyoming and Utah and potentially other states, and respects the collaborative efforts of many participants to get to this point. Though these API comments offer criticism of some of the methodologies and assumptions that may have been employed in good faith efforts to designate priority habitats, we do not intend to discourage work that is underway. However, while we appreciate BLM's willingness to involve states and multiple use stakeholders in these efforts and urge BLM to continue, we believe it essential for BLM to provide a quantifiable, biological basis for areas that are considered to be Priority Sage Grouse Habitats and that agency proposes to protect from anthropogenic disturbance. We note that for at least one of the components of priority sage grouse habitats (migration and connectivity corridors), the authors of the NTT Report admit at page 52 that they cannot be defined: "Almost no information is available regarding the distribution and characteristics of migration corridors for sage-grouse (Connelly et al. 2004)." The significance of this deficiency is potentially far reaching for species, BLM and its constituents and must be addressed. First, without a precise definition or clear cut criteria, there is potential for large areas that have a zero or near zero probability of sage grouse use to be defined as essential to migration and connectivity, even though there may be no empirical data demonstrating their regular use by sage grouse or their importance to population viability. This has the secondary effect of diverting resources away from higher priority habitat and threats of greater importance, while imposing unnecessary regulatory burdens. Second, sage grouse are more affected by some types of anthropogenic disturbance than others, but the effect of these on migration rates is unknown. Third, experience with other ESA listings has shown that imprecisely defined characterizations of essential habitat, such as "priority habitat" in this case, have a strong likelihood of being re-designated as "critical habitat." And finally, once such designations are institutionalized they can be difficult to revise without litigation, even	All	BLM	emc0346GB

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	when new data become available (i.e. Agua Caliente vs. Scarlett).			
293.	The "professional judgment" calling for a 3% anthropogenic disturbance threshold in priority habitats does not address specific threats, nor take into account the type of disturbance, local conditions, or mitigations that are to be used. This professional judgment is not the result of an independent quantitative assessment but is the opinion of a small number of collaborators who share a similar point of view. Additionally, the earliest study cited in support of the 3% anthropogenic disturbance threshold (Holloran 2005), did not acknowledge that the BLM had intentionally waived stipulations on the Pinedale Anticline in order to facilitate research on impacts without these stipulations. Therefore, the impacts reported by Holloran (2005) do not correspond to impacts under stipulations required at the time, nor account for current impacts under more recent stipulations and BMPs. And finally, none of the authors cited in support of this professional judgment had removed the artifact of a natural cyclical population fluctuation that repeatedly occurs over a broad area during the course of this and other studies. If conservation measures adopted by the BLM are to be science-based, all evidence must be taken into account, including contrary evidence. The cited studies (Johnson et al. 2011, and Naugle et al. 2011a,b) are not as definitive as claimed with regards to susceptibility of sage grouse to either discrete or diffuse disturbance. First, Johnson et al. (2011) utilized extremely weak statistical inference and there are simply not enough years of data to reliably support inferences with single variables, much less multiple variables. And, second, Naugle et al. (2011b) presented a partial review of the scientific literature on energy development and sage grouse. Naugle was an author on four of the seven reports and papers used in the review, and the majority of the papers focused on impacts to sage grouse in intensively developed areas.	All	BLM	emc0346GB
294.	The stated sub-objectives for general habitat primarily involve providing for connectivity. As discussed earlier, criteria to ascertain the connectivity of populations have yet to be established. The supporting citation (Knick and Hanser 2011), was a correlative study that only examined potential variables such as the persistence of leks (but not populations), and did not deal with the question of connectivity of populations.	All	BLM	emc0346GB
295.	As we had noted earlier, the 3% threshold, a four-mile NSO around leks, and seasonal restrictions are unnecessarily restrictive in light of available scientific information. They do not address the underlying and mitigatable cause and effect mechanisms that can result in impacts to sage grouse.	All	BLM	emc0346GB
296.	The monitoring of sage grouse populations is an essential component of adaptive management. Yet, the resolution of male lek counts is limited, and there is no demonstrated correspondence between male lek counts and actual population number or trends. Given the profound level of investment that is being asked of local communities and the American public to implement a series of far-reaching conservation measures to benefit sage grouse, the development of improved methods for censusing sage grouse populations is a critically important. To address this issue, we suggest that the BLM issue a competitive Request for Proposals to generate new ideas on how to improve upon existing lek counts or develop new methods for obtaining reliable data on sage grouse population distribution, abundance, and trends. Such a competitive approach offers the best opportunity for innovation.	All	BLM	emc0346GB

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297.	In order to strengthen the scientific basis for Priority and General Habitat, and avoid situations where these habitat designations are presented to the public as de facto determinations, we encourage the BLM to include the development of criteria and determination of these habitats within the scope of NEPA, and work with states on their development. While we acknowledge that the NTT report on conservation measures is a work in progress, we were unable to find any quantitative criteria for designation of Priority or General sage-grouse habitat. The criteria used to make these designations will be of fundamental importance to the BLM planning process, including the development and implementation of appropriate conservation measures. As noted in 8.2 above, API is aware that programs based on priority habitats are moving forward in Wyoming and Utah and respects the collaborative efforts of many contributors to reach this point and has no desire to stop work that is underway. The criteria for designating sage grouse habitat of importance, whether by BLM on lands it manages, or as a result of state planning efforts that make similar determinations, will be of lasting, and far-reaching significance to the public and regulated community. Yet, Priority Habitat, General Habitat, and 'connectivity' were described by the NTT only in general terms. Our search for additional information on how Priority and General Habitat could be quantified revealed one BLM state office that has chosen to establish criteria and move ahead with the determination of these, along with implementing a habitat connectivity model with which to set aside additional Priority Habitat (Makela and Major 2011). From what we could determine, these were developed and could potentially be implemented without the benefit of the NEPA review process. We raise the issue that the methodology used by Makela and Major (2011) to define connectivity does not appear to be biologically sound. This is because the model developed by Knick and Hanser (2011) incorrectly assumes that the spatial distribution of leks represents the dispersal ability of sage grouse. Beyond a distance of 18 km, leks/populations are deemed isolated. (The 18 km criterion comes from Knick and Hanser (2011) who conducted an analysis of spatial patterns of leks across the range of sage grouse. They selected an arbitrary point on a spatial analysis curve "at which decreasing potential dispersal distance decreases the connections among leks and increases the number of components" (Knick and Hanser 2011, Figure 16.3)). They ignore the fact that sage grouse are capable of dispersing over much greater distances (e.g. Lyon 2000; Bush 2009; Bush et al. 2011; Tack et al. 2011) The application by Makela and Major (2011) did not take into account the fact that the 18km distance was an artifact of the spatial analysis rather than a biologically significant threshold. The authors simply justified their choice by uncritically citing Knick and Hanser (2011), who "found an 18 km area to be a reliable connectivity threshold for greater sage-grouse, i.e. leks within 18 km of one another tend to be more connected than those farther out." It should be of concern to the BLM that the outputs of such GIS spatial models are highly dependent upon the assumptions they are based upon and may not accurately reflect the actual sage grouse habitat use, population structure, or local conditions (e.g. uncritical use of an 18km threshold for defining connectivity, especially since recent data shows movements over far	All	BLM	emc0346GB

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	greater distances). Thus, while spatial models such as Makela and Major's (2011) may be useful heuristic tools, they require a substantial amount of improvement and inclusion of empirical data before they are suitable as the basis for land management decisions.			
298.	We acknowledge that managing habitats to retain connectivity is an important long-term goal of conservation efforts for many species, including sage grouse. However, it is clear that the dispersal abilities have been consistently underestimated in the development of habitat use and population persistence models (i.e. Garton et al. 2009, 2011; Knick and Hanser 2009, 2011; Makela and Major 2011). Therefore, it is important for the BLM and the NTT to acknowledge recent genetic data and results by Bush (2009) and Bush et al. (2011). These studies utilized assignment tests to identify the source population of sage grouse that had dispersed, and isolation-by-distance measures to quantify the overall degree of genetic linkage among populations. In addition, ongoing studies (including Tack et al. 2011) have employed satellite global positioning system transmitters that have revealed dispersal of sage grouse over much greater distances and more frequently than previously thought. These studies are highly significant to the BLM's conservation efforts for the following reasons: 1) Male and female sage grouse disperse and migrate over greater distances (many over 100km and some up to 300 km) than documented by traditional radio-tracking studies, thus requiring a recalibration of assumptions used in habitat connectivity models. 2) Sage grouse are capable of dispersing long distances and are able to do so over and around areas of fragmented habitat and human development. This means that presumed movement corridors do not necessarily require the same high-level of protection as Priority Habitat and could be classified as General Habitat or as a third, less restrictive category that takes into account this new information. 3) A higher level of long distance dispersal and a greater genetic linkage among sage grouse populations, even across fragmented landscapes and among peripheral populations, indicates that extinction predictions that figured prominently in the ESA listing decision (Garton el al. 2009, 2011) were overestimated. This is because long distance dispersal and gene flow (even when as low as one successful breeding migrant per generation among populations) will tend to maintain effective population sizes over time, as well as increase the potential for re-colonization should a population become locally extirpated. 4) The methodologies utilized by Bush (2009), Bush et al. (2011), Tack et al. (2011) could be used to identify the natural features and/or human development that result in absolute barriers to dispersal. In turn this will inform the type and extent of development that could proceed in habitat deemed important for connectivity.	All	BLM	emc0346GB
299.	It is important that the agencies emphasize that any management changes that are undertaken must be linked to the population status of the bird and this must be conducted on a site-specific basis. If sage grouse populations are stable, there should be no need to trigger additional management measures. If management changes are deemed necessary, those changes need to reflect the importance of the habitat and account for the primary threats first.	All	Both	emc0392GB
300.	In 2001, PPRO" s North Antelope Rochelle Mine (NARM) voluntarily initiated and funded a project designed to gather data on the status of Greater Sage Grouse populations using habitat in and adjacent to the mine area. The immediate goal of this ongoing study was to identify key habitats (nesting, brooding and wintering) so that the mine could adequately plan reclamation and/or mitigation strategies for this species. Second, vegetative data was collected to evaluate the quality of the	All	Both	emc0122RM

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	available habitat. Third, reproductive data (nest fate, clutch size, chick survival and adult survival) was collected. Fourth, use of reclaimed mine lands was monitored. (Of particular note was the documented use of reclaimed lands at the initiating mine by hens and broods. The reclamation used by these grouse supported a diverse and prominent (>25% cover) mosaic of forbs). The monitoring program initiated by this mine was expanded to neighboring mines and funded in 2003 through the Wyoming Abandoned Coal Mine Lands Research Program (ACMLRP) ¡V (Brown and Clayton 2004). Today, NARM is continuing to manage and fund the project on a voluntary basis and has expanded and incorporated it into a broad landscape-wide sage grouse collaring and sagebrush mapping research project in partnership with the Thunder Basin Grasslands Prairie Ecosystem Association, Bureau of Land Management and U.S. Forest Service. Notable conclusions as of the 2011 report (compiled 11 years of results) include: "Hen nest success, overall survival, and mortality sources (mainly predation) at NARM appear to be comparable to those documented in other populations (Connelly et al. 2000)." "Nest initiation rates at NARM have remained similar in the previous years, and are comparable to or greater than those reported for most other studies (63 to 93%; Connelly et al. 1991, Schroeder 1997). Likewise, overall nest success (at least 59%) from 2001 through 2008 at NARM has been well within the typical range for sage-grouse (30 to 60%; Schroeder et al. 1999) and exceeded that (50%) reported by Lyon and Anderson (2003) for both disturbed and undisturbed areas." "Lyon and Anderson (2003) also found that sage-grouse nested farther from leks in areas that were affected by oil and gas development than in undisturbed areas, but that trend has not been supported in the NARM study area. Those authors reported that only 26% of nests were within 1.9 miles of a lek in disturbed areas, whereas 91% of nests were within that distance in undisturbed areas. In contrast, the documented nest site at NARM (a .disturbed area.) in 2011 was approximately 0.3 mile from the nearest lek and 88% of the nests in the initial 3-year study were within 1.9 miles of an active lek (Brown and Clayton 2004)."			
301.	A tiered approach to protections requiring more restrictions in priority habitat and less stringent protections in key habitat. o Designate priority habitat: breeding, late-brood rearing, winter concentration, migration, and connectivity corridors and offer additional protections.	All	Both	emc0128RM
302.	BLM must clearly discuss the scientific studies on sage grouse and adopt scientific recommendations and best management practices for conservation of sage grouse habitat and species BLM is well aware of the science and recent studies showing impacts to sage grouse. BLM must require implementation of best management practices to reduce impacts to sage grouse and maintain sage grouse habitat. Thank you for your time and consideration of these comments. We look forward to BLM implementing specific actions and policies that will maintain and restore sagebrush habitat and sage grouse populations	All	BLM	emc0129RM
303.	Evidence of the real impact of the above-mentioned benefits has been demonstrated by landscape-scale level statistics. Permitted livestock levels (animal unit months, or AUMs) have dropped dramatically on BLM and FS lands from 1940 to today.	All	Both	emc0140RM

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	Greater sage-grouse numbers have mirrored that decline. In Utah, for example, a roughly four-fold decrease in permitted livestock AUMs parallels the decline in greater sage-grouse during the same period (see graphs, Appendix A). Also worth noting is the fact that mule deer, a species that relies on similar habitat conditions as greater sage-grouse, has suffered the same decline. This decline can be largely attributed to the lack of spring forbs and insects for broods naturally promoted by the added disturbance from greater numbers of livestock, and to the loss of the vast numbers of sheep (in Utah, numbers dropped from 2.2 million in 1930, to .25 million today) that at one time eased predation pressure (because predator control was more aggressive and because sheep served as an alternative food source to common predators), and encouraged multiple age classes of sage brush. Biologists often point to brood rearing and winter habitat limitations as factors influencing the decline of the greater sage-grouse. The diversity of sage brush age classes (once encouraged by greater numbers of sheep) is important to providing greater winter nutritional opportunity for the birds. We insist that this relationship be examined in every area occupied by greater-sage grouse.			
304.	Timing of multiple-use activities (or the restriction thereof) should not be based on arbitrary calendar dates or time of day. Flexibility of these standards should be based on monitoring and observation, not on across-theboard, inflexible standards.	All	Both	emc0140RM
305.	As mentioned above, the agencies should give high deference to state sage-grouse habitat protection plans. These plans have been endorsed by FWS and are currently being considered by several other states. • Criteria for PPH and PGH must be clearly defined. • When management for greater sage-grouse conflicts with other uses in a proposed PPH or PGH area, the agencies should weigh the relative values. Replacing multiple-use management with single-use, greater sage-grouse management has potential to be both economically and environmentally detrimental. • PPH and PGH boundaries should be adjusted to exempt certain pockets of land, based on topography and the behavior of the greater sage-grouse. In other words, 100 percent of a polygon is not necessarily greater sage-grouse habitat. • The federal agencies should allow local and county agencies cooperating agency and/or coordinating status while developing drafts of tentative PPH and PGH selection maps (see Cooperation with State & Local Governments and Coordination with Existing Local Plans, below). PPH and PGH areas should be modified based on local input. • In regard to PPH and PGH designations, BLM IM 2012-043 states, "These policies and procedures are in addition to and do not replace more protective measures in existing LUPs." We believe greater sage-grouse plans need not duplicate protections already existing in wilderness study areas, inventoried roadless areas, Areas of Critical Environmental Concern (ACECs), ESA critical habitat for threatened and endangered species, and other provisions of existing land use plans.	All	Both	emc0140RM
306.	"The BLM and FS will endeavor to use current scientific information, research, technologies, and results of inventory, monitoring, and coordination to determine appropriate strategies that will enhance or restore greater sage-grouse habitats.- State Game and Fish agencies' greater sage-grouse data and expertise will be utilized to the fullest extent practicable in making management determinations on Federal lands.We agree with these commitments to utilize the most up-to-date and accurate science and data in order to make informed decisionmaking on this important issue. Unfortunately, as already noted, BLM and USFS are contradicting their own policies by making decisions based on incomplete information, and which contradict the	All	Both	emc0378GB

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	approach being taken by state wildlife agencies (again, we would point to the Wyoming example). Relevant information needs to be gathered, and scientific analysis completed, before maps can be finalized.			
307.	The NTT Report states that tall structures "may" negatively impact grouse populations. Yet, there are very few peer-reviewed, experimental studies designed specifically to evaluate the landscape effects of tall structures on sage-grouse. Additional research is required to better understand the implications (pro and con) of overhead facilities and other aboveground structures on sage-grouse populations. Those efforts are currently under way.	All	Both	emc0378GB
308.	The FWS found the minimum effective population for greater sage-grouse to protect the species from the long-term risk of extinction to be as high as 5,000 mature birds (see FWS Findings,3 pgs. 13959 and 13985). The current estimated population for greater sage-grouse is greater than 535,000 birds (see FWS Findings,3 Table 4, pg. 13921), which 107 times greater than the minimum effective population of 5,000. The estimated contemporary (1985 to 2007) rate of decline for greater sage-grouse is 1.4% annually (see FWS Findings,3 pg. 13922). If this rate continues into the future, it would take 330 years for the estimated current greater sage-grouse population to dwindle to the minimum effective population of 5,000 birds. Speculating about what might occur more than three centuries from now reaches into the remote future, well beyond the foreseeable future. The greater sage-grouse is not faced with imminent extinction or extinction in the foreseeable future, so is not legally qualified to be listed as either "endangered" or "threatened" under the ESA. There is ample greater sage-grouse habitat within existing Wilderness Areas, National Wildlife Refuges, National Parks, and National Conservation Areas to support the minimum effective population of 5,000 breeding adults needed to safeguard the species against extinction. These nationally designated areas are already managed under special regulatory mechanisms that in many instances mirror the proposed mechanisms that current sage-grouse planning strategies recommend for conservation of the species and its habitat. Thus, the proposed EIS process must first analyze greater sage-grouse populations and trends in these nationally designated areas to evaluate if any additional regulatory mechanisms are needed to protect greater sage-grouse.	All	Both	emc0395GB
309.	The FWS Findings admit that GSG "numbers are difficult to estimate due to the large range of the species, physical difficulty in accessing some areas of habitat, the cryptic coloration and behavior of hens (Garton et al. in press, p. 6), and survey protocols" (see FWS Findings,4 page 13921) and ultimately conclude "since neither presettlement nor current numbers of sage-grouse are accurately known, the actual rate and magnitude of decline since presettlement times is uncertain" (see FWS Findings,4 page 13923, underlined emphasis added). Yet, the FWS Findings assume that GSG populations have significantly declined from pre-settlement populations based primarily upon conclusions from several sources indicating that "sage-grouse population numbers in the late 1960s and early 1970s were likely two to three times greater than current numbers" (see FWS Findings,4 page 13922). However, the cited high populations in the late 1960s and early 1970s tell us nothing about pre-settlement numbers, so cannot support that conclusion the GSG population trends reflect a "decline since presettlement times". The FWS Findings also report that "three groups of researchers using different statistical methods (but the same lek count data) concluded that rangewide greater sage-grouse have experienced long-term population declines in the past 43 years, with that decline lessening in the past 22 years." See FWS Findings,4 page 13923. These recent historical observations are consistent with testimony of Nevada residents with first-hand knowledge dating back that long ago, or earlier, some as far back	All	Both	emc0395GB

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	as the 1930s. Again, looking back 43 years (or even 80 years) tells us nothing about presettlement GSG numbers, so cannot support the conclusion that GSG population trends reflect a "decline since presettlement times".			
310.	The FWS Findings ultimately conclude "(a)lthough the declining population trends have moderated over the past several years, low population sizes and relative lack of any sign of recovery across numerous populations is troubling." See FWS Findings,4 page 13987. This conclusion is based primarily upon observed GSG population declines from the high numbers in the 1960s to today, which cannot be used to establish how current GSG populations compare to pre-settlement populations. Yet, based primarily upon information from these two points in history, the FWS Findings assume a relatively linear trend for sage-grouse populations, and thus presume that pre-settlement GSG populations were abundant, claiming that "(e)arly reports suggested the birds were abundant throughout their range" and estimating that historical populations ranged from 1.6 million to 16 million birds. See FWS Findings,4 pages 13920 and 13921. The FWF Findings then look forward in time and forecast that without regulatory intervention, a persistent downward trend will continue into the future, and sage-grouse populations will eventually reach levels at or below the minimum effective population, putting the species at risk for eventual extinction. They seem oblivious to the fact that at the estimated contemporary (1985 to 2007) rate of decline of 1.4% annually (page 13922) 4 it would take 330 years for the estimated current GSG population to shrink to the minimum effective population of 5,000 birds, a time frame that reaches way past the foreseeable future into the remote future. We know from documented sources that higher pre-settlement GSG populations assumed by the FWS Findings are simply wrong, at least with respect to known GSG population levels at various points in the recorded history of the Great Basin. GSG within the Western Region, particularly the Great Basin, were scarce during the presettlement period, much less abundant than today. A report prepared by Ira Hansen, Nevada State Assemblyman, regarding pre-settlement GSG populations based upon written accounts of early explorers indicates that between about 1820 and 1850, GSG were uncommon throughout Nevada and the Great Basin, being observed only rarely by the explorers, and were rare enough that they were seldom included in the diets of the regions Native American tribes. Similarly, Part III of the King Exploration Report (King)5 based upon field-work conducted by Ornithologist Robert Ridgway between June 1867 and August 1869 reports "birds characteristic of the sage-brush are not numerous, either as to species or individuals, but several of them are peculiar to these districts;" including Centrocercus urophasianus (GSG). See King,5 page 324, underlined emphasis added. Regarding GSG, Part III of the King report noted "(a)lthough this large and well-known Grouse was met with throughout the sage-brush country between the Sierra Nevada and the Wahsatch (sic), we saw it so seldom that little was learned of its habits, particularly during the breeding-season." See King,5 page 600, underlined emphasis added. Ridgway characterized the sagebrush communities themselves under the section titled Birds of the sage-brush (page 323)5 as follows: The term "sage-brush" is the western vernacular for that shrubby growth which prevails over the valleys, mesas, and desert mountain slopes of the Great Basin to the utter exclusion of all other vegetation, except in isolated and extremely restricted places. One species, the "everlasting sagebrush" (Artemisia tridentata), composes by far the larger part of that growth, "covering valleys and foot-hills in broad stretches farther than the eye can reach, the growth never so dense as to seriously	All	Both	emc0395GB

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	obstruct the way, but very uniform over large surfaces, very rarely reaching to the saddle-height of a mule, and ordinarily but half that altitude."			
311.	The forecast that GSG populations will continue to significantly decline into the foreseeable future also appears to be questionable based upon recent studies within the Great Basin. Nevada Department of Wildlife Studies report that GSG populations actually increased within the state from 2008 through 2010. It is unreasonable for the FWS Findings to base conclusions regarding long-term population trends only upon knowledge regarding population levels at two points in history, 1960 and today, when we have knowledge regarding sage-grouse populations at other times. Consideration of all historic Great Basin population estimates for GSG indicates that pre-settlement populations were low, populations dramatically increased between the mid 1800s and early 1900s, populations peaked in the 1930s and remained relatively high through the 1960s, populations rapidly declined from about 1970 to 2007, and then increased slightly thereafter, at least in Nevada.	All	Both	emc0395GB
312.	When interpreting such population fluctuations over time, it is helpful to identify biologically relevant explanations for the points where the population levels significantly change or reverse direction. The GSG trend explanations suggested by the FWS Findings do little to explain the majority of the GSG population changes through time described above. Commercial hunting could explain the population plateau between about 1930 and 1960, and agricultural conversions could explain the rapid population decline beginning in about 1970. However, agricultural conversions were taking place as early as the turn of the century, and Great Basin GSG populations were significantly increasing at that time, rather than decreasing. Thus, agricultural conversions by themselves are not very effective in explaining GSG population trends over the entire period between the early 1800s and today. Indeed, human disturbances of all sorts, roads, railways, fences, reservoirs, towns, homesteads, farms, mines, etc. flourished in the early to mid 1900s, and so did the sage-grouse. The mere presence of human disturbance within sage-grouse habitat seems to have had little biological relevance across this entire time frame. However, specific human activities appear to correlate positively with GSG population trends. Livestock grazing management, with its associated intensive development of meadows, hayfields, and surface water sources increased markedly in the Great Basin in the late 1800s and early 1900s, creating substantially more edge effect between such wet areas and surrounding sagebrush uplands. At the same time, GSG populations boomed. During this period, high livestock densities (both sheep and cattle) reduced fine wildfire fuel loads across the Great Basin, and wildfires were rare and small. High densities of livestock dung also supplied an abundance of insect activity, particularly in closely grazed meadows and riparian areas. Close grazing in these meadows and riparian areas stimulated succulent new herbaceous growth and increased the forb component, thereby increasing the quantity and quality of forage for sage-grouse. At the same time, concerted predator control was practiced. In fact, predator control was encouraged, subsidized, and implemented on a vast scale by the Federal and State governments. By the mid 1900s, Federal and State regulations to reduce livestock numbers and control management actions were implemented, restricting and moderating all of the grazing management practices discussed above. The GSG population began to plateau at about the same time. By the late 1960s, livestock numbers and grazing levels were significantly scaled back across the west, and predator control programs were largely curtailed. Fire fuel levels increased, and the incidence of large-scale wildfires rose exponentially. GSG population trends reversed and started to rapidly decline at about the same time. Thus, intensive livestock management which diminished the frequency and size of wildfires, and concerted predator control	All	Both	emc0395GB

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	which greatly reduced GSG loses to these killers, are management actions in the Great Basin that seem to be highly relevant to the biology and population status of the GSG and track closely with their population trends over time. It is reasonable to assume that a return to effective management to increase livestock grazing levels, reduce fire fuel loads and wildfire impacts, and increase predator control would result in another significant upward trend in GSG numbers. In contrast, proposed GSG conservation measures to increase cover levels through further livestock grazing reductions, coupled with a lack of conservation measures to address exploding predator populations, writes a prescription to assure that GSG populations ultimately decline. Heavier cover for GSG also means higher fire fuel loads within their habitat. As fire fuel loads build, they make large-scale wildfires inevitable in many sagebrush communities. Repeat burns increase the risk that vegetation shifts to cheatgrass dominance, which further increases wildfire frequency, creating a cycle that eliminates the ability of sagebrush communities to re-establish. Thus, well-intended conservation measures to benefit GSG by leaving more hiding cover for them will ultimately harm the species by converting significant swaths of existing habitat to cheatgrass dominated landscapes that provide no habitat value for GSG. This will concentrate the remaining GSG not directly killed by the wildfires into ever shrinking areas, making them more susceptible to ever growing predator populations.			
313.	Less than 1% of the current 535,000 GSG breeding population needs to be conserved to support a minimum effective population as high as 5,000 birds (calculations; 5,000minimum effective population □ 535,000breeding population * 100 = 0.93% of current population needed to achieve the minimum effective population). GSG are heavily concentrated in high-quality portions of their occupied range (see Doherty,6 pg. 2 which reports that 25% of the known breeding population resides in 3.9% of its occupied range). Thus, less than 0.15% of the total acreage of the occupied range needs to be conserved to support the minimum effective population (calculations; 3.9%occupied range supporting 25% Breeding Density Area □ [25% Breeding Density Area of occupied range needed to support the minimum effective population).	All	Both	emc0395GB
314.	The NOI1 at page 77009 cites the FWS Findings that "regulatory mechanisms to conserve the greater sage-grouse and its habitat" are inadequate as a rationale for the proposed project. However, more detailed analysis should reveal that adequate regulatory mechanisms are already in place to sustain the minimum effective population of 5,000 birds and safeguard the species from extinction. It is highly likely that far more than 5,000 GSG and 0.15% of the species high quality habitat are located within existing Wilderness Areas, National Wildlife Refuges, National Parks, and National Conservation Areas. Thus, these nationally designated areas likely already support more GSG and high quality habitat than needed to support the minimum effective population and safeguard the species from extinction. Further, these nationally designated areas are already managed under special regulatory mechanisms that in many instances mirror the proposed mechanisms that current sage-grouse planning strategies recommend for conservation of the species and its habitat. Thus, the EIS process needs to first analyze greater sage-grouse population levels and trends in these nationally designated areas to determine how many GSG they contain, and the extent to which their habitats are sufficient to sustain the minimum effective population of 5,000 birds under the regulatory mechanisms that are already in place.	All	Both	emc0395GB

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	If analysis demonstrates that these nationally designated areas currently support more than 5,000 greater sage-grouse and have maintained or increased their populations under the regulatory mechanisms already implemented, then there is no need to implement additional conservation measures anywhere else in the bird's occupied range. Such findings would confirm that the GSG does not need to be listed under the ESA because its numbers and trend in these nationally designated areas alone meets or exceeds the minimum effective population to safeguard the species from extinction. In contrast, if analysis demonstrates that greater sage-grouse population trends in these nationally designated areas are similar to trends elsewhere in their currently occupied range, then the entire line of reasoning regarding the factors responsible for GSG population declines must be reevaluated. If GSG population declines have occurred in these nationally designated areas that received such recognition because of their expansive, wild, undisturbed characteristics, and have been largely protected by existing regulatory mechanisms from further human disturbance and development since their designation, then factors other than habitat loss, destruction, and fragmentation due to man's activities must be driving the GSG population declines. Likewise, if greater sage-grouse populations have declined in these nationally designated areas despite the regulatory/policy mechanisms that constrain their use, all recommendations to implement similar regulatory restrictions across vast additional acreages of the GSG range need to be rejected entirely. If regulatory/policy controls to minimize human disturbance have failed to allow GSG populations to flourish within the vast wilderness areas and other nationally designated conservation areas, then it is unreasonable to apply such draconian control measures to broad landscapes beyond the boundaries of these areas in the vain hope that such regulation will somehow work in other locations. To implement regulatory mechanisms that are certain to severely interfere with other valid existing uses of the landscape and negatively impact local and regional economies in the face of evidence that such mechanisms did not reverse the plight of the GSG in existing nationally designated areas would be unreasonable, irrational, and counter-productive. Instead, if the minimum effective population of GSG necessary to protect the species from extinction has not, and cannot be supported within such nationally designated areas, then management practices that were in place when greater sage-grouse populations dramatically increased from the mid 1800s to early 1900s need to be identified and implemented again in other areas, including increased livestock grazing to reduce wildfire fuel loads, and concerted predator control practices.			
315.	Despite its size, sagebrush steppe is among the most imperiled landscapes in North America (Wisdom et al. 2005c; Noss et al. 1995). Millions of acres have been lost to crop agriculture, urban development, and other land uses (Connelly et al. 2011b), while remaining sagebrush habitat is degraded and fragmented by gas and oil drilling, livestock grazing and associated infrastructure, unnatural fire, invasive species, roads, fences, utility corridors and related effects Wisdom et al. 2005c; see Map 3). Habitat loss and degradation continue (Connelly et al. 2011b) and efforts to protect and restore sagebrush steppe are inadequate, ineffective and hampered by myriad factors (Wisdom et al. 2005c; Connelly et al. 2011b). The Greater Sage-grouse (Centrocercus urophasianus) is a sagebrush obligate species whose range has been significantly reduced with the loss of sagebrush steppe (see Map 1). Greater Sage-grouse distribution has decreased by 44 percent (Schroeder et al. 2004) and populations have experienced long-term declines (Connelly and Braun 1997; Connelly et al. 2004; Anonymous 2008). The U.S. Fish and Wildlife Service (FWS) determined that Greater Sagegrouse warrant listing under the Endangered Species Act	All	Both	emc0391GB

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	(ESA) in March 2010 (although listing was precluded by other, higher priorities) (75 Fed. Reg. 13910). FWS will finally propose sagegrouse for listing under the ESA or determine the species is "not warranted" for protection in fiscal year 2015 in accordance with legally binding settlement agreements with conservation organizations.			
316.	Sage-grouse are a landscape species that use a variety of sagebrush habitats throughout the year (Connelly et al. 2004; Connelly et al. 2011a). Large, interconnected areas of sagebrush steppe must be conserved if sage-grouse are to persist (Connelly et al. 2011b). Most remaining sagegrouse habitat is publicly owned, most of it managed by the federal government (Knick 2011). Historic patterns of land use, conflicting management policies and demand for resources on these lands have left little sagebrush steppe protected. Less than 1 percent of sage-grouse current range is within wilderness or other protected areas (Knick 2011; see also Map 4). Federal departments and agencies manage more than 70 percent of remaining sagebrush steppe (Appendix 1). Although cooperation among many federal and state agencies and private land owners will be necessary to conserve sage-grouse and sagebrush habitat (Stiver et al. 2006), the federal government and federal public land are key to achieving these goals. Federal agencies must prioritize sagebrush conservation if sage-grouse are to persist (Connelly et al. 2011a). Sage-grouse would benefit from landscape-level planning and conservation (see Braun 2005).	All	Both	emc0391RM
317.	The BLM and USFS should support the National Science Foundation (NSF) to establish Long-Term Ecological Research (LTER) sites in sagebrush-steppe. None of the existing 26 LTERs in the United States are in sagebrush habitat.5 Sagebrush steppe is among the largest landscapes in the United States; supports hundreds of species; and will experience significant change under current and future management, climate change (Neilson et al. 2005), and other factors. The NSF should establish LTERs in each of the seven sage-grouse management zones identified by Stiver et al. (2006).	All	Both	emc0391GB
318.	1. Habitat Designations The BLM recognized the need to designate "priority" habitat to conserve Greater Sage-grouse (BLM Memo MT-2010-017, "protection priority areas"; BLM Memo WY-2010-012, "key habitat areas"; BLM Memo 2010-071, "priority habitat"; BLM Memo 2012-044, "preliminary priority habitat"). Priority habitat is generally defined as "having the highest conservation value to maintaining sustainable Greater Sage-grouse populations," including "breeding, late broodrearing, and winter conservation areas" (BLM Memo 2010-071). "Priority habitat will be areas of high quality habitat supporting important sage-grouse populations, including those populations that are vulnerable to localized extirpation but necessary to maintain range-wide connectivity and genetic diversity" (BLM 2010-071). BLM interim guidance and the announced planning process both depend on designation of priority habitat and other "general" habitat (BLM Memo 2012-043; BLM Memo 2012-043). Sage-grouse "core areas" in Wyoming should be considered priority habitat, with some modifications (see Map 13).	All	Both	emc0391GB
319.	The NTT report defines "discrete" disturbances to include roads, transmission lines, oil and gas wells, wind turbines and similar, definite development (SGNTT 2011: 8). The three percent disturbance threshold does not include "diffuse" disturbances; the NTT report identifies livestock grazing and fire (depending on the scale and effects) as diffuse disturbance (SGNTT 2011: 8). We are concerned that the NTT report defines the pervasive, tangible, cumulative effects of livestock grazing as "diffuse." The NTT report notes that "diffuse disturbance over broad spatial and temporal scales can have similar, but less visible effects" (SGNTT 2011: 8). The BLM and USFS should consider heavily grazed areas and range developments as discrete disturbance in sagebrush steppe. The agencies should also include extensive, severely burned areas and rangeland seedings with nonnative plants among discrete disturbances	All	Both	emc0391GB

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320.	The NTT report identifies remaining areas outside priority sage-grouse habitat as "general habitat" (SGNTT 2011: 9). The NTT report lists sub-objectives for general habitat that include quantifying and delineating general habitat to buffer and connect priority areas; serve as potential replacement priority habitat; and serve as potential restoration sites (SGNTT 2011: 9-10). The recovery alternative, which is structured like the NTT report, also stipulates conservation measures based on habitat designation. In addition to "priority" and "general" habitat, the recovery alternative would designate two additional habitat types: ACECs and "restoration" habitat. Although the BLM has invited commenters to nominate individual ACECs in the planning process, the recovery alternative is more ambitious. It recommends BLM designate a system of ACECs across sage-grouse range and prescribes even more restrictive measures for these designations than for priority habitat	All	Both	emc0391GB
321.	Montana BLM previously identified the need for restoration areas where the "goal is to achieve a balance between ongoing and future resource use so that enough quality habitat is maintained to allow some residual populations in impacted areas to persist" (BLM Memo MT-2010-017). The NTT report promotes restoration of sagebrush habitats (SGNTT 2011: 28), and recommends prioritizing restoration projects where environmental variables improve chances for success (citing Meinke et al. 2009), but is silent on mapping restoration priority areas. FWS recognizes that "[m]eaningful restoration for greater sage-grouse requires landscape, watershed, or ecoregional scale context rather than individual, unconnected efforts" (75 Fed. Reg. 13917). Consequently, the recovery alternative recommends that federal agencies identify restoration habitat in management planning based on their importance to sage-grouse and the likelihood of successfully restoring sagebrush communities (Meinke et al. 2009; Wisdom et al. 2005c; see Maps 7 and 8).	All	Both	emc0391GB
322.	d. Guidelines for Designating Sagebrush Reserves 1. Protect Large Expanses of Sagebrush Steppe Greater Sage-grouse are a landscape species (Connelly et al. 2011a). Migratory populations have large annual ranges that can encompass >2,700 km2 (1,042 mi2/667,184 ac) (Knick and Connelly 2011b, citing Dalke et al. 1963; Schroeder et al. 1999; Leonard et al. 2000) (the species may use up to 2,500 mi2 per population (Rich and Altman 2001)). Large-bodied birds are generally more strongly affected by habitat loss and fragmentation (Winter et al. 2006). Although conclusive data on minimum patch size is unavailable (Connelly et al. 2011a), conserving large expanses of sagebrush steppe is the highest priority to conserve sage-grouse (Aldridge et al. 2008; Connelly et al. 2011b). Knick and Hanser (2011) identified ten lek complexes that were >5,000 km2 (1,930 mi2/1,235,526 ac) (range 5,395–100,288 km2) and 8 of them contained >100 leks (range 143– 1,139) (see Map 9). Some sagebrush-dependent species use different habitat composition, structure or succession than sage-grouse prefer. Protecting large blocks of habitat will also help preserve a mosaic of different habitats of varying successional stages used by sage-grouse and other sagebrush-dependent species.	All	Both	emc0391GB
323.	3. Protect Sage-Grouse Leks, and Nesting and Brood-rearing Habitats The loss and degradation of nesting and brood-rearing habitats, which leads to reduced nesting success and increased chick mortality, appears to be a primary cause of declining Greater Sagegrouse populations rangewide (Aldridge and Boyce 2007; Holloran et al. 2005). Most sagegrouse nesting and brood-rearing habitat is found near sage-grouse leks. Sage-grouse conservation strategies should focus on protecting leks and associated habitat. • Conservation of sagebrush within 5 km (3.1 miles) of sage-grouse leks was recommended to maintain most nesting and early brood-rearing habitat used by nonmigratory populations, whereas 18-km radii (11.2 miles) have been recommended for	All	Both	emc0391GB

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	migratory populations (Wakkinen et al. 1992; Connelly et al. 2000; Holloran and Anderson 2005). • Braun (2006, unpublished report) recommended restricting surface occupancy and construction of new roads within 5.5 km (3.4 mi) of active sage-grouse leks. • A 4-mile (6.4 km) lek buffer encompassed 74-80 percent of sage-grouse nests in Montana and Wyoming (Moynahan 2004; Holloran and Anderson 2005). • Doherty et al. (2010b), in mapping breeding densities of Greater Sage-grouse rangewide, buffered leks by 8.5 km (5.3 mi), identified by Holloran and Anderson (2005: 746) as an area of interest (see Map 10). • A majority (~90%) of nesting and brood-rearing habitat was within 10 km (6.2 miles) of active leks in Alberta (Aldridge and Boyce 2007); 97 percent of nests were found within 6.2 miles of leks where females were marked in the Powder River Basin in Montana and Wyoming (Doherty et al. 2010a). • Sage-grouse nesting habitat was accurately predicted up to 20 km (12.4 mi) from leks in the Powder River Basin in Montana and Wyoming (Doherty et al. 2010a). • Effects of gas and oil drilling on sage-grouse were noticeable out to 12.4 miles from leks (Taylor et al. 2012). • Movements from lek sites to nesting locations can exceed 25 km (15.5 mi) (Holloran and Anderson 2005). • Characteristics of sagebrush steppe within 54 km (33.6 miles) of sage-grouse leks might influence seasonal movements and also incorporate habitats used outside the breeding season (Swenson et al. 1987; Leonard et al. 2000). GIS modeling can identify sage-grouse habitat, but only at a larger scales (Doherty et al. 2010a). Within areas identified by GIS modeling as nesting habitat, there is some local variability in which sites are actually suitable for nesting (Doherty et al. 2010a). For example, sage-grouse nests may be clumped in one area, but not other areas the same distance from a lek.			
324.	4. Protect Other Seasonal Habitats Conservation strategies focused on conserving sage-grouse nesting and brood-rearing habitats that fail to address other important seasonal habitats may not yield intended benefits for sagegrouse (Connelly et al. 2000; Doherty et al. 2008). For example, sage-grouse consume forbs in summer found at mesic sites (e.g., wet meadows, riparian areas) and/or at higher elevations (Connelly et al. 2011a, citing others). A lack of mesic sites (for example, during dry years) can be limiting on sage-grouse due to lack of summer food sources (Aldridge 2000). Conservation strategies should seek to protect and restore mesic sites in sage-grouse habitat. The availability of winter habitat is also important to sage-grouse persistence. The quality of winter habitat appears to influence the abundance and condition of female sage-grouse and their nesting effort and clutch sizes in spring (Moynahan et al. 2007). The species depends almost exclusively on sagebrush exposed above the snow for food and shelter (Connelly et al. 2011a, citing others). Suitable winter habitat is often on wind swept ridges, south-facing slopes or in protected draws (Braun et al. 2005) (although research in Canada also identified winter habitat is less rugged areas and away from energy development and two-tracked roads (Carpenter et al. 2010)). These landscape features may be limited in some areas (e.g., Beck 1977). Winter habitat should be locally identified and conserved (Braun et al. 2005, citing Connelly et al. 2000 and others; Moynahan et al. 2007).	All	Both	emc0391GB
325.	5. Protect a System of Reserves A system of reserves must conserve a large proportion of habitat to sustain biological processes and conserve species. The	All	Both	emc0391GB

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	commonly cited goal of conserving 10 percent of a given landscape lacks basis in science (Soulé and Sanjayan 1998; Svancara et al. 2005). Much larger areas, perhaps 50 percent of rangewide distribution, may be necessary to conserve biodiversity and ecosystem integrity (Soulé and Sanjayan 1998). Conservation sites identified by experts to protect diverse habitats and species (including sage-grouse) in the Great Basin covered 40 percent of the region (Nachlinger et al. 2001, unpublished report). A system of reserves must be large enough to achieve the goals of biological representation, and ecological redundancy and resiliency within an ecosystem (Svancara et al. 2005). The percentage area needed to conserve biodiversity and ecosystem processes should emerge from the biological requirements of species. Braun (2006, unpublished report) recommended conserving large blocks of sagebrush steppe (in excess of 20 mi2), one per Township (36 mi2), in fragmented habitat to conserve sage-grouse. A system of reserves should protect centers of species abundance on the landscape. Doherty et al. (2010b) found that, while sage-grouse occupy large areas, their breeding distribution is aggregated in relatively small areas. Areas representing 25 percent of the known sage-grouse population were 3.9 percent of the species range, and 75 percent of sage-grouse were within 27 percent of the species range (Doherty et al. 2010b) (see Map 10). A system of reserves should protect peripheral and/or genetically distinct populations of species. Peripheral populations are often located at the ecological limits of a species range, where species are exposed to environmental circumstances that may later become prevalent in central populations, such as effects from climate change. Such testing of the periphery can act to stabilize the entire species in the face of environmental change (Lesica and Allendorf 1995). Genetically distinct populations increase genetic diversity in a species and expand the genetic background against which natural selection occurs (Lesica and Allendorf 1995). Reserves should be designated to protect the Columbia Basin and Bi-State distinct population segments of Greater Sage-grouse in Washington (Wisdom et al. 2005c) and eastern California/southwestern Nevada, respectively. A system of reserves should prioritize preservation of areas have moderate or high potential to be maintained or restored in the face of climate change, cheatgrass incursion, unnatural fire and effects from historic and current land uses (see Wisdom et al. 2005c). In general, most areas with high potential to maintain or restore sagebrush communities are concentrated in Wyoming, eastern Idaho and northern Nevada. Areas with very low, low, or moderate potential to maintain or restore sagebrush are concentrated in Washington, Oregon, western Idaho and much of Nevada (Wisdom et al. 2005c). The recovery alternative includes criteria for designating ACECs (and SCAs) based on these guidelines and applies them to Utah and Wyoming to demonstrate how BLM should designate ACECs rangewide (see Maps 12 and 14).			
326.	The BLM is in charge of managing more than half of all remaining sagebrush habitat in the U.S.- up to 47 million acres. This clearly puts the burden of protection primarily on the BLM, especially as it is harder to enforce consistent protective management on private lands. Yet the BLM has a Western States regional herbicide use plan that proposes to use toxic herbicides harmful to sage grouse and accompanying chaining or removal of huge areas of sagebrush habitat- apparently to further benefit already heavily taxpayer-subsidized livestock permittees. The BLM can't claim to have an adequate sage grouse protection plan on the one hand while pursuing contradictory large scale projects detrimental to the sage grouse on the other. Such detrimental plans or projects must be cancelled or significantly re-designed so as not to be harmful to sage grouse and	All	Both	rmc0039GB

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	sagebrush-obligate species.			
327.	The minimum effective population for greater sage-grouse to protect the species from the longterm risk of extinction range-wide was found by the FWS to be as high as 5,000 mature birds, while the minimum effective population on a regional scale was found to be 500 breeding adults. See FWS Findings (footnote 3) at pages 13959 and 13985. The proposed EIS process must analyze the current population level in relationship to the minimum effective population. The current estimated population for greater sage-grouse is between 350,000 and 535,000 birds, which is 70 to 107 times greater than the minimum effective population of 5,000 birds. See FWS Findings (footnote 3) at page 13921 and Table 1 on page 18 herein. In fact, given the estimated contemporary (1985 to 2007) rate of decline of 1.4% per year (see FWS Findings (footnote 3) at page 13922), it would take 300 to 330 years for the estimated current greater sage-grouse population to dwindle to the minimum effective population of 5,000 birds. Speculating about what might occur three centuries from now reaches well beyond the foreseeable future. The greater sage-grouse is not faced with imminent extinction or extinction in the foreseeable future, so is not legally qualified to be listed as either "endangered" or "threatened" under the ESA.	All	Both	emc0251GB
328.	Purpose The Notice of Intent states "the BLM and FS propose to incorporate consistent objectives and conservation measures for the protection of greater sage-grouse and its habitat into relevant RMPs (Resource Management Plans) and LMPs (Land Management Plans) by September 2014 in order to avoid a potential listing under the Endangered Species Act." See NOI,1 page 77009, underlined emphasis added. The Notice of Intent further states "(t)he purpose of the public scoping process is to determine relevant issues relating to the conservation of the greater sage-grouse and its habitat that will influence the scope of the environmental analysis, including alternatives, and guide the process for developing the EISs/Supplemental EISs." See NOI,1 page 77010, underlined emphasis added. Relevant Issues Definitions of "Endangered" and "Threatened" under the Endangered Species Act The ESA2 defines an "endangered species" as "any species which is in danger of extinction" and defines a "threatened species" as "any species which is likely to become an endangered species within the foreseeable future…". Thus, under the ESA, a species can only be listed as "endangered" if it is in imminent danger of extinction, or as "threatened" if it is in danger of extinction in the foreseeable future. Determination of Population Level at which the Species would Risk Extinction To meet the Notice of Intent's stated purpose "to avoid a potential listing" of Greater Sage-Grouse (GSG) under the ESA, the BLM's EIS process must address four issues related to population levels at which the species would be at imminent or long-term risk for extinction, as follows: 1] a determination of the minimum effective population (the number of birds needed to safeguard against the risk of extinction, either immediately or in the foreseeable future); 2] a determination of current regional and range-wide population levels in relation to the minimum effective population; 3] an analysis of historic population trends and the factors that drove those trends; and,	All	Both	emc0251GB

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	4] identification of the habitat area(s) that need to be properly managed to maintain the minimum effective population. Minimum Effective Population of GSG: As High as 5,000 Range-Wide, 500 Regionally The FWS Findings3 found that a minimum effective population of up to 5,000 individuals will safeguard GSG from the long-term risk of extinction range-wide. The FWS Findings argue "a minimum effective population size must be 5,000 individuals to maintain evolutionary minimal viable populations of wildlife (retention of sufficient genetic material to avoid effect of inbreeding depression or deleterious mutations)." See FWS Findings,3 page 13959, 2nd column, 1st paragraph, underlined emphasis added. Given the lack of any published estimates establishing a more specific minimum effective population for GSG, the FWS Findings conclude "the minimum viable population size necessary to sustain the evolutionary potential of a species… has been estimated as high as an adult population of 5,000 individuals (Traill et al. 2010, p. 32)." See FWS Findings,3 page 13985, 2nd column, 2nd paragraph, underlined emphasis added. The FWS Findings establish lower minimum effective populations associated with the risk of extirpation for discrete GSG communities at localized or regional scales. The FWS found that discrete sage-grouse populations "that fell below 50 breeding adults" were at risk for short-term extirpation, while populations "that fell below 500 breeding adults" were at risk for long-term extirpation. See FWS Findings,3 page 13959. Thus, the minimum effective population for GSG to maintain sufficient genetic material to protect the species from the long-term risk of extinction was found by the FWS to be as high as 5,000 mature birds range-wide, while the minimum effective population to guard against extirpation on a regional scale was found to be 500 breeding adults.			
329.	The FWS Findings estimate that the current GSG population range-wide totals approximately 535,000 birds. Table 4 of the FWS Findings reports GSG population estimates by state/region based upon data from state wildlife agencies collected between 2002 and 2008. The estimates for all of the state/region populations combined total 535,542 GSG. See FWS Findings,3 Table 4, page 13921. The total estimated current GSG population of approximately 535,000 birds is 107 times greater than the minimum effective population of 5,000 birds needed to maintain sufficient genetic material to protect the species from the long-term risk of extinction. The estimated populations for Idaho, Montana, and Wyoming in Table 4 of the FWS Findings were based upon hunting harvest data, assuming that 5% of the population is harvested. Elsewhere, the text in the FWS Findings assume that 10% of the population is harvested by hunting (page 13921)3, which would halve the estimated populations reported in Table 4 (also page 13921) 3 for Idaho, Montana, and Wyoming, resulting in a total estimated current GSG population of over 350,000 birds (351,252, see Table 1 on page 18 herein). This is still 70 times greater than the minimum effective population. Based upon a current estimated population for GSG of 350,000 to 535,000 birds, 70 to 107 times greater than the minimum effective population of 5,000 birds, it is clear that GSG are far from being endangered with imminent extinction. Thus, GSG do not legally qualify for listing as "endangered" under the ESA. Instead, the FWS Findings fret that the species may warrant listing because presumed trends of declining populations, if continued, may threaten the species with extinction sometime in the future. However, given the estimated contemporary	All	Both	emc0251GB

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	(1985 to 2007) rate of decline of 1.4% per year (page 13922) 3, it would take 300 to 330 years for the estimated current GSG population to dwindle to the minimum effective population of 5,000 birds. Speculating what might occur three centuries from now stretches way beyond the foreseeable future. Thus, GSG are not in danger of extinction in the foreseeable future, so do not even qualify for listing as "threatened" under the ESA.			
330.	The FWS Findings claim that "(e)arly reports suggested the birds were abundant throughout their range" and estimate that historical populations ranged from 1.6 million to 16 million birds. See FWS Findings,3 pages 13920 and 13921. They then look forward in time and forecast that without regulatory intervention, a persistent downward trend will continue into the future, and sage-grouse populations will eventually reach levels near or below the minimum effective population, putting the species at risk for eventual extinction. They seem oblivious to the fact that at the estimated contemporary (1985 to 2007) rate of decline of 1.4% annually (page 13922) 3 it would take 300 to 330 years for the estimated current GSG population to dwindle to the minimum effective population of 5,000 birds, a time frame that reaches way past the foreseeable future. The GSG population trend assumed by the FWS Findings is depicted graphically by the dashed grey trend line in Figure 1 on page 17 herein. The downward trend between the 1960s and today is assumed to be relatively steep due to rapid agricultural conversion of sagebrush habitat starting in the late 1960s. Except for a period of accelerated decline associated with commercial hunting in the 1930s, the downward trend in GSG populations is projected to extend back in time prior to the 1960s at a somewhat slower rate of decline. Likewise, the downward trend in GSG populations is forecast to continue into the foreseeable future, at a slightly slower rate. This forecast leads to the conclusion that GSG populations will eventually reach levels near or below the minimum effective population (as high as 5,000 breeding adults), putting the species at risk for eventual extinction. See the dashed grey trend line depicted in Figure 1, pg. 17 herein. However, we know from documented sources that the assumed higher GSG population levels in the early and mid 1800s depicted by the dashed grey trend line are simply wrong, at least with respect to known GSG population levels at various points in the recorded history of the Great Basin. GSG within the Western Region, particularly the Great Basin, were scarce during the pre-settlement period, much less abundant than today. Ira Hansen, Nevada State Assemblyman, prepared a report (attached) regarding pre-settlement GSG populations throughout Nevada and the Great Basin based upon written accounts of early explorers in the region. Those early written accounts indicate that between about 1820 and 1850, GSG were uncommon, being observed only rarely by the explorers, and were seldom included in the diets of the Native Americans due to their scarceness. Similarly, in Part III of the King Exploration Report (King)4 based upon field-work from June 1867 to August 1869, Ornithologist Robert Ridgway reported "birds characteristic of the sage-brush are not numerous, either as to species or individuals, but several of them are peculiar to these districts;" including Centrocercus urophasianus (GSG). See King,4 page 324, underlined emphasis added. Regarding GSG, Ridgway reported "(a)lthough this large and well-known Grouse was met with throughout the sage-brush country between the Sierra Nevada and the Wahsatch (sic), we saw it so seldom that little was learned of its habits, particularly during the breeding-season." See King,4 page 600, underlined emphasis added. Lest anyone assume that sage-grouse were seldom seen during these explorations because the vegetative cover was	All	Both	emc0251GB

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	significantly heavier than it is today, and thus allowed the birds to better hide themselves, consider Ridgway's following characterization of the sagebrush communities under the section titled Birds of the sage-brush (page 323)4: The term "sage-brush" is the western vernacular for that shrubby growth which prevails over the valleys, mesas, and desert mountain slopes of the Great Basin to the utter exclusion of all other vegetation, except in isolated and extremely restricted places. One species, the "everlasting sagebrush" (Artemisia tridentata), composes by far the larger part of that growth, "covering valleys and foot-hills in broad stretches farther than the eye can reach, the growth never so dense as to seriously obstruct the way, but very uniform over large surfaces, very rarely reaching to the saddle-height of a mule, and ordinarily but half that altitude."			
331.	The forecast that GSG populations will continue to significantly decline into the foreseeable future also appears to be wrong based upon recent studies within the Great Basin. Nevada Department of Wildlife Studies report that GSG populations increased within the state from 2008 through 2010. A complete picture of Great Basin GSG numbers since written records began indicates: 1] pre-settlement populations were quite low, but well scattered; 2] populations dramatically increased between the late 1800s and early 1900s; 3] populations peaked in about 1930 and remained high through the 1960s (perhaps interrupted by a moderate dip due to commercial hunting); 4] populations declined rapidly from the 1970s through about 2000; and, 5] populations declined more slowly from 2000 through 2010, and have even increased during the last part of this period in certain locations. Figure 1 on page 17 herein displays these circumstances graphically. All available information regarding estimated Great Basin GSG numbers from the early 1800s to present is shown as triangular data points in Figure 1, connected by a smoothed black line. To determine the overall direction of change in Great Basin GSG populations over time, a linear trend line5 for the Great Basin data is depicted in Figure 1 as a solid grey line, which increased over time. This is the exact opposite of the assumed downward trend predicted by the FWS Findings based upon the period between the 1960s and the present. It is unreasonable to base conclusions regarding long-term population trends only upon knowledge regarding population levels at two points in history, 1960 and today, when we have knowledge regarding sage-grouse populations at other times.	All	Both	emc0251GB
332.	Consideration of all historic Great Basin population estimates for GSG indicates that pre-settlement populations were low, populations dramatically increased between the mid 1800s and early 1900s, populations rapidly declined from about 1970 to 2007, and then increased slightly thereafter, as depicted in Figure 1 on page 17 herein. When interpreting graphic representations of data like that presented in Figure 1, it is helpful to develop biologically relevant explanations for the points where the population curve significantly changes slope or reverses direction. The population trend explanations suggested by the FWS Findings have the potential to explain only two of the deflections shown in Figure 1 on page 17 herein for Great Basin GSG populations. Commercial hunting could explain the population decline depicted in the 1930s, and agricultural conversions could explain the rapid population decline beginning in about 1970. However, agricultural conversions were taking place as early as the turn of the century, and Great Basin GSG populations were significantly increasing at that time, rather than decreasing. Thus, while agricultural conversions may help explain the rapid population decline beginning in about	All	Both	emc0251GB

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	1970, they are counter-intuitive when trying to explain the rapid population increases that occurred at the turn of the century.			
333.	Indeed, human disturbances of all sorts, roads, railways, fences, reservoirs, towns, homesteads, farms, mines, etc. flourished in the early to mid 1900s, and so did the sage-grouse. The mere presence of human activity seems to have little biologically relevant connection to sage-grouse population trends. However, specific human activities appear to correlate positively with GSG population trends. Livestock grazing management, with its associated intensive development of meadows, hayfields, and surface water sources increased markedly in the Great Basin in the late 1800s and early 1900s, and GSG populations boomed. During this period, high livestock densities (both sheep and cattle) reduced fine wildfire fuel loads across the Great Basin, and wildfires were rare and small. High densities of livestock dung also supplied an abundance of insect activity, particularly in closely grazed meadows and riparian areas, and the close grazing stimulated succulent new herbaceous growth and increased the forb component in these meadows and riparian areas, thereby increasing the quantity and quality of the forage supply for sage-grouse. At the same time, concerted predator control was practiced. In fact, predator control was encouraged, subsidized, and implemented on a vast scale by the Federal and State governments. By the mid 1900s, Federal and State regulations were implemented and all of the grazing management practices discussed above were controlled and moderated. The GSG population boom moderated at about the same time. By the late 1960s, livestock numbers and grazing levels were significantly scaled back across the west, and predator control programs were largely curtailed. Fire fuel levels increased, and the incidence of large-scale wildfires rose exponentially. GSG population trends reversed and started to rapidly decline.	All	Both	emc0251GB
334.	Thus, intensive livestock management which diminished the frequency and size of wildfires, and concerted predator control which greatly reduced GSG loses to these killers, are management actions in the Great Basin that seem to be highly relevant to the biology of the GSG and help explain the trajectory of their populations over time. As shown in Figure 1 on page 17 herein, it is reasonable to assume that a return to effective management to increase livestock grazing levels, reduce fire fuel loads and wildfire impacts, and increase predator control would result in another significant upward trend in GSG populations. In contrast, proposed GSG conservation measures to provide heavier cover levels through further livestock grazing reductions, and the lack of conservation measures to address ever increasing predation levels, are a prescription to assure that GSG populations will ultimately decline. Heavier cover for GSG translates to higher fire fuel loads across the landscape, and substantial fuel loads make large-scale wildfires inevitable in many sagebrush communities. Repeat burns increase the likelihood that plant communities will shift toward cheatgrass dominance, which in turn increases wildfire frequency, eliminating the ability of sagebrush communities to re-establish. Thus, conservation measures that intend to benefit GSG by providing them with more hiding cover will ultimately harm the species by converting significant swaths of existing habitat to annual grasslands that provide no habitat value for GSG. This will concentrate the remaining birds in an ever shrinking area, making them more vulnerable to poorly controlled predator populations	All	Both	emc0251GB
335.	Less than 1.5% of the current GSG breeding population needs to be conserved to support a minimum effective population as high as 5,000 birds. Because the species is heavily concentrated in high-quality portions of its occupied range (see Doherty6), less than 0.25% of the total acreage in the highest breeding density portions of the occupied range needs to be conserved to	All	Both	emc0251GB

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	support the minimum effective population (see calculations in footnote 6). Likely, far more than 5,000 GSG, and more than 0.25% of the species high quality breeding habitat, are located within existing Wilderness Areas, National Wildlife Refuges, National Parks, and National Conservation Areas. Thus, these nationally designated areas likely already support more GSG than the minimum effective population needed to safeguard the species from extinction. Further, these nationally designated areas are already managed under special regulatory mechanisms that in many instances mirror the proposed mechanisms that current sage-grouse planning strategies recommend for conservation of the species and its habitat. These nationally designated areas have the potential to protect a minimum effective population of GSG under the type of regulatory mechanisms that the FWS claims will provide them with sufficient protection from human disturbances and development. Thus, the EIS process needs to first analyze greater sage-grouse population levels and trends in these nationally designated areas to determine how many GSG they contain, and the extent to which their habitats are sufficient to sustain the minimum effective population of 5,000 birds under the regulatory mechanisms that are already in place. If analysis of these nationally designated areas confirms that they currently support more than 5,000 greater sage-grouse, and demonstrates that their populations have been maintained or have increased under the regulatory mechanisms already implemented, then there is no need to implement additional conservation measures anywhere else in the bird's occupied range. In such case, the GSG does not need to be listed under the ESA because its existence and trend in these nationally designated areas alone is sufficient to safeguard it from extinction. In contrast, if analysis demonstrates that greater sage-grouse population trends in these nationally designated areas are similar to trends elsewhere in their currently occupied range, then the entire line of reasoning regarding the factors responsible for GSG population declines must be reevaluated. If GSG population declines have occurred in these nationally designated areas that received such recognition because of their expansive, wild, undisturbed characteristics, and have been largely protected from human disturbance and development since their designation, then factors other than habitat loss, destruction, and fragmentation due to man's activities must be driving the GSG population declines. Likewise, if greater sage-grouse populations have declined in these nationally designated areas despite the regulatory/policy mechanisms that constrain their use, all recommendations to implement similar regulatory restrictions across vast additional acreages of the GSG range need to be rejected entirely.			
336.	Relevance: Criteria 2: A fish and wildlife resource (including but not limited to habitat for endangered, sensitive or threatened species, or habitat essential for maintaining species diversity). The Greater Sage-Grouse is the largest North American grouse and depends upon a variety of sage-steppe habitats during their lifecycle. In 2010, the US Fish and Wildlife Service found that the Sage-Grouse warranted listing under the Endangered Species Act in recognition of the myriad threats confronting sage-grouse populations across its range (Fed. Reg. 3/4/10). As a sagebrush obligate species, the Greater Sage-Grouse depends upon large, healthy connected stands of sagebrush for their survival and are very vulnerable to changes in habitat. Sagebrush steppe habitats are considered among the most imperiled ecosystems in North America (Knick et al. 2003, p. 612). ACEC designation is an important tool to protect priority habitats for Sage-Grouse. This nominated ACEC encompasses all core habitats within the BLM Dillon Resource Area and will contribute to the conservation of Sage-Grouse in Management Zone IV. This ACEC contains ACEC Nomination, Greater Yellowstone Coalition & Montana Audubon , March 2012 approximately	All	BLM	emc0248GB

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	fifty active and historic breeding leks as well as winter, nesting, and brood rearing habitats.			
337.	Criteria 3: A natural process or system (including but not limited to endangered, sensitive, or threatened plant species; rare, endemic or relic plants or plant communities which are terrestrial, aquatic or riparian; or rare geological features). Sustainable Greater Sage-Grouse populations, and the habitats required to support them, can be considered representative of a natural process or system. Sage-grouse are considered an "umbrella" species of the sagebrush-steppe ecosystem because of the mature intact endemic plant communities and vast landscapes needed to support them (Knick and Hanser 2011).	All	BLM	emc0248GB
338.	The lands nominated for ACEC designation "have substantial significance and values," and specifically meet criteria 1-3. 1. Has more than locally significant qualities: The lands included in the proposed ACEC represent a relatively large contiguous area of high biological value for sage-grouse. These lands are largely un-developed and un-encumbered by valid existing leases (see enclosed map: "Beaverhead Headwaters/ Centennial Valley Sage Grouse Core Areas"). If managed for Sage-Grouse and the requisite plant communities needed to sustain Sage- Grouse through an ACEC designation, these lands could substantially contribute to the conservation of this sensitive and candidate species in Management Zone IV. 2. Has qualities or circumstances that make it fragile, sensitive, rare, irreplaceable, exemplary, endangered, threatened or vulnerable to adverse change: At least a portion of southwest Montana's Sage-Grouse population is migratory, moving between separate breeding areas in Montana and wintering areas in eastern Idaho (MDFWP 2005, p. 25). This unusual characteristic makes this population particularly sensitive to activities that would lead to habitat fragmentation. Sources of habitat fragmentation which could be managed through the special management attention of an ACEC include: energy exploitation and transmission; road building and season of access; ORV use; extra efforts to limit noxious weed invasions; properly designed wildfire defense plans; modification to fencing specifications and densities; and improved designs for water infrastructure. In addition, the relatively high elevations and cool temperatures of southwest Montana's priority Sage-Grouse habitats may be considered irreplaceable in that they appear to provide refugia from widespread, episodic occurrence of West Nile virus (WNv) at present, and may continue to as climate change increases temperatures. Sage-Grouse appear to have no resistance to WNv, which has caused extreme mortality events in some Sage-Grouse populations at lower elevations and warmer habitats in southeast Montana, eastern Oregon, southwest Idaho and elsewhere. In contrast, there has never been a documented infection or mortality of Sage-Grouse from WNv in Beaverhead or Madison counties, which are encompassed by this ACEC nomination. Summer temperatures likely affect WNv viremia (Naugle et al. 2005). Braust (1991) suggested a mean daily temperature below 21 C degrees reduces autogeny in Culex tarsalis, the principle mosquito vector of this virus. 3. Has been recognized as warranting protection in order to satisfy national priority concerns or to carry out the mandates of FLPMA: The significant amount of attention paid to Greater Sage-Grouse research, monitoring, and conservation, as well as explicit statements by federal and state agencies, demonstrates that the species is a national priority. State and federal agencies have been working for over a decade to implement conservation strategies to maintain Sage-Grouse populations, as reflected in Montana's Sage-Grouse Conservation and Management Plan and the BLM Dillon Area Resource Management Plan (BLM RMP 2006). In 2010, the US Fish and Wildlife Service found that listing of the Greater Sage-Grouse was warranted due to "the present or threatened destruction, modification, or curtailment of its habitat, and the inadequacy of existing regulatory mechanisms to address such	All	BLM	emc0248GB

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	threats" (Fed. Reg. 3/4/10).			
339.	Considering the incredible impact of the ElSon all stakeholders across the range of the sage-grouse, about one quarter of the United States, the following should first be implemented and publicized: 1. A clear statement, backed by fact, as to why the sage-grouse does or does not qualify forT & E classification. 2. How many birds are there? 3. At what count of birds does the sage-grouse qualify forT & E classification? 4. What is their population trend overall and by region or Population Management Unit? If populations in given areas are steady or increasing, that area does not need additional management protocols and should be excluded from additional regulation. I 5. Ifthe trend is down, how long until the count of birds reaches the trigger value to qualify for T & E classification? 6. The science of the above estimates should be peer-reviewed by qualified scientists representing the stakeholders. 7. Too many people and endeavors over too much area will be affected for whim and emotion to control this issue. We need good science; show it.	All	Both	emc0250GB
340.	I support development of new energy sources in the United States, including the oil and gas reserves in Wyoming and Montana. But, I think we need to come up with some type of development fees in exchange for development rights, that could be imposed on property owners selling or leasing their lands for energy development, and imposed on the energy companies themselves that profit from this development. The money collected from these fees could be used to purchase other land to be set aside in perpetuity as habitat for species such as the sage grouse. (Also, these fees could be used to mitigate groundwater pollution that appears to be a result of the fracking process). If imposition of these development fees would require listing the sage grouse as an endangered species, I would be in favor of that too. The bottom line here is, we need new energy sources, and we need businesses to profit to maintain the economy and create jobs, but we also need to protect the environment. In exchange for profit, business and land owners must be held responsible for the costs of mitigation for harm to the environment.	All	Both	emc0001GB
341.	On reviewing the Form, the grouse population count data are very instructive. The count, in seven management zones across eleven states, incorporates data from 2002 through 2008. The Form notes new counts were conducted in 2010, but does not report those numbers. Trends are discussed for two pages, with no clear and hard summaries. Preliminary review of many of the referenced articles indicates they are local and do not extend to range-wide conclusions. The lack of standard data impedes everyone's ability to diligently analyze both the data and the conclusions. If the tabulated numbers are to be accepted, approximately 535,000 sage grouse exist across the eleven states. Within the California/Nevada zone, the 2004 count is listed as 88,000. Significantly, the sage grouse population greatly exceeds the threshold levels required for listing as either an endangered or threatened species. The USFWS has determined a minimum of 5,000 birds can genetically maintain the species (Barr, 2012).	All	Both	emc0274GB
342.	Habitat Conversion for Agriculture The preliminary statement in the four pages devoted to this factor, declares that ten percent of historic sagebrush range has been converted to agricultural use since the onset of EuroAmerican settlement. Edge effects entail an additional effective encroachment on sage grouse habitat, but bear tempering by anecdotal evidence of	All	Both	emc0247GB

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	significant sage grouse persistence within active farmland near Ely, Nevada (Carpenter, 2012). The benefit of the habitat edge is supported with recent studies and discussion indicating the sage grouse have been observed preferentially selecting ecology edges in order to provide cover on one hand and access to food and water on the other (Coates, 2012). Where and when edges can be a threat is in the anthropogenic provision of predation sites. That is further discussed in Section 2.8 below.			
343.	We propose that the sage grouse habitat occurring on NTTR be reclassified as Low Value Habitat/Transitional Range.	All	Both	emc0280GB
344.	Please remember these landscapes often provide essential habitat to multiple species-some of which require old-age sagebrush canopies and others requiring early seral conditions. A well managed landscape is managed not to maximize value for any one specie (whether cattle or sage grouse) but rather maximizes overall value by 'optimizing', or maintaining viable habitat for multiple species (including wildlife and livestock, Danvir et al 2005).	All	Both	emc0281GB
345.	On page 13, second solid bullet, the report indicates that collisions with power lines "were an important source of mortality for sage-grouse in southeastern Idaho.." The EIS should define "important" and compare this collision-caused mortality to annual hunting mortality. In Nevada, the Nevada Department of Wildlife claims that hunting is not an important mortality factor. The number of sage-grouse killed annually by each of these causes needs to be disclosed in the EIS.	All	Both	emc0239GB
346.	COMMENTS ON Interim conservation Measures and Policies for Preliminary Priority Habitat, No. 2012-043 (IM) As the interim policy and program guidance in the IM: These comments are consistent with and applicable to the strategic suggestions above for the proposed action. The IM recommends deferring authorizations in PGH, where appropriate, if authorizations could result in Greater Sage-Grouse population loss in PPH. We feel that excessive emphasis has been placed on deferring authorizations, and inadequate emphasis has been placed on onsite and offsite mitigation, in both PGH and PPH, to improve the overall habitat.	All	Both	emc0254GB
347.	COMMENTS ON Interim conservation Measures and Policies for Preliminary Priority Habitat, No. 2012-043 (IM) As the interim policy and program guidance in the IM: These comments are consistent with and applicable to the strategic suggestions above for the proposed action. Vegetation and Wildfire Suppression and Management We agree with the proposed vegetation management plans contained in the IM.	All	Both	emc0254GB
348.	We also recommend that BLM consider new studies entitled "Identifying and Prioritizing Greater Sage-Grouse Nesting and Brood-Rearing Habitat for Conservation in Human-Modified Landscapes.", by Dzialak, Olson, Harju, Webb, Mudd, Hayden-Wing, and Winstead; and "Landscape features and weather infiuence nest survival of a ground-nesting bird of conservation concern, the greater sage-grouse, in human-altered environments.', by Webb, Olson, Dzialak, Harju, Winstead, and Lockman on predation of sage grouse in the overall analysis. These studies have been subjected to formal peer review by highly-respected wildlife journals and should be utilized in the BLM's planning effort to address GSG. The analysis in the EISs or SEISs must consider all recent, peer-reviewed scientific information in the alternatives for each of the EISs and should not	All	BLM	emc0246GB

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	rely solely upon the conservation measures outlined in the Report.			
349.	El Paso is regulated by the Department of Transportation (DOT) and the Pipe line and Hazardo us Materials Safety Admin istration (PHMSA) for the conveya nce of natural gas. As a result, safely regul ations stipulate that EII>aso maintain various safety faci lities (i.e. block va lves) and have access to our facilities on a regular basis. The spacing of these faci lities is mandated by the DOT and may on occasion fall within a mapped Pre liminary Priority Habitat (" I>PH") or Pre liminary General Habitat ("PGH") sage-grouse area. Any new conse rvation measures must allow for the location of these f<lcil itics within habitat areas. In addition, some fac il ities such as compressor stations and meter stat ions have to be located at certain points along an existing or new right-of-way (•'ROW"). The locations of these fac ilities are, at limes, restricted due to engineering constra ints and safety issues. Any conservation measures should allow the placement of operations and maintenance fac ilities within sage-grouse PPH and PGH habitat.	All	Both	emc0278GB
350.	While routine maintenance activities can sometimes be scheduled to minimize impacts, emergency and other un scheduled activities cannot. The EIS needs to analyze routine pipeline maintenance activities wi thin PPH and PGH habitat and just as importantly, allow access into these areas to complete emergency and safety activities. For our facilities located outside of identified sage-grouse habitat, our operations staff may need to use exist ing roads thro ugh identified habitat to access these facilities. Any proposed conservatio n measures must address this issue.	All	Both	emc0278GB
351.	Any new conservation measures should allow for va ryi ng degrees of impact within lhe PPH areas. The third bullet on Page 23 of 74 of the NTT Conservation Measures document addresses this issue as it pertains to Leased Federal Fluid Mineral Estate . The conservation measure stales " … Any development to be placed at the most distal part of the lease from lhe lek, or, depending on lopography and other habitat aspects, in an area that is less demonstratably harmful to sagegrouse." While an absolute requirement that sage-grouse preservation should trump all other siting considerations is obviously not palatable, the concept of considering the distance and terrain between disturbance and the sage-grouse habitat to be protected is very appropriate. As the distance increases from a known breeding location or complex of locations, increased levels of disturbance should be allowed. For example, roads that intercept the edge of a PPH should be available for use during the breeding season. Impacts from this level of disturbance would be minimal and still allow for projects to move forward.	All	Both	emc0278GB
352.	One of the initial goals of the conservation measu res is to "manage priorily sage-grouse habitat so that discrele anthropogenic disturbances cover less than 3 percent of the sage-grouse habitat" and to allow no addition disturbances in these areas until enough area has been restored to maintain the area under this threshold. This goal may be unrealistic in many areas due to preexisting disturbances. Further, if this disturbance occurs in areas that are not under the jurisdiction of the BLM, the 3 percent threshold may never be reached since the BLM has no jurisdiction to manage such areas. This would essentially make these public lands unavailable for multiple-use as is mandated by BLM policy. In addition, the second bullet on page 7 of 74 states the objective to "manage or resourse priorily areas so thal at least 70 percent of the land cover provides adequate sagebrush habitat over the long term." This too may be an unrealistic goal since some areas did not historically support this	All	Both	emc0278GB

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	level of sagebrush habitat.			
353.	Throughout the report, the conservation measures are applied to both priority sage-grouse habitat and general sage•grouse habitat. It has been assumed that these areas equate to those identified on maps provided on the website, however this information needs to be clearly identified in future documents. We would anticipated that these maps would change over time due to events that modify habitats, either positively or negatively, or as new information is received and new research is directed at sage•grouse. The BLM needs to identify a schedule for revis ions and provisions for how the modifications would be made. El Paso would request that this be a public process that takes into account input from the state and local working groups, state wildlife agencies, industry, ranchers, mining and other affected stakeholders.	All	Both	emc0278GB
354.	With respect to the factual basis of the concerns, the BLM is relying on a linear back-extrapolation to 1800 based only on post-1960 data. Back-extrapolation of data beyond measurement limits requires independent supporting evidence or theory. Such evidence or theory in this case, however, is completely lacking, and indeed contemporary accounts of explorers in the 1800's suggest that sage grouse numbers were low before European colonization of the Great Basin. This discrepancy calls into question the underlying justification of the BLM argument that sage grouse numbers have greatly decreased post-colonization, and hence the entire rationale of the proposed BLM regulation.	All	BLM	emc0301GB
355.	Relevant to this issue are also the legal definitions ofendangered and threatened; an endangered species must be in imminent danger of extinction and a threatened species must be in danger of extinction in the immediate future. According to the US Fish and Wildlife Service, the minimum effective sage grouse population necessary to protect the species from extinction is some 5,000 mature birds across its entire range, 500 breeding adults on a regional level. Fish and Wildlife Service numbers show a range-wide present population of some 200,000 birds, with declines of some 1.4% a year 1960 to 2000. Sage grouse are hence clearly not presently endangered, and, even assuming this trend line continued, would not become so for some 300 years, which is not in the 'immediate future'. I therefore believe that proposing these regulations does not meet the legal requirements spelled out in the Endangered Species Act. The BLM, as an arm of government, has an obligation and a duty to act within the law. To propose regulations on the basis of a species being endangered or threatened when the Fish and Wildlife data show exactly the opposite is to act exactly counter to this obligation and duty.	All	BLM	emc0301GB
356.	It is also clear from multiple studies and even BLil4..documents that many aspects of post-colonization habitat changes were highly beneficial to sage-grouse numbers	All	BLM	emc0301GB
357.	As implied by the initiation of this planning process, if healthy populations of sage-grouse are to be retained, federal public lands must be managed to protect large expanses of sagebrush habitat. Federal agencies cannot rely upon private or state lands to secure habitat for sage-grouse, as state lands will continue to be largely managed for maximum return to the states, and in spite of some incentive programs for private land habitat preservation, private land owners ultimately tend to manage their land for profit, often to the detriment of sagebrush habitat. Thus, federal land managers must manage public lands in a manner	All	Both	emc0276GB

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	that protects sage-grouse and sagebrush habitat.			
358.	First and foremost, the BLM and Forest Service must follow the best available science for future sage-grouse management. If sage-grouse are to persist outside of small, relic populations, the agencies must ensure that consistent and enforceable restrictions are put on activities that harm sagebrush habitat, including but not limited to, conversion of sagebrush to crested wheatgrass, livestock management, off-highway vehicle use, oil, natural gas, and coal extraction, and prescribed burns. As noted by the U.S. Fish and Wildlife Service in its 12-Month Findings for Petitions to List the Greater Sage-Grouse, none of the state or federal regulations, plans, and strategies, alone or in aggregate, will adequately prevent the continued slide towards extinction of sage-grouse. The BLM and Forest Service must change the current weak management practices and make real and substantial changes on the ground.	All	Both	emc0276GB
359.	The greater sage-grouse, the largest member of North American grouse species, depend on a variety of shrub-steppe habitats throughout their lifecycle. Prior to European settlement, estimates report up to 16,000,000 greater sage-grouse inhabiting the West, but since then multiple threats have imperiled the species and its habitat, leading to dramatic declines in the species' population. It is now estimated that no more than about 500,000 sage-grouse remain, and just under 50% of its habitat has been entirely lost. Sagebrush is now considered one of the most imperiled ecosystems in North America. Sage-grouse are a sagebrush obligate species, meaning that they depend entirely on large, healthy and connected stands of sagebrush for survival. They use sagebrush for cover during breeding in the spring. Productive nesting areas are also typically characterized by sagebrush with an understory of native grasses and forbs. Both sagebrush canopy and grass cover are critical to reproductive success, providing necessary concealment of nests and young from potential predators. It is not surprising then that nest success averages drop an estimated 15% in disturbed sagebrush habitats, as compared to habitats where sagebrush has not been disturbed. Following hatching, brood-rearing habitat must provide adequate sagebrush canopy cover to conceal chicks while they forage on nearby forbs and insects essential to their nutritional health. In the summer, sage-grouse typically use sagebrush habitats as well as riparian areas, wet meadows and alfalfa fields, all of which provide forbs and insects, essential foods for the birds at this time of the year. Sometime in the fall, sage-grouse begin shifting their diet entirely to sagebrush, which they then depend on throughout the winter for food and cover. In sum, it is clear that sage-grouse must rely upon sagebrush year-round to survive. Sage-grouse are extremely vulnerable to changes in habitat because they generally exhibit strong site fidelity to seasonal habitats, including habitats for breeding, nesting, brood rearing, and wintering areas, and thus they remain loyal to a particular area even when it is no longer of value to them. They rarely switch between habitats once they have been selected which dramatically limits their adaptability to habitat changes. Moreover, sage-grouse depend upon large areas of continuous sagebrush with healthy understories due to extensive seasonal and annual movements of the species, and thus disturbances seemingly far from a population may still lead to negative impacts due to habitat fragmentation. Additionally, restoration of disturbed areas of sage-grouse is very difficult. Often, alteration of vegetation, nutrient cycles, topsoil, and living soil crusts exceed recovery thresholds after a disturbance, making recovery nearly impossible to achieve. Processes to restore sagebrush ecologically are relatively unknown, and thus restoration may not be the best means of protecting sage-grouse habitat. When restoration is proposed, it must be implemented on a landscape, watershed, or	All	Both	emc0276GB

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	eco-regional scale rather than individual, unconnected efforts in order to make a potentially useful impact. However, because restoration is difficult and little is known about its ecological impact, it follows that avoiding and limiting disturbance is the best way to protect sagebrush habitats.			
360.	Fragmentation of sagebrush habitats has been cited as a primary cause of the decline of sagegrouse populations because the species requires large expanses of contiguous sagebrush. More recently, several studies have documented negative effects of fragmentation as a result of oil and gas development and its associated infrastructure on lek persistence, lek attendance, winter habitat use, recruitment, yearling annual survival rate, and female nest site choice. "Avoidance of energy development at the scale of entire oil and gas fields should not be considered a simple shift in habitat use but rather a reduction in the distribution of sage-grouse	All	Both	emc0276GB
361.	The importance and impacts of grazing pressure, rest, and rotation on the condition of sagebrush landscapes and the capability of these sagebrush habitats to support sage-grouse are not fully understood, largely due to a lack of research and experimentation. Also, impacts to sage-grouse may be different depending on which season and stage of life is being considered: breeding, nesting, brood rearing, or wintering.	All	Both	emc0276GB
362.	As has been noted in regard to several other impacts on sage-grouse, sage-grouse habitat reestablishment and recovery of population numbers in an area after mining disturbances have ceased is uncertain.	All	Both	emc0276GB
363.	Number one priority is to be a good steward of public land. Sage brush habitat is the Most important aspect of the sage grouse. Even though the sage grouse have been declining for years everyone has ignored the problem.	All	Both	rmc0001RM
364.	In our experience, well-designed reclamation of public lands impacted by mining can ultimately lead to higher value habitat than if the same lands were left unmanaged. We believe that this principle applies to sage-grouse habitat as well. For example, it is generally accepted that noxious invasive species like Bromus tectorum (cheat grass) have significantly degraded vast areas of former sage-grouse habitat. Conversely, pinyonjuniper succession can lead to conversion of prime sage-grouse habitat into comparatively low-value woodlands. During mine reclamation, Barrick routinely restores such low-value habitats into prime potential sage-grouse habitat. Thus, when coupled with appropriate reclamation requirements, mining activi ty on public lands can play an important role in restoring sage-grouse and other species to long-term viability.	All	Both	emc0277GB
365.	• Relation to Nevada Department of Wildlife habitat categories: The agencies should explain how the definitions of PPH and PGH in the Technical Report and Instruction Memoranda compare or contrast to the Nevada Department of Wildlife (NDOW) habitat categories used to delineate preliminary priority and general habitat in Nevada (Preliminary Priority Habitat includes essential/irreplaceable and important habitats, and General Habitat includes habitat of moderate importance). Which set of definitions will guide final habitat designations in Nevada and elsewhere?	All	Both	emc0277GB

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366.	• Migration: The Technical Report provides that priority sagegrouse habitats should include "migration or connectivity corridors." Please explain why connectivity corridors are necessary when sage-grouse migration is completed by flight. Nonetheless, connectivity corridors are likely to exist when narrow strips of habitat link higher and lower elevation habitats. Such connectivity is generally broken by natural processes, such as encroachment by pinyon-juniper, not anthropogenic activities. What is the scientific basis for this designation? How will the agencies identify these corridors?	All	Both	emc0277GB
367.	ii. Range of alternatives should not be more restrictive than an Endangered Species Act ("ESA") Listing The agencies' objective in launching the RMP revision process is to "conserve sage-grouse and its habitat and potentially avoid an ESA listing. „21 While the prospect of a sage-grouse listing and its regulatory consequences may be daunting, the restrictive measures recommended by the National Technical Team may be even more so. Indeed, the ESA permits the Fish and Wildlife Service to at least consider each proposed action individually, taking into consideration the site-specific circumstances, species and habitat conditions, potential effects to the species, and potential mitigating actions. While "take" of listed species is prohibited under the ESA, there are opportunities for take permits. By contrast, some National Technical Team recommendations would put millions of acres of public lands off limits from mineral entry or arbitrarily cap disturbance regardless of sitespecific species occurrence and habitat conditions, or mitigation opportunities that might be offered by the project proponent. In deciding what conservation measures should be imposed to avoid a listing, the agencies must consider whether the measures proposed may cost more than the ESA listing it is attempting to avoid. The irony of the agencies' purpose to avoid a listing and the BLM National Technical Team's recommended conservation measures is highlighted by the Technical Team's proposal to withdraw from mineral entry priority sage-grouse habitat areas.22 The Technical Team also recommends a 3% surface disturbance cap in priority habitat.23 Such blanket prohibitions that admit no exceptions based on habitat conditions and quality, species occurrence, or mitigation that might be offered by the project applicant are at once inflexible and draconian, evidencing a singularity of purpose that directly contradicts the agencies' multiple-use mandates. By contrast, an ESA listing does not automatically put off limits all projects that might adversely affect the species or its critical habitat within its range. In fact, the ESA specifically provides processes to obtain "take" authorization for both private projects and those with a federal nexus. For private projects that might result in "take"-defined broadly to include any activity that would or would attempt to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect a species, 50 C.F.R. § 17.3-an applicant can obtain an Incidental Take Permit under ESA Section 10 after preparing an approved Habitat Conservation Plan. 16 U.S.c. § 1539(a)(l)(B); 50 C.F.R. § 17.22(b)(l)(iii). A Habitat Conservation Plan specifies the actions that will be taken by the project applicant to minimize and mitigate effects to the listed species. Measures can be as varied as avoiding Impacts by relocating project facilities, minimizing impacts through timing restrictions and buffer zones, rectifying impacts by restoration and re-vegetation, and compensating for impacts by habitat restoration or protection at an offsite location.24 The Fish and Wildlife Service can issue an incidental take permit if after considering the effects and committed mitigation measures, the taking will not appreciably reduce the likely survival or recovery ofthe species as a whole. 50 CF.R. § 17.22(b)(2). Similarly, when an agency such as BLM permits an activity that is likely to adversely affect a listed species, it must initiate Section 7 consultation with the Fish and Wildlife Service to ensure that the proposed action will not jeopardize the continued existence of the species. 50 C.F.R. § 402. 14(a). The Service issues a Biological Opinion to determine whether jeopardy will occur. /d. § 402.14(g). The Service may take into	All	Both	emc0277GB

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	consideration any conservation measures or other agreements between the action agency and the project proponent, including commitments to mitigate and minimize impacts. See Selkirk Conservation Alliance v. Forsgren, 336 F.3d 944, 956 (9th Cir. 2003). Thus, in both the Section 10 and Section 7 context, there is no absolute prohibition on activities that might "take" species. Rather, project approval is based on whether, after applying the mitigation measures proposed by the applicant, the action will appreciably reduce the likelihood of the survival or recovery of the species, or result in jeopardy, respectively. The ESA permitting processes encourage cooperation between the Service and the applicant to find solutions that both allow the applicant's project to move forward while conserving the species. The mineral industry is familiar with ESA processes and has worked successfully with the Fish and Wildlife Service over several decades to ensure mining operations do not place listed species such as the Lahontan cutthroat trout in jeopardy. Whatever conservation measures the agencies ultimately implement in its various RMPs, they should encourage similar collaboration for species conservation and avoid industrystifling blanket prohibitions that fail to take into consideration individual project proposals and site-specific circumstances. Barrick encourages the agencies to consider, and incorporate in their management plan revisions, alternatives that provide flexibility to the agencies to work with industry toward effective conservation while permitting multiple uses of the public lands.			
368.	iv. Design features and mitigation measures BLM and the Forest Service should consider alternatives that incorporate design features and mitigation measures other than the measures in the Technical Report to reduce or avoid impacts to biological, physical, or socioeconomic resources. See BLM NEPA Handbook at 61; 40 C.F.R. § 1508.20 (NEPA regulation defining mitigation). Possible design features and mitigation measures include, but are not limited to: • Alternatives that recognizes sage-grouse habitat quality and protects sage-grouse habitat in proportion to the potential for sagegrouse conservation - i.e., less restrictions should apply in areas that are already disturbed or developed, and protection should focus on areas where conservation measures will have the greatest benefit for the species.	All	Both	emc0277GB
369.	vi. Affected environment As discussed above, it is difficult to fully assess the possible effects of the proposed EISs because the agencies have not completed the Priority and General Habitat maps. See supra Section II. Further, the agencies have not provided a clear, uniform definition of Priority and General Habitat. Thus, we cannot independently analyze the locations of where the conservation measures will potentially apply and cannot provide a complete response to the agencies' requests for comments. In fact, the agencies have issued varying habitat definitions, adding to the confusion of the scope of the affected environment. For example, the BLM's Technical Report defines Priority and General Habitat as: Priority Habitat Areas "that have the highest conservation value to maintaining or increasing sage-grouse populations. These areas would include breeding, late brood-rearing, winter concentration areas, and where known, migration or connectivity corridors.,,27 General Habitat Areas of "occupied (seasonal or year-round) habitat outside of priority habitat.,,28 On the other hand, the agencies' Nevada offices have adopted different habitat definitions based on the Nevada Department of Wildlife's categories: Priority Habitat Category 1 - Essential/Irreplaceable Habitat: Areas covering the lek itself and associated nesting habitat. Areas covering more mesic habitats used for nesting and brood raising. Category 2 -: Important Habitat: Suitable and diverse winter habitats and high quality brood rearing habitats.3o General Habitat Category 3 - Habitat of Moderate Importance: Areas that "are not meeting their full potential due to any number of factors, but serve some benefit to sage-grouse populations. These habitats	All	Both	emc0277GB

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	can serve as nesting, brood rearing, winter or transitional habitat, but are marginal.,,31 As discussed above, the agencies should explain the designations and provide for on-the-ground confirmation to ensure accurate implementation of the conservation measures. The agencies should not leave the public, including affected industries, to guess which areas will be impacted by the proposed conservation measures.			
370.	Habitat fragmentation, associated in connection with many of the threats described above, is one of the most prevalent and most significant issues affecting sage-grouse populations. Habitat fragment is an associated impact and thus sometimes will be viewed as a direct, indirect, or cumulative effect in relation to other causal activities. Because sage-grouse require large expanses of habitat for all stages of life and for seasonal variations, the Fish and Wildlife Service concluded that maintaining habitat connectivity and sage-grouse population numbers are essential for sage-grouse persistence. Loss of connectivity leads to loss of population, loss of genetic diversity, and extirpation from stochastic events. Additionally, isolation of leks can lead to abandonment. Because sage-grouse require large expanses of habitat for all stages of life and for seasonal variations, the Fish and Wildlife Service concluded that maintaining habitat connectivity and sage-grouse population numbers are essential for sage-grouse persistence. Despite this conclusion, sagebrush habitat in the West is becoming fragmented due to urbanization, grazing, energy development, roads, fences, global climate change, water scarcity, power lines, and other infrastructure.	All	Both	emc0276GB
371.	2. All Standards in RMPs and Forest Plans Must be Based Upon the Best Available Science. All standards and directives implemented in these RMPs and Forest Plans must be based upon the best available science concerning sage-grouse, sage-grouse habitat, and how activities on public lands may impact sage-grouse and their habitat. Of relevance, NEPA requires that analysis of impacts must be "of high quality" and contain "[a]ccurate scientific analysis." 40 C.F.R. § 1500.1(b). Likewise, FLPMA requires BLM to use an integrated consideration of physical, biological, economic and other sciences in developing RMPs that will direct land management activities. 43 U.S.C. § 1712(c)(2). In finding that listing for sage-grouse is warranted under the ESA, the Fish and Wildlife Service noted its concern with the non-scientific nature of some of the current policies guiding activities in sage-grouse habitat. Because of the non-scientific nature of many of these policies and guidelines, it was not surprising that many of these guidelines proved insufficient to truly protect sage-grouse and their habitat. The agencies must gather the most current science on the issue and review it thoroughly before implementing standards. Throughout the process, as other relevant information becomes available, BLM and the Forest Service must also consult all new data to ensure that the best available science is used to formulate appropriate and protective standards to support sage-grouse persistence.	All	Both	emc0276GB
372.	3. RMPs and Forest Plans Must Require Consistent and Scientifically-Based Monitoring Efforts and Include Detailed Information on Sage-Grouse Populations and Habitat. Effective management of sage-grouse and their habitats is dependent on accurate information on populations, demography, behavior, habitat quality, habitat distribution, and many other factors.15 Long term population, habitat, and implementation monitoring must be required in all land management plans. In order to determine the impacts of public land activities and other potential threats to sage-grouse, the BLM and Forest Service must implement consistent and scientifically-based monitoring plans that will determine the health, range, and changes to sagegrouse populations and sagebrush habitat. Monitoring should be continuous, on-going, and a consistent approach should	All	Both	emc0276GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	be utilized across the range of the sage-grouse to allow for easy data comparisons. Additionally, monitoring and population surveys should be conducted before, during, and after completion of all site-specific projects and activities in order to determine the effects from all projects on sage-grouse. To this end, individual projects approved under amended plans must include appropriate funding levels for monitoring. Surveys should include a numerical count of sage-grouse and a count of leks and male sagegrouse numbers near each documented lek. The responsible federal or state agency should include all relevant information to help inform future decision-makers, including the distance of documented leks and birds from the project. Monitoring should not be limited to aerial surveys but should also include ground-truthing to ensure collection of the most accurate data possible. The agencies furthermore should post a user-friendly database available to the public on the internet with all of the relevant monitoring information documented as specified above. This will allow the agencies to easily share the information with the public while simultaneously allowing the agencies to gauge the anticipated effects of future projects based on past monitoring and survey results following similar projects. The BLM and Forest Service should require review of this information prior to making decisions when relevant monitoring or survey information—that is data relevant to the landscape involved and/or the type of activity/project involved—is available.			
373.	5. The BLM and Forest Service Should Determine and the RMPs and Forest Plans Should Identify Priority Sage-grouse Habitat, Occupied Sage-grouse Habitat, and Unoccupied but Suitable Sage-grouse Habitat. The BLM and Forest Service must collect pertinent information in order to identify within each RMP and Forest Plan land planning areas priority sage-grouse habitat, occupied sage-grouse habitat, and unoccupied but suitable sage-grouse habitat. This determination must be based upon the best available science and up-to-date surveying and monitoring results. As the National Technical Team suggests, priority habitats should include breeding, late brood-rearing, winter concentrations areas, and migration or connectivity corridors.	All	Both	emc0276GB
374.	The agencies should also prohibit new infrastructure that may harm sage-grouse in priority sagegrouse habitat. This would include fences, power lines, pipelines, roads, motorized trails, communication towers, water development, or any other infrastructure that could potentially harm sage-grouse and sage-grouse habitat. The biggest concern with infrastructure is that it can substantially fragment habitat that sage-grouse require for different stages of life and different seasons of the year. This is somewhat supported by the Technical Team Report, which suggests that "[l]arge-scale disturbances that impact sage grouse distribution and abundance at any level will not be permitted within priority areas (subject to valid existing rights)," and that "energy development and other large scale disturbances" should be excluded from priority habitats.25 The Technical Team Report, however, allows smaller scale proposals to impact 3% of a priority area.26 This allowance does not adequately address fragmentation that may result from these small scale proposals.27 As the Fish and Wildlife Service and other experts have noted, without large expanses of connected sagebrush habitat, sage-grouse are unlikely to persist. Additionally, infrastructure can cause impacts through direct conversion of habitat, increased human presence, an increase in predator threats, and direct mortality through collisions with infrastructure or collisions from cars and off-road vehicles. See infra Sections III.E & J for more information on the threats associated with infrastructure.	All	Both	emc0276GB

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375.	Permitted livestock levels have dropped dramatically on BLM and FS lands from 1940 to today. Greater sage-grouse numbers have mirrored that decline. The agencies should not overlook this statistic.	All	Both	emc0284GB
376.	Historically the numbers of sage grouse in this area were nowhere near current populations. Records kept by early travelers verify this fact. Only when numbers go below historic levels should the bird be considered endangered.	All	Both	emc0292GB
377.	Plan for sage-grouse recovery: The goal should be to maintain AND increase current sage-grouse populations and distribution by conserving, enhancing and restoring the sagebrush ecosystem. Populations must be restored to levels that can survive local extirpation events.	All	Both	emc0297GB
378.	Require adequate protections for "general habitat": General sage-grouse habitat is defined as occupied seasonal or year-round habitat outside of priority habitat. The technical team recognizes the importance of protecting and restoring general habitat. However, improved guidelines must be developed to ensure application of adequate, science based protections for general habitat. This is essential in order to maintain connectivity and sustain and increase sage-grouse populations into the future.	All	Both	emc0297GB
379.	Place a disturbance cap in all priority sage grouse habitat areas.	All	Both	emc0297GB
380.	Under the Recreation section (page 12) indicates that many recreation activities are "benign uses in sagebrush habitats. However, excessive use, such as repeated disturbance to leks for viewing that disrupts sage-grouse breeding activities can have significant negative effects (75 FR 13910)." However, Nevada Department of Wildlife routindy live-traps sage-grouse on the leks, and somehow this does not seem to be disruptive of breeding activities. We would like to see this live-trapping activity analyzed in the EIS:	All	Both	emc0322GB
381.	Evaluate sage grouse habitat for its value to sage grouse. Focus protection efforts on wet meadows and other critical sage grouse habitats.	All	Both	emc0305GB
382.	Develop habitat management plans that emphasize protection of existing core habitat areas with high density sage and increases habitat connectivity for sage grouse movement through their full life cycle and between populations to foster genetic diversity. Consider genetics as well as population connectivity.	All	Both	emc0305GB
383.	Institute a monitoring program and outline the monitoring protocol to be used for recovering the species range-wide, with the intent to continue the plan beyond recovery in order to take into account unforeseen future threats.	All	Both	emc0305GB
384.	Analyze cumulative effects of habitat loss and fragmentation as well as species movements and behaviors resulting from recreation (off-road vehicle use, viewing, shooting, camping, hunting, etc.), road-building, increased traffic, and placement of well pads for gas drilling and develop plans to reduce the impacts to sage grouse.	All	Both	emc0305GB

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385.	The N3 Grazing Board strongly questions the need and even the legality of incorporating additional sage grouse conservation measures into land use plans to "avoid a potential listing under the Endangered Species Act". The 5000 mature bird minimum population determined by the Fish and Wildlife Service to protect the species from the long term risk of extinction is exceeded many times in the Greater Sage Grouse population. It is a well documented fact that sage grouse populations were very limited in the nineteenth century when explorers and emigrants first traveled the American West.	All	Both	emc0307GB
386.	The BLM should rely on the best available science concerning sage-grouse behavior, habitat needs, and conservation best-practices when developing land use guidelines.	All	BLM	emc0308GB
387.	The Final Environmental Impact Statement should identify year-round habitat requirements for sage-grouse by state or region, and not solely focus on breeding habitat, since many populations are migratory.	All	BLM	emc0308GB
388.	Data from the western states indicates greater sage-grouse populations have stabilized or increased. As an example, data from a Nevada Department of Wildlife (NDOW) presentation indicates the greater sage-grouse population in Nevada has been increasing in the last three years. According to NDOW, the 2010 fall population estimate increased about 18% compared to the 2009 estimate, and the population has been increasing since 2008. Clearly, BLM's and NDOW's existing land management/sage-grouse conservation measures - including those outlined in Governor Guinn's Sage Grouse Conservation Plan, are having demonstrated success in restoring sage-grouse habitat, resulting in the observed population increase. Therefore, the National Technical Team's proposed draconian land use restrictions are not warranted in light of the increasing population trend and the apparent success of the conservation measures currently in place. The No Action Alternative must consider and analyze these and other state and local land management/sage-grouse conservation measures and determine whether such locally managed efforts are best suited to preserve and protect the sage-grouse and its habitat.	All	Both	emc0321GB
389.	The BLM and FS should prepare a comprehensive inventory of sage-grouse habitat and existing sagegrouse populations using the most current data available. The agencies should make certain that the full suite of habitat requirements is incorporated into this habitat inventory. At the largest scale, the habitat inventory should identify and map all lands currently used by greater sage-grouse at all life stages and throughout the year, including transitional habitats. The population inventory should verify the number of remaining sage-grouse and determine sustainable population levels, and should identify areas occupied by high concentrations of sage-grouse, which will assist the agencies in delineating high-value habitats. The BLM and FS should build upon existing state-level inventory and mapping data. Many state mapping efforts are works-in-progress and will require the agencies to work collaboratively with state agencies. For example, many mapping models focus breeding habitat to delineate core habitat because lek data is more available than nesting or corridor information. Lek data is collected through sampling that is prone to variability, and only identifies habitat use during a short period of the year. Furthermore, there is great need for more research to adequately identify and delineate transitional habitats. Regional maps should include the most recent information from local working groups, telemetry studies, and state agency modeling of seasonal habitat and movement corridors. Any mapping method must be supported by the current best available science, combined with scientifically	All	Both	emc0329GB

Table C-4.A
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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	defensible research and methods to estimate population density. We encourage BLM's continued involvement in order to expedite the process to complete work on mapping and other conservation tools, while ensuring that maps are scientifically defensible. The sage-grouse habitat inventory should include at least two categories of habitat: priority habitat and general habitat. The BLM• fs National Technical Team (NTT) has defined priority habitat as • gareas thathave the highest conservation value to maintaining or increasing sage•]grouse populations.• h4 Thesepriority areas should include breeding, late brood•]rearing, winter concentration areas, and migration or connectivity corridors.5 The remaining sage-grouse habitat, or general sage-grouse habitat, includes occupied seasonal or year-round habitat outside of priority habitat. Priority habitat should be set-aside from development or protected via stringent management protections that meet the goal of maintaining and enhancing populations in these areas. These protected areas should be large enough to stabilize populations in the short term and enhance populations over the long term.6 Priority habitat should also include small or isolated populations, such as those along the periphery of the greater sage-grouse's range.			
390.	Sage-grouse conservation guidance from BLM should reflect the most current science on sage-grouse transitional habitat, such as migration or connectivity corridors necessary for sage-grouse to travel through the landscape to vital seasonal habitat. Sage-grouse movement patterns are poorly understood,7 and, as such, transitional habitat is not adequately recognized and incorporated into current sagegrouse conservation and management. For instance, the interim guidance released by BLM in December 20118 does little to provide guidelines for the preservation or inventory of important sagegrouse transition habitat and many state-level planning efforts have not adequately incorporated transitional habitat into conservation efforts. But it is clear that migration corridors and habitat connectivity (including movement across jurisdictional boundaries) will play an essential role in successful conservation strategies. The agencies should create management policies that will protect areas that may likely serve as transitional habitat due to the proximity of these areas to highly productive habitat and lek sites.	All	Both	emc0329GB
391.	We recommend the following criteria be used to identify and designate priority habitats for the purpose of conserving greater sage-grouse. Areas of high biological value, with respect to meeting all seasonal habitat needs, should be identified and considered for priority habitat designation. To inform this effort, the agencies should refer to on-going state efforts to identify important sage-grouse habitat (such as Wyoming's Core Areas approach), as well as data provided in the BLM report Mapping breeding densities of greater sage-grouse: A tool for range-wide conservation planning.10 Prioritize habitat conservation in relatively large contiguous areas that are: 1) within areas of high biological value; 2) currently undeveloped; and 3) unencumbered by valid existing rights, and/or have low potential for development (e.g., low wind or oil and gas potential).11 These areas, where high biological value intersects with low energy development potential, are low conflict area sage-grouse habitat conservation. Consider priority habitat designation in high biological value areas that, although encumbered by valid existing rights, are not yet developed. This may be particularly feasible where actual development potential is low despite the existence of valid existing rights (e.g., due to speculative leasing in areas of low energy potential). It may also be feasible in areas where other constraints (e.g., lack of infrastructure, other resource conflicts) will make development relatively difficult and costly. Management in such areas could include aggressive pursuit of available tools to increase the amount of protected habitat, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal,	All	Both	emc0329GB

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	coal unsuitability findings, and mineral claim buyouts. Including these areas as priority habitats is vital because 44% of areas with high biological value are at risk for energy development, and one-third of the 25% core areas have been leased for oil and gas development.12 Consider prioritizing areas that meet the previous criteria and are near high biological value areas that are likely to be developed in order to promote resilience of populations disturbed by development. Consider including relatively large contiguous areas of lower biological value areas that currently are undeveloped, are unencumbered by valid existing rights, or have low potential for development. This may be important when such areas increase the size and continuity of the areas described above, or where there are limited areas that meet the previous criteria.13 Once the above areas have been mapped, work to maximize the spatial continuity and size of designated priority habitats. BLM should consider for designation areas that have already been proposed for sage-grouse conservation and are under consideration as part of RMP revision.14			
392.	• IM 2012-043 o Designation of Preliminary Priority or Preliminary General Habitat Areas The IM defines preliminary priority habitat areas as those that have been identified as having the highest conservation value to maintaining sustainable greater sage grouse populations, and include breeding, late brood-rearing and winter concentration areas. While the 1M states that these areas have been identified by BlM in coordination with state wildlife agencies, the public has had little or no input into the process of designating such areas. Furthermore, accurate maps that identify key habitat areas have not been provided. The January 10, 2012 Western Association of Fish and Wildlife Agencies habitat map, delineating these designated habitat areas, was used during the IM roll-out meetings at BlM offices. However, subsequent discussions with state and field office staff have determined that those delineations are already being significantly modified by state wildlife agencies. It is difficult for us to determine potential impacts or issues appropriate for scoping when the extent of the area is unknown. BlM must provide better maps identifying the designations as well as ensuring that designations are based on clear criteria and sound biological data. Many efforts to identify sage grouse habitat have incorporated "broad brush" analyses that do not appear to include adequate site specific field verification. For example, the mere presence of intact sagebrush habitat alone is not a sufficient indication of sage grouse habitat. Moreover, historic range is not an appropriate measure for identifying current sage grouse habitat or distribution. Some of the area currently mapped by the Nevada Department of Wildlife is occupied by cheatgrass and other non-native invasive annual species, pinyon-juniper woodlands, and salt desert shrub vegetation. These areas do not provide suitable sage grouse habitat, and thus do not warrant habitat designation. Accordingly, it is essential that any sage grouse habitat designations be based on clear criteria and sound biological data. Broad, over-inclusive geographic designations are inappropriate and may have substantial adverse effects on multiple use activities on federal lands while providing no benefits to the species. BlM should ensure that project proponents have an opportunity to confirm the habitat designations based on site specific information at the time specific actions or projects are proposed. If site specific information (Le. the best scientific information available) demonstrates that previously designated habitat does not meet the criteria for general or priority habitat, then adjustments to those habitat boundaries and/or designations are appropriate and must be made by BlM without the need for a formal IMP or RMP amendment.	All	Both	emc0331GB

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393.	Sage-grouse occur on a complex sagebrush dominated landscape with tremendous variability locally and range wide. It is ecologically impossible to regulate for improved sage-grouse performance with a "one-size-fits-all" set of regulatory measures. For the National Sage-Grouse Strategy to be successful, it is essential that it allow for regional and site-specific approaches to conserving sage-grouse and habitat, incorporating expertise of local landusers and experts such as ranchers and locally knowledgeable range scientists.	All	Both	emc0341GB
394.	The environmental impact statement (EIS) must acknowledge and address the scientific controversies regarding the habitat for the sage grouse, estimates of current numbers and changes in populations, impacts of other uses on sage grouse numbers, as well as historical range, current range, and best mitigation measures. The Technical Team Report is written in absolutes, a profound error given both the lack of data, the wide range of lands affected, and the apparent failure of BLM to consider conflicting data and research.	All	Both	emc0371GB
395.	As documented in the analysis done by CESAR, the USFWS 12-Month finding failed to meet Information Quality Act criteria. CESAR at pp. 3-7 (documenting how USFWS relied heavily on a publication prepared by the same researchers and funded by USFWS but these factors were never disclosed). There was no disclosure of funding, any review was of the same group reviewing each other's work, and there were documented data deficiencies in the USFWS work. BLM has carried forward these deficiencies in IM 2012-44 and the Technical Team Report. Id. In addition, USFWS and Technical Team Report omit other research that contradicts the conclusions. BLM has a legal obligation to conform to the IQA even if USFWS did not. This will require consideration of the contrary data and research, actual assessment of the data deficiencies and mathematical errors. If the analysis cannot be duplicated or checked, then it should be discarded or accorded little or no weight. In 2004 and again in 2010, USFWS received substantial documentation that its estimates of historic sage grouse population estimates were in error. Ex. 1A pp. 1-4. USFWS never acknowledged the data contradicting the premise that sage grouse were plentiful throughout the Rocky Mountain and Great Basin states. As explained in the CESAR analysis, the USFWS work does not conform to information quality standards and should be re-evaluated in light of these and other comments.	All	Both	emc0371GB
396.	The attention on the sage grouse and its allegedly dwindling populations coincided with the spread of West Nile Virus into Wyoming. It was first documented in 1999 and wellestablished by 2002. Invasion Biology Introduced Species Summary Project - West Nile ... http://www.columbia.edu/itc/cerc/danoff-burg/invasion_bio/inv_spp.... Most avian deaths are unreported because the remains are eaten by scavengers. It is, thus, impossible to determine the number of sage grouse affected by West Nile Virus. But given the virtual elimination of all song birds for the initial years when West Nile Virus infested urban areas and the number of human infections, it is reasonable to assume that West Nile Virus exacted a similar toll on sage grouse. Ex. 1 p. 3. Western Wyoming also suffered a severe drought during the same time frame which reduced insects necessary to feed the brood during the nest rearing phase. The combined impacts of disease and drought depressed bird numbers during the same time period and it is likely that other estimates, which attribute bird population declines to land uses err by omitting the cumulative effects of predation, disease and drought.	All	BLM	emc0371GB

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397.	A. Premise of Historic Range As shown in the attached comments, the premise of sage grouse having lost most or all of its historic habitat is deeply flawed. Ex. 1, pp. 1-2; Ex. 1A pp. 1-4; see also CESAR at pp. 8-12. The assumption ignores recorded history, soils, and climate. The USFWS lacks any data for the historical range described in the 2010 finding and it grossly overstates original sage grouse populations and range. Id. BLM has a legal obligation to use actual data and records, not just take for granted the unsupported hyperbole found in the USFWS finding	All	BLM	emc0371GB
398.	3% Surface Disturbance Limit There is no data to support the 3% limit used in the Technical Team Report for the surface disturbance ceiling in priority habitat. Technical Team Report at pp. 7-9. Its application is made more problematic in light of DOI's efforts to push through its green energy projects that will quickly use up the 3% disturbance ceiling especially when added to existing roads, projects and permits. The 3% surface disturbance limit is also infeasible to achieve and has been selected without any thought to whether it can actually be implemented. In many areas, current roads and rights-of-way will equal the 3% without taking into consideration valid rights. This occurred in Wyoming when the Wyoming Game and Fish Department (WGFD) adopted the surface disturbance limit in 2009. It was significantly revised once it was apparent that it could not be implemented without violating land rights and valid rights.	All	BLM	emc0371GB
399.	Identify Research Needs and Pursue Them Land management changes should not occur without important research issues being addressed. For example, much of the consternation focuses on lek absence in the middle of drilling fields. But there is no data regarding whether the birds died or merely relocated. The failure to discover whether the sage grouse relocated is a huge gap in the knowledge base. A related question is sage grouse use of reclaimed habitat. How does that differ from sage grouse use of other habitat that has been the subject of vegetation improvement projects? Do sage grouse return to a well site or field once traffic and activity levels die down? Certainly other wildlife return to the fields once activity levels drop off.	All	BLM	emc0371GB
400.	Populations Do Not Warrant Listing The minimum effective population for GSG, to protect the species from the long-term risk of extinction range-wide, has been determined by the FWS to be 5,000 mature birds, while the minimum effective population on a regional scale has been determined to be 500 breeding adults. The proposed EIS process must analyze the current population level in relationship to the minimum effective population. The current estimated population for GSG is between 350,000 and 535,000 birds, which is 70 to 107 times greater than the "minimum effective population" of 5,000 birds. In fact, given the estimated contemporary (1985 to 2007) rate of decline of 1.4% per year, it would take about 300 years for the estimated current GSG population to dwindle to the minimum effective population of 5,000 birds. Clearly, the GSG is not endangered with imminent extinction, and it is unreasonable to conclude that the species is threatened with extinction in the foreseeable future, so there is no reason to list the GSG as "endangered" or "threatened" under the ESA. There is ample GSG habitat within existing Wilderness Areas, National Wildlife Refuges, National Parks, and National Conservation Areas to support the minimum effective population of 5,000 breeding adults needed to safeguard the species against extinction. These nationally designated areas are already managed under special regulatory mechanisms that in many instances mirror the proposed mechanisms that current sage-grouse planning strategies recommend for conservation of the species and its habitat.	All	BLM	emc0381GB

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	Thus, the proposed EIS process must analyze GSG population levels and trends in these nationally designated areas.			
401.	Conservation Plans Should Focus on Methods Shown to Work If analysis demonstrates that GSG populations have declined in nationally designated areas, the management of these areas should be analyzed and the conservation plans called into question. If GSG population declines have occurred in these nationally designated areas with expansive, wild, undisturbed characteristics, then factors other than habitat loss, destruction, and fragmentation due to human activities must be driving the GSG population declines. If GSG populations have declined in these nationally designated areas despite the regulatory mechanisms that constrain their use, plans are flawed that would implement similar regulatory restrictions across vast additional acreages of the GSG range. Instead the BLM and USFS should consider implementation of management practices that were in place when GSG populations dramatically increased from the mid 1800s to early 1900s	All	Both	emc0381GB
402.	The default position must not be that conservation of sage-grouse is the highest priority land use in priority habitats at the expense of all other land uses. Cooperating agencies and local sage-grouse working groups must have an opportunity to review and comment on such habitat designations and the BLM must consider local and state land use plans and policies before establishing priority habitat. Habitat areas should not be designated by outsiders with a "broad brush," but should be based on local knowledge and limited to lands actually being used by sustainable sage-grouse populations. We look forward to an opportunity to review the proposed habitat mapping.	All	Both	emc0376GB
403.	Sage-grouse mortality via hunting, predation and disease must be analyzed in the plan amendment process in spite of the failure of the national technical report to address these issues.	All	Both	emc0376GB
404.	Sage-grouse mortality via hunting, predation and disease must be analyzed in the plan amendment process in spite of the failure of the national technical report to address these issues.	All	Both	emc0376GB
405.	Population augmentation is a wildlife management tool that should be considered for sage-grouse in local areas where the need exists.	All	Both	emc0376GB
406.	We also find it troubling that the strategy employed for the planning process is to use a different set of classification "Core Habitat" for something that won't be used in Nevada. This offers a challenge in being able to address concerns for extremely important designations without the ability to know how these habitats will be defined in a context based on current rangeland science. Once the designations have been established and definitions assigned, we would like to see spelled out in the land use plans the processes to be used to delineate that the habitat types actually exist in the areas identified. Further, after ground-proof validation has been conducted there needs to be process for removing those areas from the designation where the "preliminary" conditions are shown to not be actual conditions.	All	Both	emc0383GB
407.	It cannot be denied that with consideration of historic Great Basin population estimates for GSG indicates that pre-settlement populations were low. It can also not be refuted that these populations increased dramatically between mid-1800s through the	All	Both	emc0383GB

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	mid-1990s. There has also been a documented decline in the population from the mid-1990s through the early-2000s. However, recent data from the early-2000s through today have shown that populations of GSG in most western states has plateaued and even increased in some areas. There are many correlative factors that have been attributed to these GSG population patterns. However, it cannot be disproven that the highest documented populations of GSG occurred when ranching operations were at their peak. We join with others is our strong request that the federal and state agencies strongly consider the link between vibrant and active ranching operations and strong GSG populations and then employ methods to support and enhance grazing, predator control, decadent sagebrush thinning, and pinyon-juniper woodland thinning. This process should focus on a federal rule that would mandate predator control including strong control of predating ravens. If BLM, FWS, and wildlife agencies wish to pursue the aggressive protectionist management scheme, then the low, pre-settlement populations of GSG are the maximum that the BLM and other agencies can expect. Further, the FWS has determined that a minimum effective population of 5,000 will safeguard the GSG from extinction. It is estimated that the current population of GSG is between 350,000 and 535,000. Coupled with the data that shows the current populations of GSG range wide are stable, it is disingenuous to consider that GSG are in actuality endangered, let alone, threatened.			
408.	In addition to the issues listed in the accompanying informationJ I encourage the evaluation4f1h,s of the following in all analyses of the environmental impacts of actions on federal lands:,An evaluation of the cumulative impacts to sage grouse of all actions in a particular area. As an example, impacts from a single activity may not be enough to reduce sage grouse productivity, but the total impact from several activities conducted in an area may push the SGt- birds towards extirpation from the area	All	Both	emc00338GB
409.	In addition to the issues listed in the accompanying informationJ I encourage the evaluation4f1h,s of the following in all analyses of the environmental impacts of actions on federal lands:, Ensure that there is habitat for all populations of the sage grouse. This ensure genetic diversity which is critical to long term survival of all species	All	Both	emc0338GN
410.	In addition to the issues listed in the accompanying informationJ I encourage the evaluation4f1h,s of the following in all analyses of the environmental impacts of actions on federal lands. Consider the impacts of the infrasturcture associated with development.Include analysis of the impacts of fencing, roads, trails, powerlines, etc on sage grouse. Also look at the cumulative impacts of all infrastructure in an area.	All	Both	emc0338GB
411.	The BLM Notice of Intent alleges that the purpose of the SEIS and related land use plans is to "avoid a potential listing" under the Endangered Species Act ("ESA") by the Fish and Wildlife Service ("FWS"). However, the determination of whether a species meets the ESA requirements for listing lies with the FWS, rather than the BLM. According to the FWS, the minimum effective population for Sage Grouse to guard against the risk of extinction is 5,000 birds (12-Month Findings, pgs. 13959 and 13985). The current estimated population is between 350,000 and 535,000 birds (12-Month Findings, pg. 13921), which is 70 to 107 times greater than the minimum effective population. Thus, according to the Western Range Service, given the estimated contemporary (1985 to 2007) rate of Sage Grouse decline of 1.4% per year (12-Month Findings, pg 13922), it would take 300 to 330 years for the current Grouse population to dwindle to the minimum effective population of 5,000. The BLM should request agreement or concurrence from the FWS regarding its intention relative to these population numbers. This is especially important given that the BLM has no independent jurisdiction over the Sage Grouse listing.	All	Both	emc0342GB
412.	The continuation of existing management and conservation measures and existing regulatory policies including the directives	All	Both	rmc0029RM,

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	in BLM Manual 6840 "Special Status Species Management." define the status quo and the No Action Alternative. In the case of sage-grouse habitat conservation, the data from Nevada suggest that BLM's current policies are achieving significant sage-grouse habitat conservation and enhancement. For example, data presented by the Nevada Department of Conservation at Governor Sandoval's January 18th Stakeholder Update Meeting showed that the fall estimated population has been increasing since 2007, suggesting that the existing conservation measures are successfully improving sage grouse habitat.			rmc0060GB
413.	The IMs repeatedly reference monitoring activities but provide little information about what specific monitoring methods will be used or what specifically will be monitored. We ask that the BLM/FS work with these LWGs to identify and implement locally accepted sage-grouse habitat and population assessment and monitoring methods that can be used to document the effects of management actions of local population trends.	All	Both	rmc0066GB
414.	We request that LWG members are kept informed through LWG meeting communications with BLM/FS throughout the NEPA process to ensure all aspects ofthe local sage-grouse populations and their habitat use are discussed and important aspects of the local sage-grouse ecology are incorporated into the LUP amendments.	All	Both	rmc0066GB
415.	The Utah Division of Wildlife Resources (UDWR) has developed draft guidelines to assist stakeholders in managing Utah's sage-grouse populations. These are found in Appendix 5 of Utah's 2009 Sage-grouse Management Plan. We recommend these guidelines be incorporated into BLM/FS scoping process and be implemented into LUP Amendments.	All	Both	rmc0066GB
416.	Sage Grouse survival depends on some degree of removal of vegetative material. Green shoots that are both palatable and nutritious are necessary for a portion of the year. Survival also depends on sufficient habitat to nest in and sufficient habitat to survive the winter. Managed grazing by domestic cattle and sheep has provided these needs.	All	Both	rmc0057GB
417.	The agencies primary goal through this process should be to maintain and increase current sage grouse populations and their distribution through conservation measures that safeguard current populations and enhance and restore sage brush habitat throughout the species' range. Populations should be increased to levels where they are secure from local extirpation, and eventually to levels that allow for an annual harvestable surplus of sage grouse across its range.	All	Both	emc0380GB
418.	Priority and general habitat, as recommended by the NTT, must be diligently designated to ensure that all key habitat areas are considered in management planning processes. Priority habitat should include all winter range, breeding habitat and migration corridors for sage grouse and policies on disturbances should be based on peerreviewed science and technical reports from federal agencies and NGO's.	All	Both	emc0180GB
419.	When there is a proposed action within an area identified as sage grouse habitat and prior to any policy being iimposed or decision being made, WLC recommends that it should be the BLM's policy to have a field investigation performed by a qualified biologist (to identify whether the habitat is quality and whether sage grouse sign has been identified). Restrictions should not be imposed on a project if, after three visits by qualified staff, no evidence of sage-grouse (either visual siting or scat) is found.	All	BLM	rmc0068GB
420.	In addition, it has been mentioned that the BLM may impose restrictions within a "buffer area", which is in addition to and beyond the boundaries identified on the NDOW Greater Sage-grouse Habitat Categorization Map. Buffers of any kind, beyond the boundaries identified on the Greater Sage-grouse Habitat Categorization Map, should not be imposed. The BLM's EIS (and subsequent policy) should clearly identify the regulatory authority of BLM Field and District offices related to sage	All	Both	rmc0068GB

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	grouse when regulating and restricting activities within areas designated as sage grouse habitat and whether buffers of any kind (beyond the identified boundary) can be imposed.			
421.	Analyze the extent that weather patterns influence the success of chick survival and brood-success, overtime.	All	Both	rmc0055GB
422.	The Board appreciates statements of working cooperatively with operators, use of ecological site descriptions, etc. However, the Board does NOT support the statement "if local/state seasonal habitats are not available, use sage-grouse habitat recommendations from Connelly et al 2000b and Hagen et al. 2007." This is a function better served by local sage-grouse working groups and technical experts.	All	Both	rmc0050GB
423.	Before new policy is adopted for the management of sage grouse, studies need to be completed which will determine for certain whether leaving large amounts of standing grass within management areas is detrimental to sage grouse or not.	All	Both	rmc0054GB
424.	We contend that the peak bird populations were man caused through development ofmeadows and water sources, predator control, and cattle and sheep grazing. The current decline is caused by regulations that are stifling these activities.	All	BLM	fxc0013GB
425.	I control several hundred thousand acres of federa11and for grazing purposes and the majority of it is considered critical and essential habitat. Sage Grouse are plentiful on most of my range. The highest nwnber of birds however is on my deeded ground. Maybe ranchers like my self are better lands managers than the government and capable preserving habitat while at the same time harvesting more forage from the deeded than is allowed by the BLM.	All	Both	fxc0017GB
426.	Deal with the individual populations needs as indicated by research.	All	Both	rmc0032gb
427.	Priority habitat designation should be clearly defined and concisely identified with polygons identifying the actual percentage meeting the criteria.	All	Both	rmc0032GB
428.	There is ample greater sage-grouse habitat within existing Wilderness Areas, National Wildlife Refuges, National Parks, and National Conservation Areas to support the minimum effective population of 5,000 breeding adults needed to safeguard the species against extinction. These nationally designated areas are already managed under special regulatory mechanisms that in many instances mirror the proposed mechanisms that current sage-grouse planning strategies recommend for conservation of the species and its habitat. Thus, the proposed EIS process must analyze greater sage-grouse population levels and trends in these nationally designated areas. If analysis of these nationally designated areas, which likely support more than 5,000 greater sagegrouse, demonstrates that the regulatory mechanisms currently in place have maintained such populations or allowed them to increase, then there is no need to implement additional conservation measures anywhere else in the bird's occupied range, because the greater sagegrouse does not legally qualify for listing under the ESA based upon its existence and trend in these nationally designated areas alone. In contrast, if analysis demonstrates that greater sagegrouse populations have declined in these nationally designated areas, like they have elsewhere in their currently occupied range, then the entire line of reasoning regarding the factors responsible for the decline must be reevaluated. Likewise, if greater sage-grouse populations have declined in these nationally designated areas despite the regulatory mechanisms that constrain their use, all recommendations to implement similar regulatory restrictions across vast additional portions of the species range need to be rejected entirely. Instead, management practices that were in place when greater sage-grouse populations dramatically increased from the mid 1800s to early 1900s need to be identified and implemented again.	All	Both	emc0409gb
429.	To meet the Notice of Intent's stated purpose "to avoid a potential listing" of Greater Sage-Grouse (GSG) under the ESA, the	All	Both	emc0409gb

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	BLM's EIS process must address four issues related to population levels at which the species would be at long-term risk of extinction, as follows: 1] a determination of the minimum effective population (the number of birds needed to safeguard against the risk of extinction, either immediately or in the foreseeable future); 2] a determination of current regional and range-wide population levels in relation to the minimum effective population; 3] an analysis of historic population trends and the factors that drove those trends; and, 4] identification of the habitat area(s) that need to be properly managed to maintain the minimum effective population.			
430.	The FWS Findings determined that a minimum effective population of 5,000 individuals will safeguard GSG from the long-term risk of extinction range-wide.The FWS Findings argue "a minimum effective population size must be 5,000 individuals to maintain evolutionary minimal viable populations of wildlife (retention of sufficient genetic material to avoid effect of inbreeding depression or deleterious mutations)." See page 13959, underlined emphasis added. Given the lack of any published studies establishing a more specific minimum effective population for GSG, the FWS Findings conclude "the minimum viable population size necessary to sustain the evolutionary potential of a species… has been estimated as high as an adult population of 5,000 individuals" (see page 13985, underlined emphasis added). The FWS Findings establish lower minimum effective populations associated with the risk of extirpation for discrete GSG communities at more localized or regional scales. The FWS Findings determined that discrete sage-grouse populations "that fell below 50 breeding adults" were at risk for short-term extirpation, while "those that fell below 500 breeding adults" were at risk for long-term extirpation. See page 13959. Thus, the minimum effective population for GSG to maintain sufficient genetic material to protect the species from the long-term risk of extinction has been determined by the FWS to be 5,000 mature birds range-wide, while the minimum effective population on a regional scale has been determined to be 500 breeding adults.	All	Both	emc0409gb
431.	The FWS Findings estimate that the current GSG population range-wide totals approximately 535,000 birds. Table 4 of the FWS Findings reports GSG population estimates by state/region based upon data from state wildlife agencies collected between 2002 and 2008. The estimates for all of the state/region populations combined total 535,542 GSG. See Table 4, page 13921. The total estimated current GSG population of approximately 535,000 birds is 107 times greater than the "minimum effective population" of 5,000 birds needed to maintain sufficient genetic material to protect the species from the long-term risk of extinction. The estimated populations for Idaho, Montana, and Wyoming in Table 4 of the FWS Findings were based upon hunting harvest data, assuming that 5% of the population is harvested. Elsewhere, the FWS Findings assume that 10% of the population is harvested by hunting (page 13921), which would cut in half the estimated populations reported in Table 4 (page 13921) for Idaho, Montana, and Wyoming, resulting in a total estimated current GSG population of over 350,000 birds (351,252). This is still 70 times greater than the "minimum effective population" of 5,000 birds. Based upon a current estimated population for GSG of 350,000 to 535,000 birds, 70 to 107 times greater than the "minimum effective population" of 5,000 birds, it is clear that GSG are not endangered with imminent extinction. Instead, the FWS Findings fret that the species may warrant listing because presumed trends of declining populations, if continued, may threaten the species with extinction sometime in the future. However, given the estimated contemporary (1985 to 2007) rate of decline of 1.4% per year (page 13922), it would take 300 to 330 years for the estimated current GSG population to dwindle to the minimum effective population of 5,000 birds. Speculating what might occur three centuries from now stretches way beyond the foreseeable future.	All	Both	emc0409gb

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432.	The FWS Findings admit that GSG numbers are difficult to estimate due to numerous factors. See page 13921. The FWS Findings ultimately conclude since neither presettlement nor current numbers of sage-grouse are accurately known, the actual rate and magnitude of decline since presettlement times is uncertain. See page 13923. Note the assumption that the overall trend reflects a decline from pre-settlement times. Despite the recognition that the rate and magnitude of change in GSG populations over time is uncertain, the FWS Findings assume that GSG populations have significantly declined from pre-settlement populations based primarily upon conclusions from several sources indicating that sage-grouse population numbers in the late 1960s and early 1970s were likely two to three times greater than current numbers. See page 13922. The FWS Findings report that GSG experienced long-term population declines in the past 43 years, with that decline lessening in the past 22 years." See page 13923. These observations are consistent with testimony of Nevada residents that have firsthand memories dating back from that period, or earlier, some as far back as the 1930s. Given relatively high GSG populations in the 1960s and lower numbers today, the FWS Findings assume an overall downward population trend from the pre-settlement period, as depicted graphically by the dashed grey trend line in Figure 1 on page 14 herein. The downward trend between the 1960s and today is assumed to be so steep due to rapid agricultural conversion of sagebrush habitat starting in the late 1960s. The downward trend in GSG populations is projected to extend back in time prior to the 1960s at an overall slower rate of decline, except for a period of accelerated decline associated with commercial hunting in the 1930s. Likewise, the downward trend in GSG populations is forecast to continue into the foreseeable future, at a slightly slower rate. This forecast leads to the conclusion that GSG populations will eventually reach levels near or below the minimum effective population of 5,000 breeding adults, putting the species at risk for eventual extinction. See dashed grey trend line depicted in Figure 1. However, we know from documented sources that the assumed higher GSG population levels in the early and mid 1800s depicted by the dashed grey trend line are simply wrong, at least with respect to known GSG population levels at various points in recorded history for the Great Basin. GSG within the Western Region, particularly the Great Basin, were scarce during the pre-settlement period, much less abundant than today. Ira Hansen, Nevada State Assemblyman, prepared a report (attached) regarding pre-settlement GSG populations throughout Nevada and the Great Basin based upon written accounts of early explorers in the region. Those early written accounts indicate that between about 1820 and 1850, GSG were uncommon, being observed only rarely by the explorers, and were seldom included in the diets of the Native Americans due to their scarceness. Similarly, in Part III of the King Exploration Report5 based upon fieldwork from June 1867 to August 1869, Ornithologist Robert Ridgway reported "birds characteristic of the sage-brush are not numerous, either as to species or individuals, but several of them are peculiar to these districts;" including Centrocercus urophasianus (GSG). See page 324. Regarding GSG, Ridgway reported "(a)lthough this large and well-known Grouse was met with throughout the sage-brush country between the Sierra Nevada and the Wahsatch (sic), we saw it so seldom that little was learned of its habits, particularly during the breeding-season." See page 600. Likewise, the forecast that GSG populations will continue to significantly decline into the foreseeable future appears to be wrong based upon recent studies within the Great Basin. Nevada Department of Wildlife Studies report increasing GSG populations within the state from 2008 through 2010. A complete picture of Great Basin GSG numbers since written records began indicates: 1] pre-settlement populations were quite low, but well scattered; 2] populations dramatically increased between the late 1800s and early 1900s; 3] populations peaked in about 1930 and remained high through the 1960s (perhaps interrupted by a moderate dip due to commercial hunting); 4]	All	Both	emc0409GB

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	populations declined rapidly from the 1970s through about 2000; and, 5] populations declined more slowly from 2000 through 2010, and have even increased during the last part of this period in certain locations. Figure 1 displays these circumstances graphically. All available information regarding estimated Great Basin GSG numbers from the early 1800s to present is shown as triangular data points in Figure 1, connected by a smoothed black line. To determine the overall direction of change in Great Basin GSG populations over time, a linear trend line6 for the Great Basin data is depicted in Figure 1 as a solid grey line, and increased over time. This is the exact opposite of the assumed downward trend predicted by the FWS Findings based upon the period between the 1960s and the present. It is unreasonable to base conclusions regarding long-term population trends only upon knowledge regarding population levels at two points in history, 1960 and today, when we have knowledge regarding sage-grouse populations at other times. Consideration of all historic Great Basin population estimates for GSG indicates that pre-settlement populations were low, populations dramatically increased between the mid 1800s and early 1900s, populations rapidly declined from about 1970 to 2007, and then increased slightly thereafter, as depicted in Figure 1. When interpreting graphic representations of data like that presented in Figure 1, it is helpful to develop biologically relevant explanations for the points where the population curve significantly changes slope or reverses direction. The population trend explanations suggested by the FWS Findings have the potential to explain only two of the deflections shown in Figure 1 for Great Basin GSG populations. Commercial hunting could explain the population decline depicted in the 1930s, and agricultural conversions could explain the rapid population decline beginning in about 1970. However, agricultural conversions were taking place as early as the turn of the century, and Great Basin GSG populations were significantly increasing at that time, rather than decreasing.			
433.	Less than 1.5% of the current GSG breeding population needs to be conserved to support the minimum effective population of 5,000 birds. Because the species is heavily concentrated in high-quality portions of its occupied range (see Doherty7), less than 0.25% of the total acreage in the highest breeding density portions of the occupied range needs to be conserved to support the minimum effective population (see calculation in footnote 7). Likely, far more than 5,000 GSG, and more than 0.25% of the species high quality breeding habitat, are located within existing Wilderness Areas, National Wildlife Refuges, National Parks, and National Conservation Areas. Thus, these nationally designated areas likely already support more GSG than the minimum effective population needed to safeguard the species from extinction. These nationally designated areas are already managed under special regulatory mechanisms that in many instances mirror the proposed mechanisms that current sage-grouse planning strategies recommend for conservation of the species and its habitat. Thus, the EIS process needs to analyze greater sage-grouse population levels and trends in these nationally designated areas to determine how many GSG they contain, and the extent to which their habitat areas are sufficient to sustain the minimum effective population of 5,000 birds. If analysis of these nationally designated areas confirms that they currently support more than 5,000 greater sage-grouse, and demonstrates that their populations have been maintained or have increased under the regulatory mechanisms implemented in these areas, then there is no need to implement additional conservation measures anywhere else in the bird's occupied range. In such case, the GSG does not need to be listed under the ESA because its existence and trend in these nationally designated areas alone is sufficient to safeguard it from extinction. In contrast, if analysis demonstrates that greater sage-grouse populations have declined in these nationally designated areas, like they have elsewhere in their currently occupied range, then the entire line of reasoning regarding the factors responsible for the GSG population decline must be	All	Both	emc0409gb

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	reevaluated. If GSG population declines have occurred in these nationally designated areas that received such designation because of their expansive, wild, undisturbed characteristics, then factors other than habitat loss, destruction, and fragmentation due to man's activities must be driving the GSG population declines. Likewise, if greater sage-grouse populations have declined in these nationally designated areas despite the regulatory mechanisms that constrain their use, all recommendations to implement similar regulatory restrictions across vast additional acreages of the GSG range need to be rejected entirely. If regulatory controls to minimize human disturbance have failed to allow GSG populations to flourish within the vast wilderness areas and other nationally designated conservation areas, then it is unreasonable to apply such draconian control measures to broad landscapes beyond the boundaries of these areas in the vain hope that such regulation will somehow work in other locations. To implement regulatory mechanisms that are certain to severely interfere with other valid existing uses of the landscape and negatively impact local and regional economies in the face of evidence that such mechanisms did not reverse the plight of the GSG in these nationally designated areas would be unreasonable, irrational, and counter-productive. Instead, if the minimum effective population of GSG to protect the species from extinction cannot be supported within such nationally designated areas, management practices that were in place when greater sage-grouse populations dramatically increased from the mid 1800s to early 1900s need to be identified and implemented again in other areas.			
434.	The December 2011 BLM IMs8 instruct all BLM Field Officials in all program areas to consider and implement specific GSG conservation measures contained in the associated December 2001 BLM Report9 when conducting projects within "Preliminary Priority Habitat." "Preliminary Priority Habitat" is currently delineated to encompass essentially all of the highest quality breeding habitat that supports 75% of the known breeding population, which includes approximately 27% of the occupied range of the GSG (see Doherty, page 2). On their face, the BLM IMs both indicate that the instructions promote "sustainable Greater Sage-Grouse populations" (IM 2012-043 at pages 1 and 2, and IM 2012-044 at page 2). Such an objective is consistent with a goal to maintain the minimum effective population needed to safeguard the species from extinction, and thus avoid the purported need for the species to be listed under the ESA. In other words, the minimum effective population of 5,000 breeding adults needed to provide sufficient genetic material to protect the species from the long-term risk of extinction represents the minimum sustainable Greater Sage-Grouse population. As discussed above, the minimum effective population of 5,000 birds comprises less than 1.5% of the current GSG breeding population, and requires less than 0.25% of the total acreage in the occupied range for support. While the IMs imply that the goal of BLM GSG conservation is to promote sustainable Greater Sage-Grouse populations, they provide instructions to provide conservation protections to 75% of the current GSG breeding population (50 times as many birds) across a landscape that is more than 100 times larger than the area needed by the minimum effective population (27% of the occupied GSG range rather than 0.25%). The massive expansion of the conservation goal from one intended to promote a sustainable Greater Sage-Grouse population to one that directs the promotion of 50 times as large a population on more than 100 times as much land as is needed is the outgrowth of a subtle change in wording contained in the goal statement of the BLM Report. Page 2 of the BLM Report states that the BLM "endorsed the goal" of the Greater Sage-grouse Comprehensive Conservation Strategy (Stiver et. al., 2006) "to maintain and enhance populations and distribution of sage-grouse by protecting and improving sagebrush habitats and ecosystems that sustain these populations" (underlined emphasis added). Note that the goal endorsed by the BLM Report to "sustain these	All	Both	emc0409gb

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	populations" changes the ESA compliant goal of maintaining a sustainable population (minimum effective population) to safeguard the GSG from extinction to an expanded goal to maintain or enhance current populations. Since current GSG populations are so much larger than the minimum effective population, the expanded goal to sustain current populations requires conservation of many more birds over a much larger landscape than would be required to merely protect the species from the risk of long-term extinction. Thus, while the Notice of Intent states that the purpose of the EIS process is to "avoid a potential listing" of the GSG under the ESA, the conservation measures identified for analysis under the EIS process, and already implemented by the BLM IMs, actually provide ESA styled protections to far more GSG over a much larger landscape than would be the case if the populations were to actually dwindle to the point that they met the criteria for listing under the ESA.			
435.	If it is determined that no nationally designated special areas currently provide proximate habitats to support the free flow of genetic information among a minimum effective population of 5,000 breeding adults, the EIS process must evaluate the extent to which nearby habitats could be incorporated into a management network to establish such proximate habitats. For example, there may be two nationally designated wilderness areas that each support a population of 3,000 GSG, but are distant enough from each other to prevent the free flow of genetic information between them. Existing GSG habitat located between these areas could be managed to establish a proximate habitat network that allows the free flow of genetic information for a GSG population that exceeds the minimum effective population of 5,000 breeding adults.	All	Both	emc0409gb
436.	We question the adequacy of the NOI in that it does not specifically speak to the overriding goal of the EIS and subseql.lent RMP. That is: How mllch habitat aneVor How many sage grouse will be needed to satisfy a detennination that adequ~te regulatory meGhUI1isms arc in plaGe? The finding by USFWS 01'1 the petition to list sage grousc, dated March 23,2010, suggests 5,000 birds may be adequate to prevent extinction. Is this the acceptable popUlation level? Are the acres of hahitat located within special designation areas that preclude development (ie. Wilderness, National Monuments) adequate to prevent extinction'? BLM IM No. 2012-043 (Greater SageGrouse Interim Management Policies and Procedures) and 1M No. 201.2-044 (BLM National Greater Sage-Grouse Land Usc Planning Strategy) also do not specifically speak to the goal though the RMP 1M alludes to it in its referenced attachment. Absent setting the goal, the process is Hawed even before it gets strut ed, since the stakeholders are in a vacuum as to how and what to comment For example, if it can be said that a viable population of sage grouse (i.e. adequate to prevent extinction) can be sustained in Owyhee County, Idaho, then the goal could be to just maintain existing sage grouse habitat and sage grouse populations in Owyhee Col.mty and to ignore any sage grouse habitat/populations in the remaining Western United States. In short, how much habitat is enough and how many birds will it take to sustain the viability of the species? Have the decisions already been made to restore all sagc grouse habitat on BT ,MIUSFS LaneLe; across the bird's entire historical range or that adequate regulatory mechanisms will be considered to be in place when sage grouse populations reach prewestern settlcment numbers? Do the Griteria used by state wildlife agencies to regulate hunting seasons and set bag limits adequately address the goal? Without these sideboards, publie land users are forced to participate ill any and all RMP proceses whether we have interests therein or not. This is necessary in order to prevent anyone of the individual RMP processes from directing management focus to one or more other areas as opposed to their own. The detenninations will also be necessary in order to prioritize where management proposals should be implernented in order to most effeetivcly/efflciently reach target goals.	All	Both	fxc0011gb

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437.	Only sOlUld science, based upon peer reviewed research, should be used to develop conclusions and management prescriptions. Opinion pieces, editorials, and biased recommendations for management, such as "A Blueprint for Sage-Grouse Con~ervution and Recovery" dated May 2006, and authored by a Clait E. Brau.n, are WlSuitable for consideration as reputable sources or guidance. Range-wide management prescription~ must be ba.o::ed upon range-wide temporal, spatial and replicable research and not upon inference acquired from unrelated or incomplete studies. The following knowledge gaps, relating to Sage Grouse, Habitat, Patch Size, and Ecological Site and Restoration Issues need to be addres~ed prior to imposing related land use restrictions or modifications:	All	BLM	fxc0011gb
438.	NOI sage grouse research has been observation studies, not planned experiments (Rowland and Wisdom 2002). Few studies have used randomized and replicated treatments with controls for comparison. Planned expeliments give us cause and effect Lmderstanding of sage gro'use and their habitat. This is the only way to understand theeffects of management actions such as vegetation and land treatments and predator contTol measures (Rowland and Wisdom 2002). We stmlack basic infoDllation on sage grouse population growth rates and survival/mortality at different life stages (Rowland and Wisdom 2002). Even basic assumptions, such as the importance of hen productivity and chlck survival in driving populations, need to be examined. Rowland and Wisdom (2002) recommend mark and recapturc studies as a more accurate method for estimating sage grouse populations than lek counts. • Most studies focus on breeding and brood rearing habitat (Rowland and Wisdom 2002). We know much less about fall and winter habitat. In winter, we do not know much more than, "Sage grouse cat sagebrush." • There is no experimental data on the effccts ofhunling on sage grouse populations (Rowland and Wisdom 2002). • Most sage grouse research has been short term stndies. Rowland and Wisdom (2002) found that 1he median study length was 2 years and only 10% of studies were longer than 5 years. Without long term studies wc cannot llnderstand population cycles (Fedy and Doherty 2011). If we do not underst<llld population cycles we cannot determine the true effects of weather patterns or management actions, as the apparen.t e:flects of these vary with population cycles.	All	Both	fxc0011gb
439.	We still lack adequatc infonnation required to determine the type and amount of habitat needed to maintain sage grouse populations and genetic diversity. o Knick and Hanser's (2011) study highlighted the alarming Jack of data on sage grOlLQe dispersal. Thei.r analysis of range-wide lek connectivity cited two studies. o Genetic studies arc needed to understand the genetic implications of dispersal patterns and habitat connectivity. o Better tracking methods arc needed to understand dispersal and migration patterns.	All	Both	fxc0011gb
440.	The results of the recent spatial analyses in Knick and COlmelly (2011) are difficult 1.0 interpret and apply to decisions on arguably appropriate sage grouse habitat. Wc need clear, "on the ground" management implications from spatial analyses in order to apply the fmdings. The Department of the Interior se}Jarates research and management activities into separate agencies and forbids researchers fTom discussing management issnes. This mll<jt change; researchers must share their knowledge.	All	Both	fxc0011gb
441.	The ecological site concept helps us predict how vegetation will respond after disturbau(.;e or management actions. This is an ideal :fi:amework to b'Uide management of sage b'rouse habitat. However, wildlife managers Clnd researchers are generally reluctant to use this approach and seem to have trouble understanding it. Wildlife workers tend to prefer maps of emrent, rather than potential, vegetation states (Doherty et al. 2011), Despite Connelly et al.'s (2000) reconmlenciation that sage grouse h..~bitat recommendations be adapted to local conditions, there is little infonnation on this. Ecological sites would he	All	BLM	fxc0011gb

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	a ration..1..l franlework for doing this.			
442.	(10) Much effort has been spent in analyzing threats to the continued existance of sage grouse. A land use planning reaction or decision to mitigate these threats should be comparable to the magnitude oUhe threat. For example, it makes little sense to overly react to the potential impact of public lek vieWing while ignoring tbe potential impact of wild fire that may tllreaten the entire range of a distinct sage grouse population, This also relates to (7) above as it applies to conserving entire bird populations and not individual birds.	All	Both	fxc0011gb
443.	I began hunting and herding sheep in the mountains of Utah in 1940. Sage Grouse were present in limited numbers at that time. I have observed them over the years to the present. I cannot tell any difference in their numbers over that period of time.	All	Both	fxc0015GB
444.	In contrast, if sage-grouse populations have declined in these nationally designated areas like they have elsewhere in their currently occupied range, then the entire line of reasoning regarding the factors responsible for the decline must be reevaluated. If sage-grouse have declined in these areas that received national designations because of their expansive, wild, undisturbed characteristics, and have been largely protected by existing regulatory mechanisms from further human disturbance and development since their designation, then factors other than habitat loss, destruction, and fragmentation due to man's activities must be driving the GSG population declines. Likewise, if greater sage-grouse populations have declined in these nationally designated areas despite the regulatory/policy mechanisms that constrain their use, all recommendations to implement similar regulatory restrictions across vast additional acreages of the GSG range need to be rejected entirely. If regulatory/policy controls to minimize human disturbance failed to help GSG populations flourish within the vast wilderness areas and other nationally designated conservation areas, then it is unreasonable to apply such draconian control measures to broad landscapes beyond their boundaries in a futile hope that such regulation will somehow work in other locations.	All	Both	emc0402GB
445.	Implementation of regulatory mechanisms that will severely interfere with other valid existing uses of the landscape and negatively impact the western economy in the face of evidence that such mechanisms did not improve the plight of GSG in existing nationally designated areas would be unreasonable and irrational. Instead, management practices that were in place when greater sage-grouse populations dramatically increased from the mid 1800s to early 1900s need to be identified and implemented again, including increased livestock grazing to reduce fire fuel loads and wildfire impacts, and implementation of concerted predator control programs.	All	Both	emc0402GB
446.	H. Conservation Measure Alternatives to the Core Area Exclusion Approach AWEA believes that preservation of the sage-grouse can best be achieved by enlisting the wind industry as a partner in conservation and that wind developments can be designed and operated to coexist with sagegrouse habitats. Site-specific habitat analyses can be completed pre- and post-construction research to assess the potential impact of wind energy projects on sage-grouse to determine how they these projects can best be sited and maintained to mitigate any potential impacts on sage-grouse habitats. Compensatory mitigation measures can also be pursued to provide a net benefit to the species, such as establishing conservation banks that benefit specific populations in various regions that are most in need. Another approach to preserving the sage-grouse is augmenting small existing populations in isolated areas by translocating sage-grouse from other areas and combining the relocations with habitat enhancement activities. These strategies would help to prevent extirpation at the edges of the range and enhance the genetic diversity in these small populations as well.199 Significant scientific uncertainty surrounds the threats	All	Both	emc0344GB

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	posed to sage-grouse and the value of different conservation tactics. Therefore, the sponsorship of applied research to determine what measures are effective in enhancing existing sagebrush habitat could provide significant contributions to the species. Examples of other potential mitigation and/or conservation measures that we believe would have the greatest positive impact on sage-grouse populations are as follows: 1. Funding a database that would compile all known data on sage-grouse populations, mortality, trends, etc. on a regional and national basis. 2. Funding programs focused on habitat improvements and preservation. AWEA and the wind industry remain available to discuss these and other options that could provide a net positive benefit to sage-grouse populations.			
447.	The sage grouse (Centrocercus urophasianus, styled 'greater sage-grouse' by the American Ornithological Union) has been declining rangewide for the past 50 years, and has also experienced significant range contractions over the course of recorded history. The sage grouse decline to date is very serious. According to WAFWA (2006b:42), "Schroeder et. al. (2004) determined that the pre-settlement distribution of Greater sagegrouse encompassed 1.2 million square kilometers in western North America. The current occupied range of the greater sage grouse covers 668,412 square kilometers. This represents approximately 56% of the historically occupied range of the species. The loss of 44% of greater sage grouse range and the fragmentation/habitat degradation of remaining range poses great challenges for the perpetuation of the species." The decline in parts of Wyoming where heavy industrial development has occurred has been as steep as anywhere in its range.	All	Both	emc0343GB
448.	Rowland et al. (2006:1-6) encapsulated the level of threat to sage grouse habitats from oil and gas development as follows: A recently compiled inventory of onshore oil and natural gas reserves on federal lands focused on 5 geologic basins that contain the vast majority of these reserves in the 48 contiguous United States (U.S. Departments of the Interior, Agriculture, and Energy 2003). Four of the basins are centered in the Rocky Mountain region and extend across much of Wyoming, as well as parts of Colorado, Montana, and Utah (Fig. 1.3). These 4 basins also encompass 5 of the 7 "focus areas" that were given highest national priority for inventory related to the Energy Policy and Conservation Act, due to the exceptional concentrations of oil and gas reserves found there (U.S. Departments of the Interior, Agriculture, and Energy 2003). Overlying these basins is one of the largest remaining expanses of sagebrush in western North America; the Wyoming Basins Ecoregion alone contains 18.3 million acres of sagebrush (Fig. 1.2), or 17% of all sagebrush in the United States (Knick et al. 2003). The extensive landscapes dominated by sagebrush in this area in turn support some of the largest extant populations of sagebrush obligates, such as greater sagegrouse and pronghorn (Antilocapra americana), in the United States (Clark and Stromberg 1987, Connelly et al. 2004)." P. 1-6. In effect, displacement of sage grouse from preferred habitats due to energy development is virtually as bad as outright direct mortality. According to Naugle et al. (2006:11), "Avoidance [of industrial zones] is typically detrimental to populations because individuals are forced into sub-optimal habitats where vital rates decline (i.e., survival and reproduction), which in turn negatively influences population growth rate, size, and persistence, and generally leaves populations with little capacity to respond to new stressors (e.g., West Nile virus)."	All	Both	emc0343GB
449.	20) A recent study suggests th..'lt sage grouse populations might fluctuate on an 8-ycar cycle. This finding should be veliiied plior to implementing management changes that may prove to be unwarranted.	All	BLM	fxc0011gb
450.	26) Published sage grouse habitat guidelines are guidelines; they are not standards and it would be inappropriate to enforce them all stanch.lrds (Wambolt et a1. 2002). These guidelines must be adapted to local ecological conditions to reflect the potential of sites to produce vegetation (Conoelly et a1. 2000). In addition, habitat guidelines cannot be used to evaluate data	All	BLM	fxc0011gb

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	collected at different spatial scales (Davies ct a1. 2006, Hagen et a1. 2007), different stages of sage grouse life cycles (Hau~leitner et al. 2005), or with different monitorlllg methods from those used to collect the underlying data.			
451.	ome birds also occur in a nadir of non-mapped sagebrush habitat, as well. This is ignored altogether, despite land areas having been identified as necessary for restoration. The reality of the mapping and habitat identification efforts to date is that they do not depict or protect many important seasonal habitat use areas required by sage-grouse, a landscape species. Nor is this just a mapping error due to incomplete knowledge. NDOW and Nevada BLM's application of this new Model and its map legend, for example, show how habitats are excluded from the Priority Category on purpose. See NDOW Greater Sage-Grouse Habitat Categorization Executive Summary March 2012 and NDOW Greater Sage-grouse Habitat Categorization White Paper, describing the process, five habitat categories, and how categories were lumped to fit the BLM Priority and General habitat segregation scheme. Even occupied areas of Moderate importance and transitional ranges used by sage-grouse were not considered priority habitat for this landscape bird in the Nevada model.	All	Both	emc0411GB
452.	Plus the NTT's application through the even weaker IM ensures continued sacrifice of important and critical habitats through the segregation of habitats and actions, and the lower level of care (if any) that the agency will take in addressing grazing, energy development, or other activities intruding into occupied General sage-grouse habitats. See IM 2012-044 description of General Habitat, then compare this to IM 2012-043s minimal provisions. Six pages of measures are applied to Priority Habitat. The sacrificed General Habitat gets one paragraph of measures.	All	Both	emc0411GB
453.	A recent article exposes serious flaws in the Wyoming Core Model. Http://yubanet.com/enviro/Powder-River-Basin-sage-grouse-at-risk-forextirpation. Php#.T2TMsY79o6E The article Powder River Basin sage-grouse at risk for extirpation describes a BLM-commissioned report finding that: The study estimates that 27 percent of the pre-development sage grouse population has already been lost as a result of heavy coalbed methane and conventional drilling in the Powder River Basin, and predicts that only 39 percent of the original population will remain when the full build-out of coalbed methane wells reached 8 wells per square mile across the Basin, even in the absence of a West Nile outbreak. The study also found that large leks would be expected to decline by 70 percent from predevelopment numbers as well spacing reaches 4 wells per square mile, the standard density for conventional oil and gas but only half the density of coalbed methane fields. The effect of drilling on sage grouse was found in the study to be strong out to 12.4 miles from the lek itself, indicating that larger Core Areas are warranted. So clearly large blocks of habitat must be protected, and it really is all the landscape used by a population of grouse, not just some arbitrary 4 or 5 mile distance from some leks, as proposed in the Doherty Core that BLM is using as the basis for this highly flawed Priority and General Habitat segregation model. It's not that larger Core Areas are needed, it is the landscape that is used that must be protected	All	Both	emc0411GB
454.	Since the initial Federal Register Notice appeared, we have been asking BLM and state game agencies about how habitat quality factors into the habitat mapping, how many birds are actually in current populations, what number of birds constitutes a viable population, and how interacting populations are delineated and defined. All of these questions are unanswered in the Scoping material and other information that has trickled out. BLM Scoping materials claim: Working each step of the way with our partners, the BLM aims to maintain and restore high-quality habitat and flourishing populations of greater sage-grouse and other sagebrush-dependent species. This and a few other general non-specific sheets were posted on the ID BLM Website on Jan 17 and were not provided at early public meetings. http://www.blm.gov/id/st/en/sagegrouse_ rmp_revision.html .Note:	All	BLM	emc0411GB

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	BLM Web links keep changing. Hopefully this link continues to work as comments are read by agencies. But it is clear from this, and the captions on the PPH sage-grouse habitat map for Idaho related to sustaining populations that populations are indeed an issue. So then what are the numbers of birds in all the existing bits and pieces of habitat on BLM mapping? What is each defined and monitored population? What number of birds must be in each population for it to be viable? No number has been provided by BLM in this process. Sage-grouse reports shy far away from identifying just what should be considered a viable population. Garton et al. 2009/2011 analyses don't make clear what number of birds is considered to be a viable population. Population declines to 50 birds, and 500 birds, are described in the Garton Chapter, but there is no explanation of population viability and sustainability, or what the difference, if any, might be.			
455.	Some state game agencies, like Idaho, refuse to answer questions about the current number of birds in a state's population, and in the small increasingly isolated local populations in many areas. Agencies can certainly use methods to develop reasonable estimates of current populations. After all, this is routinely done for all other game species they oversee, and has been done for sage-grouse. Estimates of a viable population for sage-grouse have been made at times. Horney (2008) in the Devil's Garden Draft CP mentions that Washington State had calculated that 3,000 sage-grouse were needed for viability. In Washington, The two isolated populations numbered 624 and 387 birds in 2003, having declined by nearly 80% since the 1960's (Schroeder et al. 2000). Results of the genetic analysis were interpreted to indicate that neither of these populations possessed enough genetic diversity to persist. The Washington state biologists estimated that it would take more than 3,000 birds to maintain viable populations (WDFW 2004) Traill et al. 2007 provided estimates of 3310-3742 birds for Minimum viable population for birds. Brook et al. 2006 stated: Theoretical and empirical work has shown that once reduced in size and geographical range, species face a considerably elevated risk of extinction. A median MVP was 1377 individuals. Reed et al. (2004) estimated 7316 mean, 5816 median individuals. This includes: Populations with strong negative growth rates were not included in this data set. Even populations in excess of 100,000 will not be viable if strong deterministic (anthropogenic) factors and habitat destruction are the forces driving the population to extinction. For these cases, the cause of decline must be identified and ameliorated before a useful estimate of MVP can be made (Caughley, 1994).	All	BLM	emc0411GB
456.	The BLM's Priority scheme must not be allowed to diminish any protections in Land Use Plans. Sagegrouse habitat protections in existing LUPs do not distinguish between PPH and PGH. All Occupied sage-grouse habitats must be protected, and this NEPA-less effort to impose a habitat sacrifice scheme on occupied sage-grouse habitat cannot trump existing LUP or other protections in the Interim. It is also imperative that no good existing land use plan protection that may protect sage-grouse habitats or populations from adverse impacts be diminished or weakened as an outcome of the EIS process.	All	BLM	emc0411GB
457.	There was no information on the populations/numbers of birds that constituted each population presented. There was no information on what BLM considered the number of birds necessary to sustain a population. For example, is the very small circular figure in the Idaho PPH's map of Upper Pahsimeroi-Little Lost region supposed to represent a viable population? If so how many birds currently are found there - 200? 300? What do current lek counts show for this area? How has this changed over time? And how many birds, really, could persist over time in that small PPH area? It is not reasonable to believe that this small land area could support a viable or a sustainablepopulation (whatever this means). BLM's Core/PPH Approach is a sure way to have smaller populations blink out, it promotes declines in larger populations, too. It is the opposite of a responsible conservation-based approach to saving sage-grouse.	All	BLM	emc0411GB

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458.	Sage-grouse have already been found to Warrant ESA Listing so what does BLM do? It uses a Model that immediately segregates habitat occupied by sage-grouse into a General disposable category. The Warranted Finding means that the species is already in serious trouble, and there habitat issues including loss, fragmentation and degradation that must be fixed, and addressed with certainty.	All	BLM	emc0411GB
459.	BLM also seems to have forgotten about the Connelly Guidelines from 2000, and the 2004 Connelly et al. Conservation Assessment that described three types of populations including one and two stage migratory populations that move over vast areas of the landscape in applying this habitat sacrifice scheme. The mapping in many areas does not reflect any recognition of population characteristics and how birds move through the landscape to fulfill seasonal needs.	All	BLM	emc0411GB
460.	BLM must define and track habitat and population changes based on real-world populations. Agencies have begun using general floristic VMZ categories to examine trends, threats, etc. to sage-grouse. These management zone categories are nearly meaningless in a biological sense to the birds. These broad vegetation-based zones have nothing to do with whether there is functioning interconnected intact habitat or inter-connected functioning sage-grouse populations. The VMZs lump areas with better populations in with some areas of very few birds, to bury the low population areas in with larger populations and thus hide the fact that the areas with low numbers of birds (like much of southern Nevada, much of Utah), may be blinking out soon.	All	BLM	emc0411GB
461.	The Plan amendments "will be limited to making land use plan decisions specific to the conservation of sage-grouse." This will only serve to cause more conflict. Many inadequate mining, energy, visual, transportation/OHV and other provisions of Land Use Plans come into direct conflict with sage-grouse habitat protection requirements, and it is very hard to understand just how BLM will split hairs here. See WWP Jarbidge RMP comments, explaining how weak VRM standards, lack of mineral withdrawals, energy accommodations and other RMP provisions would adversely affect management of sage-grouse habitats for sustainable populations. It will also serve to put more species in jeopardy - as sagebrush-dependent species with differing habitat requirements to some degree than sage-grouse get impacted as agencies shift and intensify all manner of degrading and disturbing uses (such as livestock) into the Sacrifice General occupied habitats or non-grouse areas.	All	BLM	emc0411GB
462.	The Plan amendments "will be based on the principles of adaptive management." What does this mean? Agencies toss the term adaptive management blithely around. Strict sideboards must be applied, and specific actions must be triggered in response to ecological problems, exceedances of grazing standards, declines in populations, failure to make progress toward recovery goals for sage-grouse numbers and occupied habitats, unexpected impacts or losses of sagebrush habitat, etc.	All	Both	emc0411GB
463.	If agencies persist with the deeply flawed PPH, General and Non habitat segregation of sagebrush landscapes, then the EIS must fully examine the impacts of development in General or non-habitat and the sacrifices of it that will occur. Given the tremendous impact that development is now known to have (see for example news of recent Powder River Basin study by Naugle et al. showing the inadequacies of the Core Model and the need to protect habitats over far greater areas than the limited lek-derived Doherty et al. distances used in the core/Priority Models), how long will the BLM persist with this flawed Core and core-derived scheme? Under an honest assessment of the ecological harm that would be done under development scenarios, and continued chronic grazing disturbance, then what would actually happen to all the seasonal habitats required by a local sage-grouse population, or PMU? Look at the Nevada habitat mapping, for example. What would the effects be of foreseeable development in all the blue or white area stripes through the pink habitat stripes? Just because a development	All	Both	emc0411GB

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	occurs in an area segregated by agencies into a habitat sacrifice category does not mean that the Footprint or intrusion of that activity on the grouse habitat and population would not be very significant Example: Gold mines, Oil and Gas, industrial wind, industrial geothermal, industrial solar facilities situated in General or in Non-habitat would have a Footprint of noise, visual pollution, ancillary facilities and infrastructure, human disturbance, impacts to water tables, etc. that adversely impacts grouse in the Priority segregated habitats. This demonstrates flaws in this habitat segregation scheme. The cumulative impacts of all of these actions on actual populations and their viability must be assessed, not merely on sage-grouse lumped in VMZs or other contrivances that stymie clear understanding of actual populations and their habitats and viability.			
464.	The Core/Priority approach, upon which the IM and the mapping relies, relegates large areas of critically important sagebrush habitat to a "general" habitat category. NTT Report at 7 describes: "the overall objective to protect priority sage-grouse habitats from anthropogenic disturbances that will reduce distribution or abundance of sage grouse." Priority habitats are "areas that have the highest conservation value to maintaining or increasing sage-grouse populations." By putting this habitat up on a pedestal - all other areas including intact mature and old growth sagebrush communities that may not have as many known leks or have not been adequately studied to identify critical seasonal habitat use - have been omitted from protections.	All	Both	emc0411GB
465.	The report states that the priority habitat designations must reflect the vision, goals, objectives of the plan, if conservation measures are to be effective. It then discusses "collaboration" with WAFWA to identify a consistent way to designate sage-grouse priority habitat areas. But what will be the sideboards on the sound application of science in any "collaboration"? Scientists may be forced to concede to the many wishes of industry collaborators.	All	Both	emc0411GB
466.	This process focuses to a large degree on leks (the subset of accessible leks about which most info is known) and not winter habitats, habitats essential for connectivity, many nesting habitats, brood rearing habitats, and the full inter-connected set of habitats required by sage-grouse populations. Instead of looking at habitats before writing them off as general habitat, which would be a precautionary approach to conservation, this process relegates unstudied areas to a "general" sacrifice zone. Since sage-grouse are a landscape bird (Connelly et al. 2004), disruption or loss of any one of these vital inter-connected habitats necessary for species survival over the course of a year may have dire consequences to populations. Much less information is known about wintering habitats, and about some nesting habitats, as well. This may depend on the complex interspersion of landscape features - topography, elevation, vegetation types, etc. Nesting, brood rearing and summer habitats may be 10-12 miles or more from leks. In fragmented habitats, birds may move over very large areas, as well. Examples: Bruneau and Jarbidge birds that move onto Duck Valley, or onto the Humboldt-Toiyabe Forest as summer progresses. This is especially the case for less accessible/harder to access and study areas, and areas that have not had extensive radio-tracking and other studies. Plus there is bias in radio studies - with tendencies to cherry-pick study sites in areas where either the most birds are, or it is easiest to capture and mark birds. Thus the more accessible populations may be the ones for which habitat attributes are the most well known.	All	Both	emc0411GB
467.	The focus on broad, general geographic areas/ and veg communities is flawed in many ways: - Sage-grouse can readily move back and forth at times between some portions of these different vegetation Zones. Example: OR-ID-NV region. - This lumps together a lot of small, isolated populations with larger populations - so that declines in abundance or even complete losses of many smaller and medium-size dis-connected and spatially isolated populations will not stand out so much. So these losses will be muted by being lumped in with other larger populations. Example: Southern Great Basin MZ, MZ III. This	All	Both	emc0411GB

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	contains the tattered remnants of the remaining Utah sagebrush habitats, further fragmented with all manner of recent sagebrush "treatments", with a larger block of more inter-connected habitats in central Nevada including the Monitor block and White Pine block of PMUs. It also contains the nearly extinct Sonoma-Majuba-East Range and other isolated tiny PMUs between Winnemucca and Reno. Plus the Bi-state (Mono birds) are included in this same VMZ as well. Geographically separated and isolated populations are oddly all lumped together. - It is not based on genetic or behavioral differences of the bird, or any other factors really relevant to sage-grouse biological needs. In fact, agencies readily move captured birds around between VMZs. Example: Hart Mountain Northern Great Basin VMZ to Columbia Basin VMZ (WA state remnant population).			
468.	BLM, the Forest Service and USFWS should limit any reliance on any analysis based on MZs, and must instead focus on identified populations, and track what is happening to these populations and their habitats.	All	Both	emc0411GB
469.	There is no data and analysis provided in the NTT on the relevant inter-acting biological populations. Those in need of immediate life-support and cessation of nearly all existing disturbances are not identified. Clearly identifying populations in most need of help and making immediate changes to stave off losses should be the first and foremost goal of agencies. Not contriving ways to exclude and write off sagebrush habitats from protection, or lump small scattered often isolated populations into general VMZs to avoid declines and extirpations being as obvious and alarming– which in reality is what this Core and Priority scheme does.	All	Both	emc0411GB
470.	How is BLM defining populations in the NTT, IMs, and throughout this sage-grouse EIS process? Is it the meaningless Management Zones? Is it the population and sub-populations - under Connelly et al. (2004) such as Great Basin Core? Is it smaller populations (interacting), or PMUs, as defined under state plans or info from field studies? How is BLM defining sustainability of populations? Viability of populations? How many birds are currently in all identified populations, PMUs, etc.? What number constitutes a viable population?	All	BLM	emc0411GB
471.	The NTT fails to provide population numbers, or any real discussion of the status of populations, or other reporting to develop interim management or to allow informed public Scoping input.	All	Both	emc0411GB
472.	Develop quantifiable habitat and population objectives with WAFWA and other conservation partners. There must be a complete and valid baseline of habitat quality and quantity - so the degree and severity of habitat degradation can be understood. Baseline population levels for all populations and annual updates on population status for each population must be provided. There already should have been much more essential baseline habitat and population data, and clear terminology, provided in any Technical Report used to base Interim Management on, for this Scoping process. Examples: What are all existing inter-acting biological populations, the number of birds in each population unit at present, and the current ecological condition of habitat? This is necessary for the public to provide meaningful scoping comments, and to understand the adequacy of the various Core, Priority, and other artificial categories and models being applied. This is necessary to develop a suitable range of alternatives in the EIS process. Much more solid information should have been provided as part of Scoping. It must be provided as a Supplement to Scoping for additional public comment. In fact, the 40 million dollar REA process had provided an opportunity to establish a timely baseline of overall habitat quality and quantity. But BLM purposefully omitted consideration of livestock disturbance, rendering the process invalid.	All	Both	emc0411GB

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473.	Sagebrush in Idaho, large areas of Nevada, large areas of Oregon, the tattered remnants of Utah sagebrush habitat, remnant fragments of California habitats, and some Montana habitats often occur within areas of naturally diverse and heterogeneous landscapes. This makes the "core model" of drawing circles around leks even more absurd. Drawing circles around leks often includes large areas of habitat that sage-grouse just do not use - for example in rugged Basin and Range topography.	All	Both	emc0411GB
474.	This 3% allowable new disturbance applies only to priority habitats. The general habitat will be sacrificed even more. The IM breaks this down further - as if habitats were a pie or a square - where parts could be chopped off, based on percentages of the total habitat category area (whatever that may be) while ignoring the landscape setting, seasonal uses, how compromised habitat quality may be, chronic disturbances from grazing and other uses, and sources of mortality like fences. The percentages in NTT pages 8-9 and elsewhere seem premised on a false assumption that habitats are a neat, engineered box, where surgical precision can be exercised in cutting into that neat box so as not to exceed artificial percentages. And with each new cut, sagebrush habitats and bird populations will react predictably. These percentages appear to be derived from limited oil and gas studies, in areas where sage-grouse populations were at much higher levels and existing in much more continuous habitat when development set in than is currently the case across the sage-grouse range.	All	Both	emc0411GB
475.	This Appendix describes: Sage-grouse have been documented traveling more than 20 miles from leks to nests. (p. 51). "Average distance between a female's nest and the lek on which she was first observed ranged from 3.4 km to 7.8 km (4.8 miles)." This is only "average distance!" This shows how inadequate the Priority Areas mapped in places like the Pahsimeroi in Idaho are. In many instances the minimal distances would sacrifice very important areas for sage-grouse. In areas of fragmented habitat, birds may move over vast areas. For example, the Jarbidge BLM (Commons-Kemner 2003, recent IDFG and USAF studies). "Many populations of sage-grouse migrate between seasonal ranges in response to habitat distribution" (Connelly et al. 2004) p. 52. Migration distances of up to 100 miles have been recorded. "Almost no information is available regarding the distribution and characteristics of migration corridors for sage-grouse (Connelly et al. 2004) p. 52. Sage-grouse dispersal (permanent moves to other areas) is poorly understood (Connelly et al. 2004, Knick and Hanser 2011). In areas of naturally fragmented habitats, or where fire has fragmented big blocks of habitat into small patches - sage-grouse may have to move over much larger areas if a population is to remain viable. All of this argues strongly against use of the Core and Priority schemes. This approach is not biologically valid, especially in the increasingly broken, fragmented habitats faced by sage-grouse across their range. All of the above information shows how risky and uncertain drawing 4 or 5 mile circles around leks - and then using that as the primary basis for the poor Idaho and some other mapping efforts. Or, as in the Nevada example, not including even known seasonal use areas as Priority Habitat.	All	Both	emc0411GB
476.	Following Appendix A's admitting large-scale uncertainty about many sage-grouse habitats, and acknowledging that sage-grouse often nest a long distance from leks, Appendix B then proceeds to claim that managers need a high degree of certainty that their management actions will have the anticipated outcome. The Core and Priority habitat segregation scheme, which is driving this BLM EIS Scoping process, is fraught with uncertainty and significant risk. BLM admits "..unfortunately, natural systems have inherent complexity and stochasticity that make certainty in wildlife management decisions challenging." "Management in sagebrush ecosystems is further complicated by new forms of development or the unprecedented pace at which traditional uses are increasing." "Wind and other renewable energy sources are being proposed and developed in areas that previously had undergone little development." "We do not know how sage grouse respond to the increasing intensity	All	BLM	emc0411GB

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	of all uses ranging from traditional commodity development to non-consumptive activities." "The changes due to the cumulative effect of this new level of increased development may take years to be fully expressed in habitat and population response." All of this information further exposes the severe flaws in the habitat (and Population) sacrificing Core and Priority schemes. BLM has embraced and put into action without any NEPA analysis or adequate scientific scrutiny an industry-serving habitat sacrifice and segregation scheme.			
477.	The BLM is using a "Framework for sage-grouse impacts analysis for interstate transmission lines 05- 17-2011" in the Gateway Transmission line process. This states: An analysis of sage grouse populations within 18 km of the project is a critical component of an indirect impacts analysis for grouse. They may be impacted by loss habitat functionality. Yet the core model doesn't even prioritize habitats within 18 km. This also states that: the construction of a transmission project or other linear facility may pose an additional hindrance of seasonal migration patterns or avoidance of important seasonal habitats once used extensively by local sage grouse populations". It continues: "Qualitative and quantitative measures of habitat change must be considered in describing the potential impacts. In the context of managing a species that requires a large landscape of habitats to meet their life cycle needs, and the nature of the proposed disturbance, it is reasonable to make some assumptive predictions about the relative impacts within 18km".	All	Both	emc0411GB
478.	Step 1. Determination of leks that will be used. ALL the habitat should be examined – not just focusing on leks at the outset. Sage-grouse are a landscape species. All leks within 4 miles of the outer boundary of the project, and within Key Habitat/Core Habitat, would be used. So does this mean that if a lek is not within the artificial "core" area, and instead lies within a non-core or "general" habitat sacrifice area, that the lek will not be considered, or given equal weight? If so, this is ecological madness. Step 2. DDC area size and configuration is all tied to leks – to winter, brood rearing, nesting, or other habitats. Step 3. Disturbance will be evaluated for the DDC as a whole. As above, the DDC is not the population. It is impossible to fully evaluate impacts unless the population is addressed. This fixation on leks allows BLM to: 1) Sacrifice to development large areas of sagebrush wild lands more distant from known leks; 2) Minimize understanding of impacts on a biologically meaningful population unit. Connelly et al. (2004) describe how population characteristics vary in migratory patterns. What if a functional breeding population exists within a 20 square mile area – surrounded by large areas of unsuitable habitat? What if the highest quality remaining habitat is located at a greater distance than the 4 mile core circle around a known lek in the lek model? What if the population is already very low? Of course, if it is already low – under the Core Sacrifice Model, it is unlikely to receive much "protection" anyway because it is not likely to be considered "core". This sidesteps examination of functional local or regional populations, and their trends, as described in Connelly et al. (2004), and Knick and Connelly (2009) Garton Chapter discussing the bleak trends in populations across the species' range.	All	Both	emc0411GB
479.	This flawed mitigation scheme imposes a Model upon a Model. The core scheme, and priority habitat sacrifice schemes are developed from a Model. Now a HEA model is being developed to further promote habitat loss. If BLM continues on this path, the extirpation of populations across many areas is very likely. Viable populations will be limited to fewer and fewer areas – and the entire species thus will be more vulnerable to loss if large-scale unpredictable fire, rapid weed spread, insects, disease and/or other factors impact the increasingly fragmented remaining habitats. What occurs if leks blink out? Would BLM still consider the area to be managed for habitat protection? In relying on this flawed model, BLM appears to believe habitat can be frozen. There is no margin for error. As populations change –and change can be very rapid with habitat loss, will core areas	All	BLM	emc0411GB

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	change? Since this is all based on a Model of percentages of birds contained within areas at present, the next time the numbers are run, some different areas might be Core Areas, and some current core areas not be included. An alarming part of this is this HEA analysis is that it apparently considers a loss of a bird, no matter where or how low a local population already to be, to be the same everywhere. "… a bird in Wyoming is equivalent to one in Idaho; an acre of habitat in WY is worth as much in Idaho; etc.". This, sadly, reflects the continuin mindset of BLM – that sage-grouse and sagebrush landscapes are disposable. That a population in one area can be greatly stressed –or wiped out altogether, and this is always ok because there are some sage-grouse somewhere else.			
480.	Disturbance Calculation. This focuses on non-grazing anthropogenic disturbances only (see J-3) - using the same categories as the BLM IM (transmission lines, distribution lines, wind development, and oil and gas/facilities, geothermal, communication towers, pipelines, paved roads, and others"). It is also to take into account "approved permits" – but it is unclear if this includes leases – often held by speculators and others. (See discussion elsewhere). Then, the HEA calculates "existing and allowable suitable habitat disturbance". Here, the HEA lapses back to the Idaho Sage Grouse Plan Model – i.e. pre-core modeling habitat categories that are: Key, potential restoration area type 1 (R1),Potential restoration Area Type - Perennial grasslands. R2), Potential restoration area Type 2 – annual grasslands, Potential restoration area Type 3 – conifer encroachment. The HEA model itself is a great disappointment. While the first page describes the need to consider cumulative and indirect effects and, and analysis of sage-grouse population within 18 km. – the model is a failure and does not do so.	All	BLM	emc0411GB
481.	The Forest has failed to conduct current honest capability and suitability analyses. Instead, as in the Ely Westside EIS, claimed that areas of steep, rugged, limestone outcropping topography in the pinyon-juniper zone were "capable" of supporting livestock – in defiance of reality. Such claims, never really explained, could only be based on the hopes of deforesting the lands someday. But even if the lands were deforested and desertified and made vulnerable to weed infestation – the combination of slope, rocks/cliffs and other topographic features would make it impossible to graze livestock. This also highlights the lack of benefit of many proposed and completed deforestation projects that the agencies are claiming would somehow benefit sage-grouse. Sage-grouse don't use steep, rugged slopes – no matter how many trees the forest burns or masticates. The Forest, in all of these EIS processes, instead of conducting a valid current analysis, simply claimed that the old Forest Plan from 1986 adequately dealt with Suitability. So of the over half a million acres of the Ely Westside lands, all but three thousand or so acres (tiny campgrounds and RNAs) were all found to be suitable for continued livestock grazing disturbance. The half million acre affected lands include the habitat of the vanishing Quinn PMU as well as the White Pine PMU where some leks still persist, including in portions of the even the 2010 Doherty Core-mapped areas. Thus, even where grouse are in serious trouble (Quinn) or a population still has some birds but is declining like White Pine and threatened by expanding mining, and new powerline development (SWIP), agencies refused to take needs of sage-grouse into account.	All	Both	emc0411GB
482.	Breeding Bird Density analyses rank leks by attendance (highest to lowest number of males), and sum males until a percent is met. With lek locations and abundance being large drivers in the model, BDD results are, by definition, "largely correlated with breeding habitat". Incorporation of other important seasonal habitat information (e.g. fall, winter, late brood, where available) "will provide additional rigor to the model". P. 4. This again shows why artificial segregation of habitat into priority and general sacrifice habitats is deeply flawed. Necessary site-specific data on sage-grouse use of the landscape needed to prevent catastrophic blunder by agencies in omitting habitats are often not available for the little-studied fall, winter, migration,	All	BLM	emc0411GB

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	brood rearing, and other habitats. There are two BDD models: Doherty uses a 10 year period. 2001-2010. Idaho looked at the most recent average maximum counts, and a minimum male count, with a more restricted model of 2006- 2010. More and more intensive efforts by agencies to make repeated counts at leks, including in part to maximize the number of birds counted, have been occurring in recent years. Leks in the 1-75% BDD range were buffered by 6.4 km. (only 4 miles). Those in 76-100% were buffered by 8.5 km. (5.3 miles) based on Wyoming Doherty research.			
483.	BLM should abandon this flawed core approach and the priority vs. general sacrifice of sagebrush and restoration habitat, and all the other Modeling upon Modeling contortions the agency is going through. Agencies must devote their time and scarce funds determining how sage-grouse actually use the landscape, and identifying areas, and developing a systematic plan for real habitat restoration and species recovery instead of conducting office cubicle modeling exercises. This all highlights the need to abandon the Core Model and the core-derived Priority sagebrush habitat Sacrifice Models, and act to protect all remaining sagebrush habitats, or at a very minimum - all occupied habitats and other habitats identified as necessary for increasing abundance and distribution of the species across the biome. This is necessary to provide for adequate habitat in the face of sudden large-scale or unpredictable losses such as wildfires, sagebrush die-off, periods of exceptionally harsh weather, etc.	All	BLM	emc0411GB
484.	A complete accounting of pre-2007 fires vs. current leks, activity, and bird numbers should be provided. The same thing must occur in areas of Wyoming, Montana, Utah, etc. that have undergone large-scale energy development. How do pre-development and post-development leks, numbers, activity, etc. compare? This must be systematically examined for not just 1 or 2 years following severe disturbance or development – but over longer periods of time necessary to understand effects on this relatively long-lived bird species.	All	Both	emc0411GB
485.	We have described in detail many ecological and management concerns with the core-derived PGH and PGH models. We believe it is necessary to look critically at the origin of these methods. We request that BLM fully examine these concerns, including through use of outside ecological PEER review by researchers from other fields with fresh eyes.	All	Both	emc0411GB
486.	The Core concept only appears to consider direct physical loss of habitat. Allowing 5% (under the NTT 3%) additional direct physical disturbance can render the Core area unsuitable.The Core Model, and the Priority Habitat derivative sacrifice a significant number of nest sites, and areas where nesting may be most productive. Plus the core Model cuts out some leks altogether. Perhaps such a Habitat and Population Sacrifice might be somewhat effective in a vast uniform landscape of sagebrush facing little change. But it makes no biological sense to impose such a significant habitat sacrifice model on sage-grouse, a species that is already facing severe habitat loss, degradation and fragmentation. In many parts of the species range, there is also a significant degree of natural habitat fragmentation – such as Basin and Range topography as existing background fragmentation. Drawing a circle around a lek/lek cluster does not take into consideration the quality of the habitat within that circle – a large part of which may be significantly degraded, or naturally non-sagebrush habitat (cliffs, steep, densely forested, or a combination of all of these factors). It also assumes uniform proper" habitat nesting conditions, i.e. that quality habitat of some kind that supports good nesting opportunities exists in much or all of the circle. Applying conservation theories derived (based on limited studies) from work in the much more "continuous" sagebrush habitats of Wyoming where leks may have been much larger and/or more abundant than leks across the rest of the range of sage-grouse would sacrifice a significant proportion of the nesting habitat, including the habitat that may in fact be most productive. This cannot be reasonably expected to be to sufficient to conserve a landscape species in decline. Plus the natural heterogeneity, diverse	All	Both	emc0411GB

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	topography and vegetation types of Basin and Range and other mountainous topography means that a circle drawn around a lek on an alluvial fan bordering a rugged range contains a large amount of non-habitat. The whole basis for this Doherty model falls apart here just based on natural background levels of habitat heterogeneity and fragmentation alone. This strategy has not been proven to be effective. Researchers proposing it studied only small snapshots of time. Population analyses conducted several years after this 2005 work shows that sagegrouse declines are projected to continue across the species range.			
487.	A number of researchers have noted a time lag between initiation of mineral development and sage grouse population declines. Holloran et al. (2010) noted that yearling males avoided lekking near oil and gas infrastructure, and that yearling females avoided nesting within 950m of oil and gas infrastructure. Thus, the time lag in populations appears to be driven by the exodus of yearlings from affected areas, while older birds persist close to development until they die off. These researchers stated, "Our results…suggest to land managers that current stipulations on development ay not provide management solutions."	All	Both	emc0343GB
488.	Populations of sage grouse that are closer geographically tend to be closer genetically, indicating that individuals rarely move between non-neighboring populations (Oyler- McCance et al. 2005). Knick and Hanser (2010) suggested that a distance of 11.2 miles or closer between leks promotes connectivity. The new Sage Grouse Plan Amendments should include provisions for designating Connectivity Areas as Priority Habitats in addition to Core Areas, particularly in parts of the range where Core or other Priority Habitats are potentially isolated from each other. The State of Wyoming has begun to address this need in the Powder River Basin under its Core Area plan, and it would be wise for the BLM to incorporate this feature into its plans throughout the sage grouse range. Under IM 2012-039, the BLM directs field offices to utilize a Crucial Habitat Assessment Tool (CHAT) or other available information sources to identify wildlife corridors and inform habitat management decisions. For the Wyoming Basins Ecoregion, the Heart of the West Conservation Plan (available online at http://www.voiceforthewild.org/Heart_of_the_West/HeartoftheWestPlan.pdf), constructed with sage grouse as a focal species, identifies some potential connectivity areas. See Attachment 6. We recommend that BLM consider additional connectivity zones identified under this plan, and designated corridors in Utah in Colorado based on the Core and Corridor recommendations of this plan. We incorporate the Heart of the West Plan into these comments by reference and ask the BLM to consider and respond to this plan as an integral part of these scoping comments.	All	Both	emc0343GB
489.	Core Areas/Priority Habitats • Core habitats should be identified to encompass a 5-mile buffer around the most populous leks in each state. • Boundaries of core areas should not be altered to accommodate nonconforming uses.	All	Both	emc0343GB
490.	There is a concern that lek locations may change to some degree over time. This could occur due to environmental changes such as fire, or from direct, indirect or cumulative effects of human-caused or exacerbated disturbances, effects of chronic habitat degradation and desertification, effects of exotic weed invasions, many of which are amplified by climate change effects. Weather conditions may also factor into abundance of birds at lek sites – with snow depth or other factors causing shifts in numbers at leks from one area to another area within the local population's habitat range. Areas cut out of Core Habitat under this sacrifice model, but that represent, due to changes large or small, important remaining sites for sage-grouse will be allowed to be destroyed under this Core and Priority habitat sacrifice scheme. The cumulative effects of disturbances may reduce bird use in areas where numbers had been highest. For example, an existing minor road may have received minimal spring and winter traffic. Then a mine or industrial wind farm is built just outside (or under the Core and NTT Priority model	All	Both	emc0411GB

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	even inside) "priority" or general habitat. The traffic on the existing road near a complex of leks dramatically increases, roadside blading promotes weed invasion of understory, and chronic grazing disturbance promotes weed spread into surrounding nesting habitats. Plus grazing herds of sheep and cattle also get imposed on the area under a new grazing rotation scheme. The combination of disturbance intrudes on lek locations and surrounding nesting habitats. Habitat quality declines even more. As bird abundance in an area changes, this would then shift the center of the Core Model circle in one direction or another. Or an area might no longer even fit the arbitrary percentage categories of bird abundance/population percentage being applied to define an area as Core Habitat. Over the course of time, will numbers dwindle at the former high abundance leks, and numbers increase at others several miles distant – so that what was once "marginal" leks and habitats are now all that is left for the birds – and these areas have the misfortune of lying near or outside the former artificial circle drawn around leks? Plus how much might snow depth and snow persistence in various years affect the use of leks? Can the low and increasingly fragmented and discontinuous existing populations that are found over nearly all the sage-grouse range really tolerate a Core/Priority/Sacrifice scheme that enables continued destruction and degradation and fragmentation/intrusions into sagebrush habitats? An honest, detailed, fully transparent analysis of this scheme must be conducted by an independent panel of ecological scientists. This model does not reflect the dynamic nature of natural systems, which is kind of "background" here, on top of which is super-imposed all manner of human-caused disturbances. For example, in the early-mid-2000s, significant sagebrush die-off occurred in areas of northern Nevada, Utah and some portions of southern Idaho. Aroga moth infestations (sagebrush defoliators - and severe defoliation can kill sagebrush) and drought were at the time proposed as possible causes. Some BLM Managers a couple years later had stated that they were seeing big fires (as in Nevada Owyhee) in areas that had suffered sagebrush die-off. Just as with wildfire, it is unpredictable where and when sagebrush die-off, drought, or other factors will alter components of the sagebrush habitat required by sage-grouse, or how this might exacerbate fire risk.			
491.	Idaho, Nevada, Oregon, western Montana, eastern California just do not have the continuous expanses of sagebrush that Wyoming, up until very recently, had. Plus Wyoming has for decades boasted about its great abundance of sage-grouse – including high numbers of birds on leks. So imposing Westwide a 4 or 5 mile diameter Core areas, or an 11 square mile block of habitat figure as sufficient to protect sage-grouse, with these modeled areas derived from a Wyoming situation very unlike the great majority of the range of sage-grouse at present, just does not make any biological sense. It has not been tested over time. It's just a modeled guess. It is not acceptable for agencies to base conservation planning on findings in a landscape unlike the naturally fragmented Basin and Range topography. An 11 mile figure has been used by some parties to describe a minimum area to theoretically support a viable population. But that assumes fairly uniform sagebrush habitats of some reasonable quality in that 11 square mile area – a situation that simply does not exist across much of the West, especially in 2012. And when the sagebrush habitats themselves are often greatly altered, and stressed by grazing which acts synergistically with weeds and fire. Uniform blocks of habitat never existed in many areas to begin with, when the effects of natural habitat fragmentation/naturally unsuitable habitats like rocky slopes/canyons, cliff, forested areas, playas, etc are factored in as well. Agencies must prepare models of population viability – based on potential losses of all or part of Core/Priority habitats in key areas due to various factors. They must full consider the unpredictable and dynamic nature of environment, and environmental changes.	All	Both	emc0411GB
492.	There is little flexibility in this approach. A circle drawn around a lek in 2012, while adjacent areas of intact sagebrush are	All	Both	emc0411GB

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	sacrificed as "general" habitat and then "developed" in the Interim or as an outcome of this process, will lead to a loss of options for conservation, restoration areas, and adaptation. There are many unknown factors that argue against the sacrifice of habitats as proposed under the core/sacrifice model and its derivative – the priority, general, and no restoration habitat mapping. For example, an Ulmschneider report comparing lek flights conducted over the same area separated by 4 or 5 years found large differences in the location of leks being used. This also cites a Salmon, ID also observing variation in lek sites. Unless there is a very large and robust population, this approach is very likely to be disastrous. If the affected population is already declining and/or further declines are expected, (as nearly all populations are, see Garton et al. 2009 in Knick and Connelly 2009, 2011), then how can conceding to losses of habitat for 20% of nests – including the most successful nesting sites, be biologically acceptable? It can't.			
493.	Chapter 21, Studies in Avian Biology. Energy development and conservation tradeoffs: systematic planning for Greater Sage-Grouse in their eastern range - Kevin E. Doherty, David E. Naugle, Holly Copeland, Amy Pocewicz, and Joseph Kiesecke. 2009, 2011. This shows that development risk appears to be taken into account when deciding which habitats to not protect. Habitat restoration in areas with low risk of development but containing fewer sage-grouse fit into the overall conservation strategy by targeting populations that promote connectivity of core regions. This vulnerability assessment illustrates the tradeoffs between conservation and energy development, and provides a framework for maintaining populations across the species' eastern range. So the Core model is at least in part based on not protecting some areas desired by industry. Plus the Core/Priority habitat sacrifice model scheme is not claimed to be appropriate for the western range. The eastern range contains less mountainous and rugged terrain – that imposes natural "breaks" or fragmentation in habitats, that is then further compounded by all the impacts of human development and agency management failures – as characterize the western range. Yet the BLM and states like Idaho are applying it universally.	All	Both	emc0411GB
494.	It is urgent that we identify areas of high biological value and areas of potential future development to evaluate options for reducing impacts (Abbitt et al. 2000, Balmford et al. 2001 Wilson et al. 2005) given sage-grouse sensitivity to oil and gas development and the projected rate of increased development. We focused on identifying core regions of sage-grouse abundance to illustrate the process of risk assessment and to contrast opposing conservation strategies. But has the risk assessment and this paper's methods provided changed or current population numbers for actual populations. This is necessary so that: 1)The viability of the population could be determined at present; 2) The viability of the population using a carved-up Core/Priority habitat sacrifice scheme approach can be understood; 3) The urgency and range of measures needed to conserve a habitat and/or population can be understood. This provides no current baseline of the degree of existing disturbance, or the disturbance that is likely to occur in the near future, and the mid and long term from these disturbances plus other leases and commitments the federal government has made. It does not take into account lag time in adverse impacts of disturbance – such as progressive cheatgrass or other weed invasion. It does not take into account how chronic grazing disturbance may exacerbate problems – like weed invasions –initially caused by energy disturbances, for example. What really constitutes a viable or a sustainable population over time? For example, how could it be claimed that the isolated Dakota populations – or many populations that exist elsewhere – as in Utah today, could be viable unless dramatic changes are rapidly made? Or that the very small little circle of Priority habitat on Idaho mapping in the Pahsimeroi-Little Lost or south of Idaho Falls could sustain a viable population?	All	Both	emc0411GB

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495.	We restricted analyses to areas within the eastern distribution that were within sage-grouse management zone I (Great Plains—portions of Montana, Wyoming, North Dakota, South Dakota, Saskatchewan, and Alberta) and II (Wyoming Basin—portions of Idaho, Wyoming, Utah, Montana, and Colorado) (Fig. 1; Connelly et al. 2004, Stiver et al. 2006) because these populations are experiencing the highest risk of energy development. All analyses presented evaluate the relative importance of an individual breeding area to all other breeding areas within these management zones (Fig. 1). Many of these populations referenced above in the eastern portion of sage-grouse range, occur in more homogeneous flat habitat and topography than the rugged, broken Basin and Range and other portions of the species range. Plus many populations, at least in Wyoming (based on long-standing claims of Wyoming Game and Fish), had far larger leks and far more abundant birds than other areas, as well.	All	Both	emc0411GB
496.	We used the highest count during the 2005–2007 period because all leks are not counted each year but most are counted within a 3-yr interval. Since 2007, much energy development was unleashed in areas in Wyoming by existing or immediately foreseeable BLM decisions such as the late-Bush era RMPs had not yet occurred. There is also a time lag between development and the full effects being seen n a population. Thus, the model's conclusions appear based in part on populations that had not yet suffered the full brunt of impacts of energy development.	All	Both	emc0411GB
497.	The value of each grid cell is a function of the number and proximity of leks in the surrounding landscape. We attributed each cell with counts of males at leks within a radius of 6.4 km (4.0 mi). We chose this distance because nesting females distribute their nests spatially in relation to lek location with 79% of nests located within a 6.4 km (4.0 mi) radius from lek-of capture (Table B-1 in Colorado Division of Wildlife 2008). In some other areas, distances are much greater, and birds move over vast areas. Where is the modeling that shows what happens to a population if, in Colorado DOW instance cited here, 21% of the nesting habitat and all the wintering habitat outside this circle is developed? It ignores the different movement and landscape use characteristics of populations. It ignores that leks are typically located on snow-free areas, which are relatively lower elevation. Relatively lower elevation areas are most susceptible to cheatgrass and other weed invasions, and more difficult to recover. Just protecting nesting habitats closest to currently more abundant leks may be a large mistake as grazing-facilitated cheatgrass and climate change act synergistically to promote cheatgrass dominance of understories at lower elevations. It ignores analysis of climate change effects where snow-free areas may increasingly extend to higher elevations. Thus a shift in lek sites over time may occur and is very likely – but if the higher elevations are near the periphery or outside the little core lek circles altogether, the Doherty Core and BLM PPH modeling will have already sacrificed away these very habitats that are needed for sage-grouse population resiliency in the face of climate change.	All	Both	emc0411GB
498.	We extended the radius from 6.4 to 8.5 km (5.3 mi; Holloran and Anderson 2005) for leks in 75 and 100% core regions because a post-hoc analysis indicated that 6.4 km was too small an area to contain simulated nest densities in lower density areas and fragmented habitats where a few leks were far apart (e.g., North and South Dakota; Table 1). Increasing the radius in 75 and 100% core regions provided more realistic estimates of the area needed to support breeding populations in low abundance or fragmented landscapes. How do North and South Dakota landscapes differ from many areas in the western portion of sage-grouse range?	All	Both	emc0411GB
499.	Conservation planning also requires that areas identified with high value have the ability to persist over time (Groves et al. 2002). We conducted a series of GIS overlays of biological values of sagegrouse with the potential for energy development to	All	Both	emc0411GB

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	frame the opportunities and challenges facing sage-grouse … What about habitat quality? The trajectory of degradation? How did this deal with lag time for effects of existing development, new development, and chronic ongoing disturbances like livestock grazing to play out – including synergistically – in promoting weeds, mesopredators, and human intrusions disturbing birds? To understand the modeling exercise, all of this needs to spelled out. Or was this just areas where leases had not been issued yet, and that still were relatively intact?			
500.	If an area did not have a lek within 8.5 km (Holloran and Andersen 2005), it was not assigned a biological value because we did not have information on other seasonal habitats. We considered an area to have high potential for energy development if it had either an authorized oil or gas lease from the federal government or showed potential for commercial wind production (Fig. 2). Areas excluded from the high potential category were classified as having low potential for energy development. Energy development potential was identified, and some of these areas, apparently, were excluded from consideration. This is all very alarming for a model that claims to be conserving a landscape species.	All	Both	emc0411GB
501.	Core regions contained 25, 50, 75, and 100% of the breeding population within 5, 12, 30, and 60% of the eastern sage-grouse high-density areas (Fig. 1), largest number of leks, highest male sage-grouse abundance at leks, and the broadest species' distribution among the six states within our study area (Table 1). Does this allow a percentage of birds connected to larger populations but where leks may not be as large/abundant to be chopped off into a sacrifice habitat category? If so, this further severs the connection between populations.	All	Both	emc0411GB
502.	Areas of low biological value and low energy potential (19% of eastern range, Fig. 3) represent low conflict opportunities for sage-grouse. Our analyses document the importance of these areas in maintaining connectivity to high value core regions in Montana (Fig. 3). Core regions with low biological value and low energy potential will be important in this regard, with restoration being one of the key strategies … So this appears to be sacrificing areas important for connectivity if the habitat has high energy potential. How is "low biological value" being determined? By only relying on sage-grouse? Needs of a whole suite of other species may be minimized. See, for example, ICBEMP Wisdom Terrestrial Vertebrate analyses (2002) and species groups/suites. Agencies must apply integrated conservation planning, and not sacrifice other habitats, or displace damaging grazing like grazing into other habitats that are important for other rare or declining species.	All	Both	emc0411GB
503.	Recent experience has shown the difficulty of maintaining numbers of Gunnison Sage-Grouse (Centrocercus minimus; Oyler-McCance et al. 2005a) and Lesser Prairie-Chicken (Tympanuchus pallidicinctus; Hagen et al. 2004) when only small and fragmented populations remain. Sage-grouse have already been lost from half of their former range (Schroeder et al. 2004), and many of the low-value and low-potential areas identified in this analysis are the same areas where continued range contraction is expected to be most severe (Aldridge et al. 2008). Fringe populations in the Dakotas, Montana, and Canada need to pursue aggressive habitat restoration programs if they hope to maintain their biological value. Programs should focus on restoring adjacent lands presently in tillage agriculture to sagebrush-dominated grasslands in addition to enhancing existing native habitats. There is no analysis or data provided of how low these prairie chicken numbers already were, how fragmented the habitat already was, how much (or how little) public land was involved, so that there could be a rigorous comparison between their situation and the situation currently facing sage-grouse populations that are summarily being segregated and sacrificed. This must be done before modelers just run a program and say "We should forget about these grouse over here". An example of a population of a small isolated population of sage-grouse persisting is the Weiser	All	Both	emc0411GB

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	population. This population is not hunted (hunting was removed decades ago to protect a small population of sharptailed grouse), and there are some expanses of CRP lands that are not grazed. How many birds are present, and how has this changed over time? It looks like these parties are already writing populations across large areas off, and are in fact enabling these losses in these habitat sacrifice models. We are increasingly concerned about Oil and Gas and other industry funding of research, and the kind of results and modeling and interpretation of data that may come out of large reliance on industry funding.			
504.	The BLM-commissioned paper states that: "Each of 11 states containing sage grouse have enough birds across multiple landscapes to meet the 75% breeding density threshold" (at 2) What does this mean? There are two places in each state for there to be core populations? Does this take into the account the extremely low numbers in NE California for example Clear Lake, Likely Tablelands, and the various nearly extirpated Bi-State PMUs – i.e. all Mono PMUs except Bodie? This admits that "risks and opportunities vary dramatically between states". Where and how are risks identified? Is "High abundance population" defined relative to a population in each state – or was this based on populations that span states, too? "We used max count data from leks (n= 4,885) to delineate high abundance population centers that contain 25, 50, 75 and 100% of the known breeding populations" (at 2).	All	Both	emc0411GB
505.	p. 3 [of the Doherty report] admits it is "conservation triage", discussing triage vs. palliative care. This evaluates the relative importance of an individual breeding area to all other breeding areas. Is this all other breeding areas range-wide. This used data from 2000 to 2009. P. 6. Provided a maximum lek count for each year the lek was surveyed in the last 10 years. p. 6 appears to show bias towards showing higher populations. p. 7. Authors assigned an abundance-weighted density (based on number of males) to each lek, then summed the number of males until a given percent population threshold was reached. Used outer boundaries around leks of Holloran et al. 2005. Extended boundaries from 6.4 to 8.5 km for leks in 75% and 100% core regions. "Increasing the radius in 75 and 100% core regions provided more realistic estimates of the areas needed to support breeding populations in low abundance or fragmented habitats". When one looks at the long distances routinely moved by grouse in the Jarbidge, a fragmented habitat with low abundance in many areas now- it becomes clear that a much greater distance is needed for some fragmented populations. The colors "represent the smallest area necessary to contain 25, 50, 75, and 100% of the nesting populations".	All	Both	emc0411GB
506.	The [Doherty] Model was replicated in many ways –but was it replicated based on real biologically connected populations? It appears that the replications were Rangewide, Management Zones and states. State abundance was highly clumped – but this may be due to snow-free areas in spring, topography and veg zones including elevational changes. Doherty et al. claim this is a common starting place. For what? An unproven model that benefits the Oil and Gas and other industry? There is no solid evidence presented that this will result in viable or sustainable populations. Where are the actual numbers of birds per lek? Birds per population? How were populations defined? Where is this data? Didn't the Garton et al. 2009 analysis find that all populations - based on examining functional populations not state lines or the diversionary VMZs – were declining? Where is any alternative view presented? The common place should be all remaining sagebrush habitat, especially in areas that have already lost so much – such as Idaho where vast areas of the Snake River Plain have been eliminated as habitat. This is just a model that chops off habitats, ignoring the population model predictions in Knick and Connelly et al. 2009/2011 Garton Chapter. It was developed in continuous sagebrush habitats of Wyoming -with artificial percentages placing distance ceilings	All	Both	emc0411GB

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	measured outward in a circle from a center point at a lek. This industry-friendly modeling appears to be part of efforts to strip away and forget about any concept of "historic range" from ESA considerations for sagebrush species. This more readily enables largescale destruction of many habitats and populations. Not only does it ignore the loss of 50% (or more) of historic range – it promotes sacrifice and development of vast areas of remaining sagebrush habitats within the tattered range that remains. This paper continues the modeling exercise that sacrifices habitats, and is divorced in many ways from the full habitat needs of a long-lived, landscape bird like sage-grouse. The use of this sacrifice model ignores the trajectory of all populations. See Garton et al. 2009/2011 Studies in Avian Biology Chapter 6 on population trajectories. What sense does it make –with a species on a downward trajectory to use a "conservation strategy" based almost solely on some percentage of birds censused on leks, and not the full suite of habitats that they use? Given the trajectories of all the populations, as found in Garton et al., how it this Core Model likely to be effective in sustaining sage-grouse populations? Garton et al. conducted an analysis of sage-grouse populations throughout the species range, based on actual populations identified in Connelly et al. 2004. It was based on leks censused each year. 23 populations had sufficient data to model annual rates of population change. The study forecast future population viability across 23 populations, 7 MZs, and the range-wide metapopulation. The model forecast that 13% of the populations but none of the SMZs may decline below effective population sizes of 50 within the next 30 yrs. First, is 50 birds a viable population? Aren't many more than 500 birds required for a viable population? What would these percentages be if 500, 1000, or 5000 sage-grouse were used as a minimum viable population? Second, this shows how the floristic SMZs are being used – i.e. to dilute and mask accounting of sage-grouse loss.			
507.	But even given this, Garton et al. was conducted without cutting off the non-core habitats and populations. How would the Garton et. al analysis have differed if the Core Model was used, and noncore area leks assumed to suffer steep losses, including slicing off portions of the population where leks are low in number? Garton et al. 2009 found that 75% of the populations and 29% of the SMZs are likely to decline below effective population sizes of 500 within 100 yr. So here, Garton et all pretty much admit that the 50 birds used earlier was much too low a number to even begin to consider viable. Again, SMZs are a diversionary category with no real relevance to sage-grouse. This is being used to help mask declines by lumping separate and isolated populations together with a relatively larger population. We also note that these models were based on population estimates from leks censused 1987-2007. These lek counts are from before the period when the effects of the 2007 wildfires in the Great Basin Core Area would be felt.	All	Both	emc0411GB
508.	Also, there are multiple uses of "Core". Doherty et al, propose allowing the Wyoming and Great Basin Core habitats to suffer significant sacrifice of habitat. There is another, earlier and long-standing use of "core populations", Connelly et al. 2004 . And then the Doherty et al. Core Area sacrifice model that allows significant areas of Wyoming Core population Habitat to be sacrificed –i.e. areas where leks are not most abundant or have not been as intensively tracked. So Doherty and the BLM's Priority general, non-habitat scheme now being imposed in reality punch holes in the 2004 Connelly et al. Core populations. If populations are in trouble, as Garton et al. demonstrated, it makes no sense to impose a Core Model that chops off huge blocks of sagebrush habitat. Doherty model promotes and continues the idea of large areas of sagebrush as a disposable landscape. "Population viability analysis is inherently problematic … as a model cannot be proven to provide reliable predictions for conditions outside the range of variables used to develop the model". "Many of the dominant influences on sage-grouse populations, such as habitat changes associated with development, are under resource management agency	All	Both	emc0411GB

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	control, and it is possible future trajectories could be altered to benefit sage-grouse". The Core Model worsens the situation by sacrificing habitats and portions of the effective population – often even of birds connected to core areas, but with fewer birds on leks.			
509.	Garton et al discuss potential trajectories, describing cheatgrass invasion and conifers, energy development, West Nile, and the unprecedented rapidity of change. There is no discussion of livestock grazing as a causal factor for cheatgrass, conifer expansion due to livestock degradation of understories (see Belsky and Blumenthal 1998), livestock facilities and trampling of wetted area margins promoting West Nile virus, and other factors. Their models included declining carrying capacities, supporting evidence for a continuing decline in quality and quantity of sage-grouse habitat. The model predictions of declines are under-estimates because there was only sufficient data for 24 populations. Their data suggested that smaller populations have suffered greater declines and tend to be at greater risk than larger populations. The Doherty Core and BLM derivative Priority model, with focus on lek-based higher population centers – casts aside or sacrifices habitats for many of these smaller populations. The Garton et al. discussion then shifts back to the floristic SMZs likely to try to sound less alarming. We stress that this population analysis di not include many smaller populations – because there was not enough data!	All	Both	emc0411GB
510.	Garton et al discuss potential trajectories, describing cheatgrass invasion and conifers, energy development, West Nile, and the unprecedented rapidity of change. There is no discussion of livestock grazing as a causal factor for cheatgrass, conifer expansion due to livestock degradation of understories (see Belsky and Blumenthal 1998), livestock facilities and trampling of wetted area margins promoting West Nile virus, and other factors. Their models included declining carrying capacities, supporting evidence for a continuing decline in quality and quantity of sage-grouse habitat. The model predictions of declines are under-estimates because there was only sufficient data for 24 populations. Their data suggested that smaller populations have suffered greater declines and tend to be at greater risk than larger populations. The Doherty Core and BLM derivative Priority model, with focus on lek-based higher population centers – casts aside or sacrifices habitats for many of these smaller populations. The Garton et al. discussion then shifts back to the floristic SMZs likely to try to sound less alarming. We stress that this population analysis di not include many smaller populations – because there was not enough data!	All	Both	emc0411GB
511.	BLM in this sage-grouse EIS process must report on the status all of the populations and subpopulations identified in Connelly et al. 2004 and the condition of the habitats (quality and quantity). This must be done immediately so that prompt action can take place to address populations at high risk. Urgent action is needed. The existing and foreseeable threats that these populations face must be detailed. The Connelly et al. 2004 functional populations include: Baker OR Bannack MT Belt Mountains, MT Central OR E Fairfield CO Eagle/S Routt CO East Tavaputs E-Central ID Great Basin Core – Central NV E-Central OR Lake Area OR/NE CA/NW NV N-Central NV/SE OR/SW ID NE NV/S-Central ID-MW UT S-Central OR-N-Central NV SE NV/SW UT Jackson Hole WY Klamath OR/CA Laramie WY Middle Park CO Gunn Moses Coulee WA MT/ND/NW SD N Mono Lake CA/NV NE Interior UT Northern Montana AB/SK/MT N-Central MT S-Central SK/MT NW-Interior NV Piceance CO Pine Nut NV Quinn Canyon Range NV Red Rock MT S Mono Lake CA S White River UT Sanpete/Emery Sawtooth ID S-Central UT Snake, Salmon, and Beaverhead N Side Snake Big Lost ID Upper Snake ID Little Lost ID Lemhi-Birch ID Summit-Morgan UT Tooele-Juab UT Twin Bridges MT Warm Springs Valley BC Weiser, ID White River Mountains NV/CA White River CO Wisdom MT Wyoming Basin Fall River SD/E Edge WY North Park CO S-Central MT/N-Central WY S-Central WY/N-N-Central CO NE WY/SE MT SW WY/NW CO/NE UT/SE ID Dinosaur UT-CO	All	Both	emc0411GB

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	Yakima WA Yellowstone watershed Central MT E Interior MT/NE tip WY Note: Gunnison is included in list, but are not part of this process.			
512.	Agencies must also fully indicate where the entire species range has shrunk or contracted, and where there is significant risk this will occur. We are greatly concerned that no data was provided on these populations as part of Scoping or detailed in the USFWS WBP Finding. Several smaller populations continue to be largely ignored (example - NDOW in 2010 a shown by the Forest Service Ely Westside EIS record with the Quinn Canyon Range population).	All	Both	emc0411GB
513.	Intensive site-specific studies must be conducted. Detailed maps showing each of these populations and sub-populations and all important habitats necessary to support viable populations must be examined in detail before any habitat carving scheme can even be considered.	All	Both	emc0411GB
514.	The Core Area approach, focusing primarily on conservation for a limited distance from known leks, will lead to further degradation of more remote nesting areas – where birds might have higher nesting success, as at times has been documented. Information long available on sage-grouse ecology, nesting characteristics, sensitivity to disturbance, low reproductive rate, need for habitat security over all seasons of the year - all expose severe flaws in the Core/Priority and General Sacrifice Models. Yet BLM in adopting its recent IMs has imposed a habitat segregation and habitat sacrifice scheme on all the lands that it manages (except in WA state and the Bi-State area) without any NEPA analysis or broad scientific analysis that would show flaws or concerns posed by this habitat sacrifice scheme. Below we excerpt just some sections from the Status Review and Petition to List the Greater Sage Grouse, (Salvo) that must be taken into consideration: The primary cause of nest loss is predation (DeLong, et al. 1995). Sage grouse nests experience significantly higher predation when more densely spaced (Niemuth 1992, Niemuth and Boyce 1995). Thus, habitat fragmentation, degradation, or conversion, which concentrates nesting females into smaller areas, will cause higher mortality at this critical time in the life history. Renesting is low in sage grouse (Connelly, et al. 1993, p. 1042; Hanf, et al. 1994) … Also: Of the hens losing their nests, only 15% will renest (BLM 1999c). Subsequent nests, if attempted at all, have few eggs and reduced success (Hulet 1983). Clutch sizes of second nestings are reported to be only 4 to 7 eggs (GBCP 1997, p. 3). These findings point out the importance of preventing disturbance to nesting sage grouse. Bergerud (1988b) also reviewed two studies on renesting rates in sage grouse, finding it to average 42%. Other studies have found renesting rates to be about 10% (Patterson 1952c, Autenrieth 1981). Finally, Bergerud (1988b, p. 606, Fig. 15.13) found that higher densities of males were related to lower juveniles per adult in sage grouse. This effect has conservation implications: as birds are crowded into smaller and smaller habitat fragments, population productivity can be expected to decline. All of the long-known information about sage-grouse biology, life history traits and ecology – argues against the Core Area Habitat Sacrifice approach as a valid basis for conservation of sage-grouse. In fact, it seems most designed to wipe out sage-grouse over significant portions of the species occupied species' range where populations are relegated to General or Non Habitat categories, and even portions of contiguous populations are sacrificed because lek numbers are not the highest.	All	Both	emc0411GB
515.	A recent paper by Fedy et al. "Interseasonal movements of greater sage-grouse migratory behavior, and an assessment of the core regions Concept in Wyoming", found much individual variation in the distances birds move, birds moving over very long distances, and variation in bird movement between areas. All of this variation was in the more uniform, less fragmented Wyoming state sagebrush habitats. The core concept captured leks, but did not identify summer and winter locations as	All	Both	emc0411GB

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	well. The average nest-winter movement was 14.4 km. The paper cautions that sage-grouse require an adequate amount and juxtaposition of all seasonal habitats for populations to persist … The Abstract must be read with caution when it states that across Wyoming, the sage-grouse breeding core regions still contained a relatively high percentage of summer and winter locations and claims the core areas are a reasonable surrogate when no other information exists. But doesn't a lot of information in Wyoming, due to the plague of recent energy development, indeed exist? If not, BLM should have gathered the information before imposing the habitat sacrifice scheme. But the paper contains no population viability analyses. Or the effects to populations of habitat losses in occupied habitats omitted from non-core areas. What effect would loss of habitats outside the core area for each of the populations in this study have on the core populations over time? Unless such concerns are taken into account, there appears to be little basis for claiming that all might be well in using the core concept if nothing else is known.			
516.	The Core Model/Priority approach in reality is a Blueprint enabling large-scale development. This is the antithesis of the way that conservation should be applied in arid western landscapes, where all vegetation communities are under stress from human disturbance and climate change. Under this flawed Core-Priority model, mining energy and other development can have a free-for-all with mountain ranges and salt desert valleys. While WWP believes that sagebrush habitat conservation is critical, a model that essentially Zones lands into Sacrifice Zones, and into Priority habitat with expanded development allowed even in Priority areas, while largely unfettered development occurs everywhere else, cannot provide for effective conservation.	All	Both	emc0411GB
517.	We request that BLM abandon the Core-derived Priority and General Habitat segregation scheme with the separate and unequal treatment that accompanies it.	All	BLM	emc0411GB
518.	Full baseline information must be acquired on sage-grouse use of all components of the landscape.	All	Both	emc0411GB
519.	I have observed over the course of many years that sage-grouse populations fluctuate and did so even during the years of highest populations. This occurs in many species such as jackrabbits, chukars, etc.	All	Both	flj0003gb
520.	The Final Environmental Impact Statement should identify year-round habitat requirements for sagegrouse by state or region, and not solely focus on breeding habitat, since many populations are migratory. area covered in your proposal and the wide ranging implications throughout these western states. these laws to help protect not only the greater sage-grouse but the fragile environment they and a host of other animals, birds, insects and humans and reptiles call home.	All	Both	flk0005gb
521.	The Final Environmental Impact Statement should identify year-round habitat requirements for sage-grouse by state or region, and not solely focus on breeding habitat, since many populations are migratory.	All	Both	flk0000gb
522.	The BLM should focus the strongest protections on the most important sage-grouse habitats, which is often where the largest number of grouse are found; this increases chances for success. The BLM should protect a large enough area of priority habitat, to maintain AND increase sage-grouse populations.	All	bln	fln0000RM
523.	4. To be effective, BLM should address all threats to sage-grouse. Each plan must adequately protect greater sage-grouse from all threats (e.g. construction of transmission lines, energy development, roads, wildfires and invasive weeds).	All	BLM	fln0000gm
524.	Restore greater sage-grouse homes and focus on ecosystem integrity: The greater sage-grouse inhabits a vast area of	All	Both	fld0000rm,

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	sagebrush steppe important to America's natural heritage. Unfortunately these lands have been heavily degraded. The BLM and FS should use this planning and revision process both to protect and restore the sage-grouse, and to restore the iconic sagebrush landscape of the American west and the many species which depend on it			fld0000gb
525.	Only by requiring the strongest protective measures when considering new development proposals in sage-grouse habitat will you be able to ensure survival of this spectacular species. To that end, I ask that you require the following conservation measures in the relevant Resource Management Plans and Land Management Plans. - Identify and protect important and/or intact greater sage-grouse habitats and identify locations of priority areas on which to focus conservation actions to maintain the function of sagebrush ecosystems (priority sage-grouse habitat).	All	Both	flb0000gb
526.	Identify priority habitat that includes breeding, brooding, and winter habitat necessary to support and expand the sage grouse population.	All	Both	flf0000gb flf0000rm
527.	This can be accomplished by designating priority and general habitat areas as recommended by the Sage-Grouse National Technical Team (NTT) and implementing recommendations in the NTT sage-grouse report in each land use plan. The Report on National Greater Sage-Grouse Conservation Measures improves upon prior management recommendations for the species (including the Wyoming Core Habitat Model), but should be augmented with additional information to develop the best strategy for conserving sage-grouse and their habitat.	All	Both	flc0000gb
528.	The planning process should include the Mono Basin and Columbia Basin Distinct Population Segments of sage-grouse	All	Both	flc0000gb
529.	I am writing to support the Sage Grouse Recovery Alternative submitted by the conservation community. This recovery alternative would require the Bureau of Land Management and U.S. Forest Service to identify priority sage grouse habitat that includes breeding, brooding and winter habitats necessary to support and expand the sage grouse population; measures that truly meet the agencies' stated goals.	All	Both	flg0000gb, flg0000rm
530.	apply these measures for all sage grouse populations on public lands including Mono Basin populations in the California-Nevada bi-state area and the Washington state populations.	All	Both	flg0000gb flg0000rm
531.	Any EIS or SEIS developed must also recognize and incorporate the extensive research that has already been conducted by the USDA Natural Resources Conservation Service (NRCS) on the complimentary relationship between sage-grouse conservation and grazing. According to NRCS, “the same factors that negatively affect sage-grouse also negatively affect the health, productivity, and sustainability of native grazing lands. Therefore, improvements to benefit sage-grouse also benefit grazing lands and the ranchers that depend on them.”	All	Both	fli0000gb
532.	And management standards must be based on the best available science. not on myths, falsified data nor hasty anti-science drawn up by fossil fuel advocates . Federal planners must ensure that all planning documents make the same prescriptions for land uses across all sage-grouse range.	All	Both	FLC0016GB
533.	The sage-grouse, and other ground birds, are necessary to control the tick population, especially the deer-tick which carries Lyme Disease, and is spreading like an epidemic. This makes these birds incredibly important in each of their environments	All	Both	fld0001rm, fld0001gb
534.	Agency review of new development proposals in the greater sage grouse range should be evaluated for impacts on the bird and ecosystem. Projects should be denied or conditioned on net benefit for the species and its habitat.	All	Both	fld0003rm, fld0003gb
535.	Prohibit conversion of sagebrush habitat to any other use within priority sage-grouse habitat.	All	Both	flb0000gb and

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				rm
536.	No new fences, power lines, pipelines, roads, motorized trails, communications towers, water developments, or other infrastructure should be permitted in priority sage-grouse habitat.	All	Both	flb0000gb and rm
537.	Pinto Valley Ranch covers over 10,000 acres with a substantial percentage of that area being included within the priority habitat area. The BLM maps show that the BLM owns the mineral rights under a significant portion of the Ranch that is designated as sage grouse priority habitat area. The Ranch is year-around home to a healthy population of sage-grouse and host several active leks as well as historical leks. In cooperation with both private biologists as well as multiple govemment agencies we have worked to create a conservation plan to improve habitats and, therefore, increase sage-grouse populations.	CO	Both	emc0059RM
538.	Sage grollse lek locations, habitat quality, as well as how the birds move through these habitats changes through time, therefore, the ETS needs to account for these changes and allow for flexibility in the maps as well as the management strategies.	CO	Both	emc0059RM
539.	We strongly urge the reclassification of isolated areas of "priority general habitat" that lie completely within priority habitat areas to include them within the surrounding priority habitat. The NTT document makes it a priority to "conserve, enhance or restore sage-grouse habitat and connectivity", it discusses how roads within the sage-grouse range lead to the fragmentation of habitat, and how mineral development and sage brush trcatments can also lead to the fragmentation of habitat. It's clear that fragmentation of habitat is a major issue and We believe modifying the map to retlect this would not only protect the integrity of the continuous uninterrupted priority habitat but also the corridors that connect habitats.	CO	Both	emc0059RM
540.	We believe any man-made disturbances to the historical landscape should be included within the 3% calculation. This would include ground that was put into production (hay fields, etc.), and habitat that was inundated with water following the building of dams, included to the list provided within the NTT document.	CO	Both	emc0059RM
541.	The 3% disturbance should be calculated within the priority habitat for a given lek and not the priority habitat as it is connected to other leks. Calculating the 3% this way will ensure that only disturbances within a 4 mile proximity will be included and not disturbances beyond that range.	CO	Both	emc0059RM
542.	We don't believe offsite mitigation should be an option for allowing additional impacts to habitats that already meet or exceed the 3% threshold. Sage-grouse exhibit a high level of sight fidelity. To force the grouse to move to different habitats will lead to reduced populations.	CO	Both	emc0059RM
543.	The maps created so quickly by the Colorado Department of Parks and Wildlife, to show the "Preliminary Priority Habitat", were very well done with the time and resources available, however the areas of "Priority Habit" are marked with a very wide brush stroke. I agree that the lek and truly potential lek areas should be avoided with right-of-ways, roads and construction. But realistically, the area within the marked locations is very diverse habitat: rock ridges, pinion/juniper cover, canyons ... that are not suitable sage grouse habitat -- habitat that should not be restricted simply because the broad stroke on the maps shows that the area is "Priority Habitat". On this note the suggested 4 mile buffer to be avoided -- or at times even a 1/4 mile buffer (.06 miles), around "Priority Habitat" is very unrealistic, as again, the terrain and vegetation drasticaUy change. Each case should be evaluated site specific on its own merits. And of course "Priority Habitat" does not mean that Greater Sage Grouse are, or ever were, present -- only that the habitat is quite suitable for sage grouse .... Ideally, along with the map should be a	CO	Both	emc0056RM

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	disclaimer stating that: "The maps are a broad range guide, and each request/proposal should be examined site specifically to consider the exact habitat where facilities are proposed to be located."			
544.	Please note that the two most common questions I hear when discussing the population of Greater Sage Grouse are: 1) Why is there still a hunting season in the areas where we are trying to protect the species? 2) Is anyone aware of the great number of predators now, yes fox and coyote, but more importantly crows and ravens?	CO	Both	emc0056RM
545.	Pinto Valley Ranch covers over 10,000 acres with a substantial percentage of that area being included within the priority habitat area. The BLM maps show that the BLM owns the mineral rights under a significant portion of the Ranch that is designated as sage grouse priority habitat area. The Ranch is year-around home to a healthy population of sage-grouse and host several active leks as well as historical leks. In cooperation with both private biologists as well as multiple government agencies we have worked to create a conservation plan to improve habitats and, therefore, increase sage-grouse populations. The protection and improvement of sagegrouse habitats is something that we hold near and dear, so we appreciate the opportunity to comment on this important issue.	CO	Both	emc0064RM
546.	For Special Status Species, like the sage-grouse, "habitat loss and fragmentation have been, and remain, the primary cause of their imperiled status." DRMP/DE!S, Ch. 3 at 3- 100. BLM recognizes that "[l]arge contiguous areas of habitat have been shown to support aud maintain Greater sage-grouse populations, and are necessary in order to provide lower densities of nesting hens." !d. Ch. 4 at 4-283. Given the highly specific requirements of sage-grouse nesting and wintering habitat, any disruption is detrimental to sage-grouse populations. !d. at 4-283. Thus, BLM recognizes it is crucial to preserve large blocks of un-fragmented sagebrush habitat. Considering only the Castle lek, all of the split estate parcels on the Proposed Tyler Mountain ACEC are within 2-3 miles of a lek. Furthermore, this split estate surface provides important nesting, brood rearing and winter habitat for a resident population of sage-grouse. Exhibit I at Ex. Bto R. Watson's Comment Letter (Dr. Holloran report,March 22, 2011). A more recent on-site survey confirms that these sage-grouse occupy 88% of the split estate parcels on the Proposed Tyler Mountain ACEC. 7 Exhibit11 toR. Watson's Comment Letter. Dr. Holloran has concluded that "sagebrush habitats on [Proposed Tyler Mountain ACEC] are suitable for sage-grouse; all sagebrush dominated areas of [Proposed Tyler Mountain ACEC] that were surveyed during field efforts are used by sage-grouse; and all sagebrush habitats on [Proposed Tyler Mountain ACEC] that were surveyed during field efforts should be protected as core sage-grouse habitat as established in the Colorado greater sage-grouse conservation plan … the[se} sagebrush dominated areas on [Proposed Tyler Mountain ACEC} have special worth, significance, distinctiveness and substantial values for sage-grouse … " Exhibit II Cover Memo atl to R. Ivatson ·s Comrnent Letter (emphasis added). See also Holloran in Stolz EA Comments (Ex. 1) at Exhibit Band Maps at Exhibit D-1 to D-3. His expert conclusion is that the Proposed Tyler Mountain ACEC, including split-estate parcels subject to federal oil and gas development, hosts a largely sedentary, non-migratory population of sagegrouse that enjoy unfragmented access to all their seasonal habitat needs and that need to be protected as core sage-grouse habitat. !d.	CO	BLM	emc0057GB
547.	Holloran's March 20 11 report (Exhibit I, Ex. B) provides detailed support of his conclusion that for this sedentary, non-migratory sage-grouse population, the habitat on the Proposed Tyler Mountain ACEC is priority habitat that should be protected from leasing under the terms of the Sage-grouse JM. This conclusion was strongly confirmed with the results of the 2011 survey. Exhibit II to R. Watson's Comment Letter. Dr. Holloran's conclusion is that oil and gas development, will	CO	BLM	emc0057RM

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	negatively influence the sagegrouse population that is reliant on habitats surrounding the active lek. Sage-grouse breeding, nesting, early brood-rearing, and late brood-rearing/summering, and wintering habitats may be directly impacted by development of these parcels. !d. at 2. In sum:			
548.	The PPH and PGH maps provided by the CPW include almost all of the sagebrush basin in Jackson County as PPH. Therefore any actions taken from the NTT Sage-Grouse EIS that apply to PPH will affect the vast majority of Jackson County. The NPSGWG acknowledges that the majority of North Park is breeding, summer, or winter habitat for sage-grouse. However, the NPSGWG requests that the BLM analyze if mapping the entire sagebrush basin in North Park as PPH is necessary to maintain sage-grouse in Jackson County. The NPSGWG also requests that the BLM have the ability to conduct local site-evaluations to insure that the site is indeed sagegrouse habitat. CPW's mapping was done on a broad scale and there are likely some non-habitat inclusions where some amount of development could occur while also minimizing impacts to sage-grouse habitat. The NPSGWG also requests that the BLM EIS define the PPH and PGH maps as working maps with the ability to changes as habitat conditions change.	CO	BLM	emc0060RM
549.	I was part of a three year effort of the Parachute-Piceance- Roan Greater Sage Grouse Conservation Plan (PPR, April 29, 2008) workgroup which developed the localized management plan for grouse in Rio Blanco and Garfield County. Included in the group were local landowners, CDOW researchers, natural gas company representatives, BLM biologists, local environmental group members, FWS staff, COGCC staff, County staff, and others. Over the course of many meetings looking at the lek data, discussing the bird's biology, getting updates on local and range-wide research, discussing limiting factors and the effects of habitat alteration, the group developed a comprehensive plan to manage sage grouse in our area. This document should be the starting point for development of alternatives for the EIS.	CO	Both	emc0061RM
550.	In addition, given that the priority habitat maps were months behind, and even being modified less than two weeks prior to the close of the public scoping period, WSCOGA respectfully requests that the agency prepare a public memorandum sequencing, in lay terms, how the maps were prepared. Such a memorandum would allow all interested stakeholders to understand the basis for the designations. Amidst the public's great confusion related to these maps some sort of laypersons communication is critical. We believe similar to aforementioned predeterminations that the BLM, at least in Colorado, appears to have pre-determined the scope of sage-grouse habitat in Colorado and the criteria utilized in the designation of the habitat.	CO	BLM	emc0062RM
551.	More specifically, the BLM's resources analysis (in the context of what it will mean to conserve Sage-Grouse) must in meaningful detail analyze and disclose impacts any conservation plan would have on local communities, the State of Colorado, the nation and resource companies, including those associated with the proposed elimination of available national mineral estate. In addition to the concerns regarding the narrow nature of the Report's recommendations, it would not be understated to claim that the Report functions as a direct and precedent setting assault on valid and existing property rights. The recommendations in the Report include, for example: - No new surface occupancy on federal leases within priority habitat during any time of the year. -Applying rigid seasonal restrictions on exploratory drilling prohibiting surface-disturbing activities during the nesting and early-brood-rearing season in all priority sage-grouse habitat during this period.	CO	BLM	emc0062RM

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	-Limiting surface disturbance on existing leases that are not yet developed to 3% of the leased area. Despite increases in technological capability, it is well-known that no surface occupancy stipulations in many areas would result in an illegal taking by placing the public mineral resource out of range for reasonable and technically feasible access. Also contemplated in the Report is the retroactive placement of conditions of approval for existing leases. Implementing such a concept would be legally precarious, at best. Generally, WSCOGA views the Report as proposing mitigation measures so onerous as to imply a takings or prohibiting the exercise of legal and valid rights to mineral properties. Perhaps of greatest concern to WSCOGA is the agency's abject ignoring of existing, successful conservation efforts to date. As with other land use decisions (Vermillion Basin), this administration seeks to pre-empt local land use planning that better considers multiple-use and local concerns. However, both the State of Colorado and BLM itself have developed and adopted well-recognized programs for the conservation of greater sage-grouse habitat. In other contexts, BLM has explicitly adopted and deferred to state conservation programs. BLM should similarly adopt and defer to state conservation programs in Colorado. BLM's proposed overhaul of the RMPs flatly ignores well-developed and well-supported conservation plans as has been pointed out by Garfield, Mesa and Moffatt Counties. As opposed to relying solely upon the recommendations contained within the Report, BLM should evaluate existing conservation plans for their potential effectiveness that better measures nuanced local impacts to local stakeholders.			
552.	It would be interesting to read the documentation of the American Indian who studied the Greater Sage-Grouse habitat before the arrival of the Europeans. What kind of science was used to come up with 56%?	CO	BLM	emc0067RM
553.	The Little Snake Field Office (LSFO) has the distinction of being home to not only the largest greater sage-grouse population in Colorado, but also part of the most important population in the eastern half of the species' range, the Wyoming Basin regional population. Greater sage-grouse habitat in the LSFO includes a small area that supports an especially high abundance of breeding birds per unit area, relative to the entire eastern range of sage-grouse. The final LSFO RMP includes protections for greater sage-grouse that are an improvement over those outlined in any other final RMP to-date in Colorado. However, these measures are far from adequate regulatory mechanisms to conserve this important population, as evidenced by concerns expressed by both state and federal wildlife agencies, referenced throughout this letter.	CO	BLM	emc0051RM
554.	The MPSGWG recommends the protection of the habitat/movement linkages. The PPH and PGH map identifies a linkage	CO	Both	emc0063RM

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	between the Middle Park and North Park populations, the EIS should analyze conservation measures to protect this important area. In addition, the working group recommends protection of the linkage area between Middle Park and the North Eagle/South Routt populations. This linkage was not identified on the PPH and PGH map. Movement linkages not identified as PPH areas should be given a higher level of protection from the more general PGH protections. The linkage areas should be protected from disturbances and energy development to allow continued exchange of birds between the two populations. The linkage between North Park and Middle Park is of particular importance to Middle Park for both genetic diversity and sustaining populations			
555.	BLM Colorado should strive to implement conservation measures that will maintain AND enhance each of the six greater sage-grouse populations in Colorado (Northwest Colorado, Parachute Piceance/Roan, Meeker/White River, Northern Eagle/Southern Routt, Middle Park and North Park). It is necessary for BLM to strive to maintain AND enhance each of these populations in order to achieve the goals of the National Planning Process.	CO	BLM	emc0070RM
556.	The range of the greater sage-grouse has been divided up into management zones.3 There are two management zones in Colorado, the Wyoming Basin Management Zone (MZ II) and the Colorado Plateau Management Zone (MZ VII).4 Two of Colorado's populations, Northwest Colorado and North Park, are part of the larger Wyoming Basin population. The Wyoming Basin Management Zone includes the Wyoming Basin population, along with the Middle Park and Northern Eagle/Southern Routt populations in Colorado. The Colorado Plateau Management Zone includes the remaining two populations in Colorado, the Meeker/White River population and the Parachute Piceance/Roan population (along with populations in Utah). The area occupied by the Northwest Colorado and North Park populations, along with southwestern and central Wyoming has been considered a stronghold for greater sage-grouse, with some of the highest estimated densities of males anywhere in the remaining range of the species.5 This high density sagebrush area has been identified as one of the highest priorities for conservation consideration, as it encompasses one of two remaining areas of contiguous habitat essential for the long-term persistence of the species.6 The Wyoming Basin population, which includes the Northwest Colorado and North Park populations, has undergone long-term declines and is expected to decline by an additional 66% by 2037.7 However, this is a conservative estimate for a number of reasons and declines could be expected to be substantially greater.8 Thus, it is critical to ensure that the Northwest Colorado and North Park populations be effectively conserved. This will require implementation of adequate regulatory mechanisms in the Little Snake, Kremmling and White River Resource Management Plans. The goals and objectives of the plan amendment process for these three plans must be to maintain AND enhance each of these populations.	CO	BLM	emc0070RM
557.	The remaining populations in Colorado are smaller and more isolated than the Northwest Colorado and North Park populations. It is important to conserve each of these remaining populations, in order to prevent substantial reduction in the distribution and abundance of greater sage-grouse, and to maintain existing genetic diversity exhibited by the species. In addition, it is important to conserve these populations in order to maintain opportunities for the public to see greater sage-grouse and enjoy sagebrush natural areas in each of the five BLM field offices within the range of the greater sage-grouse in Colorado.	CO	BLM	emc0070RM

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558.	The Middle Park population north-central Colorado is a small population, separated from adjacent populations by distance and mountainous terrain. Average rates of change indicate that a generally decreasing population from 2000-2007, and Garton et al. 2009 suggest that this already small population has a low probability of long-term persistence.	CO	BLM	emc0070RM
559.	The Eagle-South Routt population is in north-central Colorado and is separated from nearby populations by distance and mountainous terrain. This population has undergone long-term declines. Population persistence for this population could not be modeled because of data limitations. However, based on current habitat impacts and management prescriptions, this population is unlikely to persist for more than 20 years.10 100 percent of the breeding habitat is affected by energy development.11 Research suggests that declines in lek attendance were strongly, negatively affected with the presence of wells in these areas, once the total number of wells in this Management Zone exceeded 250.12 Wells in the Northern Eagle/Southern Routt population currently exceed this threshold.	CO	BLM	emc0070RM
560.	The Meeker/White River and Parachute Piceance/Roan populations (Colorado Plateau MZ) are in the Uintah-Piceance geologic basin. These populations are small and isolated, and are threatened by demographic, genetic and environmental stochasticity due to small size and isolation. In addition, these populations are threatened by a suite of deterministic threats, including: housing and energy development, predation, disease, and conifer invasion. Based on projected habitat impacts (particularly energy development) under current management prescriptions, the FWS believes that all of the populations in the Colorado Plateau MZ will be reduced in size and isolated in the future.	CO	BLM	emc0070RM
561.	While existing or draft RMPs in NW Colorado discuss a number of traditional sources of direct and indirect impacts of anthropogenic developments on greater sage-grouse, CPW has noticed a lack of information and discussion of how and when noise from oil and gas development impacts greater sage-grouse. There is a developing body of literature suggesting that limiting anthropogenic sources of noise is necessary to minimize human impacts on greater sage-grouse (as well as other grouse species in the family Tetraonidae). There are a number of mechanisms by which anthropogenic sources of noise can negatively impact grouse, including the following: • Industrial noise masks the sounds of strutting males and may disrupt female choice of males on the lek (leading to reduced productivity)and cause females (and consequently males) to abandon leks; • Industrial noise masks sounds made by approaching predators and may lead to increased predation and reduced survival for all age and sex classes in all seasonal habitats, not just at leks. Over time, this may result in reduced survival of birds inhabiting areas near noise sources and ultimately, fewer birds in developed areas. Sage-grouse may also avoid areas with industrial noise, which would result in the same pattern; • Industrial noise in brood-rearing habitats may mask the predator-warning vocalizations given by females to chicks or the contact calls of lost chicks, either of which could lead to reduced brood survival; • Sage-grouse of all age and sex classes in all seasonal habitats may respond to increased ambient noise by increasing time spent being vigilant, thereby increasing energetic costs and decreasing time available for foraging and self-maintenance, leading to	CO	Both	emc0072RM

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	poorer body condition and reduced productivity; and • Industrial noise could cause chronic physiological stress that leads to poorer body condition and reduced survival or productivity			
562.	CPW recognizes that the Routt National Forest has relatively little total acreage within mapped PPH and PGH compared to the BLM Field Offices. However, CPW recommends that the USFS provide protection for sage-grouse habitat on the Routt National Forest. CPW requests that the USFS address sage-grouse habitat needs for projects planned in PPH and PGH. The largest portion of sage-grouse habitat on the Routt National Forest is mapped as PGH in California Park and Slater Park. Although the areas are mapped as PGH, CPW believes that Slater Park and California Park provide an important movement corridor from the large sage-grouse populations in the Little Snake Valley to the smaller population areas in the Elkhead Valley. CPW recommends maintaining these habitats for movement corridors and potential breeding and brood rearing habitat. CPW has worked with the USFS on previous efforts to restore sagebrush and understory communities in California Park to benefit both greater sage-grouse and Columbian sharp-tailed grouse. CPW recommends that the USFS continue these restoration efforts.	CO	USFS	emc0072RM
563.	Moffat County is concerned that this report is not a fair representation of the literature, research, and empirical evidence was consulted regarding Sage-grouse. The report does not acknowledge the role of predation, an area that Colorado Parks and Wildlife researchers gathered mostly empirical evidence throughout the decade of NW Colorado grouse research. The Department of Agriculture manages Wild life Services which has predator control authorities, and Moffat County requests they be used to study the role of predation on Sage-grouse. The technical report does not adequately address the symbiotic relationships and dependence between livestock grazing and Sage-grouse. The Technical Team Report suggests additional restriction on range improvements and their locations (i.e. fences. stock watering ponds, watering systems, etc.) without acknowledging their beneficial role for Sage-grouse. The Technical Team Report also lays the framework for oil and gas development as being harmful to the existence of grouse. The irony in this is that areas of Moffat County that have oil and gas development (eastern Moffat County) are maintaining grouse populations, while other areas of Moffat County with no oil and gas development have declining grouse populations.	CO	BLM	emc0076RM
564.	Moffat County is concerned the Technical Team Report fails to credit local and statewide efforts that have been ongoing to conserve grouse. There have been local Sage-grouse working group reports that document brush treatments, water development projects, forb management, hunting season regulation, wildfire management and countless other conservation actions that have positively impacted grouse survival in NW Colorado, yet the Technical Team Report does not give credit to these conservation measures as being successful for the species. The Technical Team Report allows for a measure of retirement of grazing permits in priority Sage-grouse areas as well as restricting oil and gas development by not issuing leases under certain circumstances and limiting disturbance to 3% of the surface. These suggestions directly conflict with the decade of planning that went into the BLM Little Snake Field Office Resource Management Plan (RMP) as well as the NW Colorado Greater Sage-grouse Conservation Plan. The local RMP thoroughly analyzed all alternatives from no oil and gas development to full development in grouse areas, and ultimately decided upon a 5% disturbance threshold in low to medium priority	CO	BLM	emc0076RM

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	habitats and a 1 % disturbance threshold on new leases in high priority habitats with an operator submitted Plan of Development. These criteria are listed in the RMP and should be given deference considering the RMP went through several years of planning with grouse conservation as one of its priorities. The background used to justify the recommendations in the Technical Team Report is miniscule in comparison to the man-hours spent studying the above recommendations for Sage-grouse protection in the Little Snake RMP. Failure of the Technical Team Report to incorporate the local and current Sage-grouse Conservation Plan and the Little Snake Resource Management Plan leads to inadequate grouse management in NW Colorado.			
565.	Moffat County requests the EIS acknowledge that conservation of the Sage-grouse is not possible on federal lands only. Non-federal lands playa key role in Sage-grouse conservation. For example, most of the hay production is on private lands, which are synonymous with the insect food source necessary for rearing grouse chicks. Considering the important tie between federal and non-federal habitat Moffat County encourages BLM to recognize the need to begin developing/participate in discussions regarding Conference Opinions, CCA's and CCAA's immediately. The significance is that Section 7 Consultations with the US Fish and Wildlife Service create a Conference Opinion which will be converted to Biological Opinion should the Sage-grouse become listed under the Endangered Species Act. Having the EIS prioritize developing a Conference Opinion, CCA's, and CCAA's immediately, will assure minimal impact on local economies should the bird become listed. Conservation actions by both federal and private land managers and agreements and assurances with the US Fish and Wildlife Service regarding land management will already be in process, saving months if not years of time, should a listing occur. This method of beginning consultations early is proving fruitful in the Wolverine planning efforts. It focuses and "pre-approved" land uses such as mining, ski area expansions, and "take" provisions in Wolverine reintroduction areas. The Conference Opinion and CCA's can focus on identifying and quantifying uses that are compatible with Sage-grouse protection proactively.	CO	BLM	emc0076RM
566.	Vegetation Mapping and Adaptive Management is Critical Another core philosophy in the above mentioned planning documents is that there must be the flexibility to allow for different adaptive management strategies within different habitats and regions of Sage-grouse habitat. The statewide Sage-grouse management plan offers a concept which Moffat County supports to assure adaptive options for grouse management. Appendix B in the statewide Sage-grouse management plan provides an opportunity for mapping vegetation communities and habitat to decide appropriate land management rather than using hard and fast buffer zones to regulate land uses. Adaptive Management through vegetation mapping offers a better option than concrete regulation of ground disturbing activities as well as general land use to occur where habitat mapping exists at a detail which demonstrates that the proposed activity will not harm Sage-grouse. Mapping habitat can replace the need to utilize .6 mile (breeding zone) and 4 mile (nesting and early brood rearing zone) concentric circle buffers for disturbance guidelines. The ability to manage grouse and land uses adaptively by mapping habitat zones is a better and more adaptive concept than applying stiff regulation such as a 3% disturbance threshold or a .6 mile and 4 mile buffer around leks.	CO	BLM	emc0076RM
567.	One Size Does Not Fit All	CO	BLM	emc0076RM

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	The Northwest Colorado Greater Sage-grouse Working Group signed its Conservation Plan in 2008 and has recommendations for grouse population thresholds, buffers around leks, disturbance recommendations, and regular monitoring recommendations. Also some of the most intense Sage-grouse monitoring research in the II-state range of the bird occurs in Moffat County. Moffat County understands that the State of Wyoming's density calculations and core area concepts are being considered across the Greater Sage-grouse habitat. Moffat County specifically requests a review occur to determine the compatibility of the core area concept with the concepts for Greater Sage-grouse protection within our local Conservation Plan. Where inconsistencies occur we request BLM support the work of local communities and not try a one-stop-shop for Greater Sage-grouse protections throughout Colorado's Greater Sage-grouse habitat. Although there needs to be guiding principles for management of Greater Sage-grouse habitat, the BLM EIS should recognize that each area has identified land uses and Greater Sage-grouse protections that are specific for each grouse management zone identified in the NW Colorado Sage-grouse Management Plan. Attempting large scale regulation without allowing the nexibi li IY for local conservation measures specific to grouse management zones is not feasible.			
568.	Greater Sage-grouse Priori tv Map Moffat County requests additional time to evaluate the impacts of the Greater Sage-grouse Priority Map. The above mentioned map was provided to the public very late in the comment process for this EIS. Moffat County is considering additional mapping evaluation 10 portray impacts. Considering that Moffat County has described above that Sage-grouse cannot be conserved without a federal and non-federal partnership, we request the EIS contain maps identifying both federal and non-federal owned lands. Currently the map published by Colorado Parks and Wildlife only focuses on habitat, and ignores the management differences between ownership of surface. A map showing land ownership under priority habitats will pictorially highlight the impossibil ity of conserving Sage-grouse without federal and non-federal partnerships.	CO	Both	emc0076RM
569.	Of special note and difference to the Public Lands Council's and National Cattlemen's Beef Association's, CCA does not support the implementation of core area concepts for Colorado's sage grouse populations. This is to the diversity of habitat, distribution and geographical differences that would disallow a successful core area approach from being considered	CO	Both	emc0149RM
570.	Colorado is on the edge of GSG range. Populations, especially those outside of far northwest corner of the State, are relatively small in size, and, as is further discussed below, have greatly declined. Therefore, a high percentage of habitat for GSG must be protected.	CO	USFS	emc0175RM
571.	II. PROTECT ALL GSG HABITAT ON THE ROUTT. The SRC "Core Area Overview" map shows two small draft core areas west and southeast of the Town of Yampa. These areas are currently used by GSG. Data from the Colorado Division of Parks and Wildlife also shows historic (and likely now unoccupied) habitat in the California and Slater Parks area northwest of Steamboat Springs. GSG will need all the habitat it can possibly use in order to survive and recover to full viable populations. Merely maintaining the current habitat and population levels will not be sufficient to recover the species and avoid ESA listing. This is especially true in Colorado, which is near the edge of the species' range and where all grouse populations have declined greatly, and are small and fragmented relative to grouse populations closer to the center of the species' range. Also, climate change is likely to lead to an increase in fires and coverage of exotic species, and a concomitant reduction in sagebrush habitat. Miller et al, 2009, at 45.	CO	USFS	emc0175RM

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	Therefore, the Forest Service must ensure protection of historic, as well as occupied, habitat. The agency should also look for opportunities to restore historic habitat and other potential habitat that has been adversely altered or is unavailable because of management, but that could become usable GSG habitat in the future after some treatment and/or a change in management. The larger the habitat areas managed to protect and recover GSG, the greater the chances of maintaining and restoring the connectivity of habitat. Greater sage-grouse is a landscape-scale species, and requires large blocks of intact sagebrush habitat to survive. 75 Fed Reg 13923. Habitat loss and fragmentation are major factors that have led to the decline of the greater sagegrouse. Id. at 13924 et seq.			
572.	III. ENSURE THAT PROJECTS AND ACTIVITIES ON NATIONAL FOREST LAND DO NOT ADVERSELY AFFECT GSG HABITAT AND POPULATIONS ON ADJACENT LANDS. Though there is a relatively small amount of GSG habitat on the Routt NF, there is considerable habitat adjacent to national forest land. See Colorado Division of Parks and Wildlife's Map of Preliminary Priority and General Habitat at: http://wildlife.state.co.us/WildlifeSpecies/Pages/WildlifeSpecies.aspx. This map shows that there is some priority habitat in close proximity to the Routt National Forest and some general habitat on the Forest. Activities on land adjacent to GSG habitat, such as energy development operations could adversely affect GSG ability to use the habitat. For example, the impacts of energy development on greater sage-grouse can extend out to greater than 4 miles from the footprint of the development. Please see NTT, 2011, at 18-21 for discussion of the indirect and cumulative impacts that activities adjacent to GSG habitat can have on GSG populations. Thus, the FS should implement conservation measures on national forest land adjacent to GSG habitat to avoid indirect and cumulative impacts on GSG habitat and populations.	CO	USFS	emc0175RM
573.	(Two of the NTT recommendations that are most important for Routt NF) 1. Objective. The Routt National Forest should make the following objective a Forest Plan standard: Large-scale disturbances that impact sage grouse distribution and abundance at any level will not be permitted within priority areas (subject to valid existing rights). Other, smaller scale proposed anthropogenic disturbances will not disturb more than a total of 3% of the acreage within each priority area. NTT, 2011, at 8. Another objective recommends clustering of human disturbances in existing disturbed areas, and applying appropriate buffers around disturbances. Id. at 9. 2. Sub-objective. The following should be a Forest Plan standard: Assess general sage-grouse habitats to determine potential to replace lost priority habitat caused by perturbations and/or disturbances and provide connectivity…between priority areas. Restore historical habitat functionality to support sage-grouse populations guided by objectives to maintain or enhance connectivity. Total area and locations will be determined at the Land Use Plan level. Id. at 9-10.	CO	USFS	emc0175RM
574.	(One of the most important NTT recommendations for Routt NF) MONITORING. Monitoring GSG habitat and populations will be essential to determining how well the species is faring, and to allow changes in management, if needed, to ensure conservation of the species. Therefore, some GSG habitat and populations must be monitored regularly to assess changes, positive and negative, over time, and inform future management. The recommendations of NTT at 30 are good and should be implemented, but additional measures are needed. See subsection B below.	CO	USFS	emc0175RM

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575.	3. Have a strong monitoring program. As discussed above in subsection A, monitoring is critically important. The monitoring program for GSG should have "triggers" or thresholds that, once exceeded, necessitate changes in management. Triggers could include, but not necessarily be limited to: sage-grouse population target ranges, target levels of survival and recruitment in particular areas, measures of the cumulative level of surface disturbance, and oil-gas well densities in core areas. The monitoring program should also state what additional actions might be taken if triggers are exceeded. It is especially important to closely monitor any projects or treatments designed to improve, restore, or re-establish GSG habitat. This would include: assessing conditions before treatment, recording exactly what treatment was done and where, and monitoring conditions for some time after treatment. In projects where sagebrush restoration is attempted, monitoring may be needed continuously for 20 years or more. Only in this way can the agency and others learn what might work and what probably will not work in conserving GSG. This adaptive management approach should be required. Monitoring should be conducted with the help of interested stakeholders, especially the Colorado Division of Parks and Wildlife.	CO	USFS	emc0175RM
576.	In all that North Park sagebrush before there was a Walden, Rand, Cowdrey, or even Pearl, Colorado, there was a town on the Michigan River called "Sagehen." It was named for the most abundant year around animal in North Park and had the counties first post office back in the 1880's. That settlement was later moved and renamed for a man named Walden. Maybe the name should have stayed "Sagehen." Sagehens by the hundreds of thousands inhabited the high valley in the 1880's when settlers took up the river valley homesteads. Sometimes sagehen flights blocked out the sun over tiny pioneer Walden and strutting grounds had thousands of displaying males each spring. Not so today! About 2,600 or so are scattered over a valley forty miles wide and nearly as long. North Park is still filled with the rich big sagebrush and lush river valley clover sagehens needs to live. With such abundant food, water, and space, why are they so rare? Why are they unable to increase numbers? Natural predators have taken sagehens for millions of years. Some are: coyotes, foxes, mountain lions, bobcats, badgers, and mink who hunt on the ground. Skunks, weasels, raccoons, badgers, and even Richardson's ground squirrels eat sage grouse eggs. Also hawks, eagles, owls, gulls, magpies, and crows, kill young, take eggs, and sometimes kill adults. Cold icy storms take some as do the long bitter winters at 8,000 feet elevation. But, these are old hat and natural. Sagehens lived millions of years with all of these plus wolves and grizzlies getting adults, eggs, and young. All this didn't put a dent in their population. Sagehens were also once so numerous the Ute Indian kids killed them with rocks, sticks, and tiny play bows and arrows. These natural events and agents take sagehens, but the food, cover, and water are still there to support hundreds of thousands. They shouldn't be so rare, and rarity is the first step to final and absolute extinction.	CO	Both	rmc0016RM
577.	Of course, conserve the grouse and its habitat. Also consider the need for more oil production and out need for jobs for men and women	CO	Both	rmc0017RM
578.	Properly planned drilling, roads, do not need to disturb the bird. Coyotes are perhaps a bigger problem than drilling	CO	Both	rmc0017RM
579.	Tri-State recommends that the priority and general habitat maps have a disclaimer that states that each Resource Management Plan should delineate where the priority habitats actually occur within the boundaries of the CDPW habitat areas. The maps	CO	BLM	rmc0019RM

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	should clarify that habitats have not been refined at this point in the process,			
580.	Mitigation in the forn1 of funding resea rch studies would be benefi c ial to both the agencies and industry in helping both groups understand the issues as well as identifying effective miti gation measures that could minimize potential effects. All stakeholders agree there are a number of factors affecting sage-grouse across the western U.S. from habitat loss to disease to predation. The Colorado Greater Sage-Grouse Plan (2008) cites Connelly and Braun 1997 and Connely et. al 2000c, "the effect of predation on the fluctuations and viability of sage-grouse populations has never been inv estigated ." The BLM has acknowledged in public meetings that natural predation could be a signifi cant factor in sage-grouse mortality, yet there is still no clear understanding of the extent of these impacts on overall sage-grouse populations. Additional research fu nds could be used to better understand natural mOliality rates from predation and would enable us to better understand how re lative rap tor predation from increased perching on power po les may affect sage-grouse.	CO	Both	rmc0019RM
581.	It would greatly benefit both land management and regulatory agencies and the electric utility industry if additi onal research could be conducted to help evalu ate effective buffer distances and potential seasonal restrictions for linear features to protect sage-grouse and their breeding habitats and to fac ilitate reasonable and effective project planning. Tri-Sta te currently abides by agencies recommended seasonal restrictions for the operation and routi ne maintenance with sage-grouse present in the area. Unfortunately, these standards tend to vary by agency, office and staff, which makes it difficult to plan the development of a transmission project that minimizes impacts to sage-grouse to the greatest extent feasible. It is understood th at requirements and recommendations will and should vary depending on area, habitat, and other site-specific factors. However, consistency among the BLM Field Offices in the manner in which seasonal constraints and buffers are assessed and identified earl y on in the planning process is critical to ensuring consistency across the greater sage-grouse's overall range.	CO	Both	rmc0019RM
582.	Tri-State requests that the Final EIS address specific timelines for the BLM's analysis and decision making process as it pertains to detennining project approval and mitigation measures in Priority and General Sage-Grouse habitats. The process, as outlined in the Interim Management and Policies and Procedures, creates uncertainty as to the length of time it will take to obtain ROW authorizations on BLM-administered lands in greater sage-grouse habitats. If the BLM office and State Wildlife Agencies do not agree on the proposed mitigation measures, the second step requires the project be reviewed by the BLM State Direc tor, State Wildlife Agency Director, and UFWS representative. If they do not agree, the third step require the project go to the Greater Sage-Grouse National Policy Team with the State Wildl ife Agency Director, finally, if no decision is made, the National Policy Team will coordinate and blief the BLM Director for a final decision. This process could be cumbersome and time consuming, particu larly if there are no defined decision dates for the process. Tri-State requests that there is a fonnal process with fonn al tim elines for consultation similar to what is established through Section 7 consultation with the U.S. Fi sh and Wildlife Service in accordance with the Endangered Species Act. Without set timeframes, ROW applicants are risk ing millions of dollars for infrastructure development,such as elec tric tran smission lines and substations without any celiainty of when a decision could be made. The proposed process makes it very difficult to plan and budget for any project, necessary to meet customers' power requirements. Uncertainty as to the length of the review process creates a large ri sk for industry, and will not fulfill the Departme nt oflnterior's directive to streamline its rev iew processes.	CO	Both	rmc0019RM
583.	It is Tri-State 's understanding from recent conversations with BLM staff that the entire National Technical Team's report will	CO	Both	rmc0019RM

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	be included as a DEIS alternative and that each BLM office will aSSeSS how each of their existing Resource Management Plans address and comply wi th conservation measures identi fied in the National Technical Team Report. Given the comments provided above, which were minored by other stakeholders during public scop ing, the technical report, as written, will have serious implementation issues that might not be feasible with other fede ral mand ates. Many sections of the Technical Rep0l1 appear to be difficult if not impossible for local BLM staff to implement and still allow for lawful development and ongoing land uses. The BLM needs to assess and communicate how this guidance would be implemented and specify th at each BLM office has the ability to detennine what is most appropriate for their given area. Consistency in the analysis approach is critical, but the DEIS should clarify th at appropriate and effective sage-grouse conservation measures could vary from region to region. All Resource Management Plans should include conservation measures that are feas ibl e and compatible wi th industries operational standards.			
584.	Consistency is critical to Tri-State and its member cooperatives from a risk analysis, permitting, and cost perspect ive. Tri-State supports the BLM goal of "Providing consistent national pol icy and guidance on the conservation of greater sage-grouse in the form of clear goals, objectives and management considerations for planning." Consistency in the process is cri tical to utilities; however, the DEIS should include adaptive management and site-specific considerations (e.g. , land use and conditions, topography, habitat, etc.) when assessing sage-grouse conserva tion measures for projects. Adaptive management may require establi shing processes outside the current status quo for sage-grouse management. Tri-State supports greater sage-grouse conservation efforts and believes that effecti ve sagegrouse management requires frequent communication and coll aboration among agencies, industry, and affected publics involved with transmission and energy-related projects. The guidelines should first stress the importance of early communication during the planning process for all appli cations on federal lands to avoid impacts to sage-gro use to the greatest extent feasible and ensure clear direction for multi-use projects . Tri-State req uests that the BLM work closely with the state wildlife agencies and greater-sage grouse working groups. These working groups and conservation plans were created through co llaboration with interdisciplinary teams with multiple stakeholders to ident ify reasonable,feasible, and effective management policies and objectives for greater sage-grouse conservation. The ELM and States should have a consistent management approach to ensure effective sagegrouse conservation, while allowing for the delivery of safe and reliable electricity to communities and customers throughout the Rocky Mountain West. Tri-State believes that cooperation between the BLM and industry can ensure that greater sage-grouse are conserved on public lands and that the nation's energy requi rements can be fulfilled in a responsible nature.	CO	Both	rmc0019RM
585.	Based upon the timing of release of the Colorado Sage-Grouse Maps, BLM should both extend the scoping period for the NW Colorado Sage-Grouse EIS to allow interested parties appropriate time to review and comment on the Colorado Sage-Grouse Maps, and should further accept and consider comments on the habitat designations during the public comment period provided on any draft EIS. The Sage-Grouse NOI states that "[tJhe most current approved BLM and FS corporate spatial data will be supported by current metadata and will be used to ascertain greater sage-grouse habitat extent and quality." 76 Fed. Reg. nOl1. Thus, the Sage-Grouse NOI suggests that the NEPA process will include evaluation of greater sage-grouse habitat and quality, including input from interested members of the public on any such designations. Ory agrees with an approach that seeks and obtains information from the public on the definition of sage-grouse habitat and the criteria used to define sage-grouse habitat appropriate for conservation. BLM's apparent reliance on the Technical Report as the principal	CO	BLM	rmc0021RM

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	determinant of "habitat extent and quality" is at variance with a com mitment to open and transparent development of such data.			
586.	Despite the language in the Sage-Grouse NOI, BLM, at least in Colorado, appears to have predetermined the scope of sage-grouse habitat in Colorado and the criteria utilized in the designation of the habitat. BLM released the Colorado Sage-Grouse Maps on March 13, 2012. These Colorado SageGrouse Maps depicted both priority habitat and general habitat within the occupied range in Colorado. BLM Colorado Sage-grouse Conservation Efforts, "Colorado Parks and Wildlife Greater Sage-grouse Priority Habitat Maps," (March, 13, 2012), available at http://www.blm.gov/pgdata/etc/medialib/blm/co/programs/wildlife.Par.98066.File.dat/CPW%20Gr%20 Sage%20grouse%20habitat%203-13-12.pdf. BLM defines PPH as "a reas of high probability of use (summer or winter, or breeding models) within a 4 mile buffer around leks that have been active within the last 10 years." & BLM defines PGH as "greater sage-grouse Occupied Range outside of PPM. Isolated areas with low activity were designated as general habitat." & Neither these maps nor the criteria for designating areas as PPH or PGH were available for public comment until March 13, 2012. Because designation of sage-grouse habitat, and in particular priority habitat, will be a controlling metric that determines the conservation strategy to be applied (including apparently a moratorium on mineral development). BLM cannot rely upon these maps to determine the precise lands to be affected by the RMP amendments until the public has had an opportunity to fully evaluate, critique and understand the criteria used in establishing those maps, the basis for the criteria used in establishing those maps and the data used to develop those maps. Accordingly, BLM must both extend the scoping period for the NW Colorado Sage-Grouse EIS to reinitiate the forty-five day scoping period under NEPA, and accept and consider comments on the habitat designations during the public comment period provided on any draft EIS. Scoping is "an early and open process for determi ning the scope of issues to be addressed and for identifying the significant issues related to the proposed action." See Wyoming v. U.S. Dept . of Agriculture. 661 F.3d 1209, 1238 (10th Cir. 2011) (citing 40 C.F.R. § 1501.7). Furthermore, FLPMA requires the public be given adequate notice and an opportunity to comment on the formulation of standards and criteria for, and to participate in, the preparation and execution of plans and programs for the management of public lands. See BLM Handbook 1601-1, Land Use Planning; see also 43 C.F.R. § 1601.0-8. BLM's untimely release of information (i.e. the Colorado Sage-Grouse Maps) critical to an evaluation of the significant issues related to the proposed action only ten days before the conclusion of the scoping period does not comport with the required public processes under NEPA and FLPMA. The Colorado Sage-Grouse Maps were made public on March 13, 2012; accordingly, Oxy respectfully requests that the forty-five day scoping period be reinitiated, beginning March 13, 2012, to allow additional time to review the Colorado Sage-Grouse Maps in light of the other information provided by and referenced by BLM in the SageGrouse NOI and Technical Report.	CO	BLM	rmc0021RM
587.	The BLM should focus the strongest protections on the most important sage-grouse habitats, which is often where the largest number of grouse are found this increases chances for success. The BLM should protect a large enough area of priority habitat, to maintain AND increase sage-grouse populations.	CO	BLM	flm0000RM
588.	To be effective, BLM should address all threats to sage-grouse. Each plan must adequately protect greater sage-grouse from all threats (e.g. construction of transmission lines, energy development, roads, wildfires and invasive weeds).	CO	BLM	flm0000RM
589.	The BLM should focus the strongest protections on the most important sage-grouse habitats, which is often where the largest number of grouse are found – this increases chances for success. The BLM should protect a large enough area of priority	CO	Both	fll0000RM

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	habitat, to maintain AND increase sage-grouse populations.			
590.	To be effective, BLM should address all threats to sage-grouse. Each plan must adequately protect greater sage-grouse from all threats (e.g. construction of transmission lines, energy development, roads, wildfires and invasive weeds).	CO	BLM	fll0000RM
591.	The scoping statement identifies 438,500 acres on the Thunder Basin National Grasslands (TBNG) as potential sage grouse habitat. That, to us, seems to be an abundance of habitat for the birds.	East	Both	emc0108RM
592.	The Scoping Statement states the BLM has over 30 MILLION acres of occupied sage grouse habitat; therefore, we believe there is no shortage of habitat for the sage grouse.	East	Both	emc0108RM
593.	4. THE AGENCIES SHOULD COMMIT TO IDENTIFICATION OF YEAR-ROUND HABITAT REQUIREMENTS According to the NTT report, "priority sage-grouse habitats are areas that have the highest conservation value to maintaining or increasing sage-grouse populations. These areas would include breeding, late brood-rearing, winter concentration areas, and where known, migration or connectivity corridors." Often transitional habitat, such as migration or connectivity corridors, necessary for sage-grouse to travel through the landscape (Knick and Hanser 2011) to vital seasonal habitat, is not adequately recognized and incorporated into sage-grouse conservation and management. The interim guidance released by BLM in December, 20114 does little to provide guidelines for the preservation or inventory of important sage-grouse transition habitat, and our organizations seek to assure that the full suite of habitat requirements is incorporated into the final guidance on RMP revisions for sage-grouse.	East	Both	emc0089RM
594.	Recommendations: According to the Technical Team's report, "Sage-grouse dispersal (permanent moves to other areas) is poorly understood" and that it "appears to be sporadic." BLM should provide guidelines for the preservation or inventory of important sage-grouse transition habitat. BLM should also create management policies that are low-risk and will protect areas that may likely serve as important corridors and transition habitat due to the proximity of these areas to highly productive habitat and lek sites.	East	Both	emc0089RM
595.	iii. Strong components of Wyoming's approach Wyoming's strategy emphasizes stronger protections within core areas, with less stringent protections and greater management flexibility in non-core areas as an incentive for development to leave core areas intact. While this strategy acknowledges that non-core area grouse populations will likely decline due to loss and fragmentation of habitat, monitoring must take place to prevent the extirpation of populations and maintain connectivity among subpopulations. In non-core areas, lek persistence must be maintained over the long term, with sufficient proportions of sage-grouse populations remaining to maintain connectivity and movements.	East	Both	emc0089RM
596.	In regards to vegetation, the Land Use Planning Handbook instructs BLM to "provide for native plant, fish, and wildlife habitats," and to "[i]dentify areas of ecological importance and designate priority plant species and habitats, including special status species and populations of plant species recognized as significant for at least one factor such as density, diversity, size, public interest, remnant character, or age." Id. App. C at 3. BLM should "[i]dentify the actions and area-wide use restrictions needed to achieve desired vegetative conditions." Id. App. C.	East	Both	emc0167RM

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	Similarly, the Land Use Planning Handbook also offers guidance on agency decisions that may affect special status species, instructing the BLM to: Identify desired outcomes, strategies, restoration opportunities, use restrictions, and management actions to conserve and recover special status species. Desired outcomes may incorporate goals and objectives from recovery plans and conservation strategies or identify ecologically important areas or scarce, limited habitats. Goals and objectives may be species or habitat specific and can be established at multiple scales (i.e., fine, mid, and broad) to fully understand the context of the larger landscape. Id. App C. at 4. It further recognizes the importance in conserving special status species, and the role of BLM in ensuring such conservation: Given the legal mandate to conserve threatened or endangered species and BLM's policy to conserve all special status species, land use planning strategies, desired outcomes, and decisions should result in a reasonable conservation strategy for these species. Land use plan decisions should be clear and sufficiently detailed to enhance habitat or prevent avoidable loss of habitat pending the development and implementation of implementation-level plans. This may include identifying stipulations or criteria that would be applied to implementation actions. Land use plan decisions should be consistent with BLM's mandate to recover listed species and should be consistent with objectives and recommended actions in approved recovery plans, conservation agreements and strategies, MOUs, and applicable biological opinions for threatened and endangered species. This section highlights the requirement of the agency to follow relevant policy regarding special status species and the agency's sage grouse conservation strategy. Additionally, consistency is a notable requirement here, and BLM should thus ensure consistency across landscapes throughout this process to protect sage grouse populations and habitat.			
597.	The greater sage-grouse, the largest member of North American grouse species, is a sagebrush-obligate species - they depend entirely on large, healthy and connected stands of sagebrush for survival. Prior to European settlement, an estimated 16,000,000 sage-grouse inhabited the West. Degradation and fragmentation to sagebrush habitat has led to dramatic, long-term declines in populations. Current estimates suggest that no more than 500,000 sage-grouse remain, and nearly 50 percent of the species' habitat has been lost entirely. Today, sagebrush steppe is considered one of the most imperiled ecosystems in North America. Sage-grouse are landscape-scale species that depend on a variety of sagebrush habitats throughout the year. In the spring, adults use sagebrush for cover during breeding. Typically, productive nesting areas are characterized by sagebrush with an understory of native grasses and forbs. Both sagebrush canopy and grass cover are critical to reproductive success, providing necessary concealment of nests and young from potential predators. Nesting success drops an estimated 15 percent in disturbed sagebrush habitats, as compared to habitats where sagebrush has not been disturbed. Following hatching, brood-rearing habitat must provide adequate sagebrush canopy cover to conceal chicks that forage on nearby forbs and insects, essential to their nutritional health. In the summer, sage-grouse typically use sagebrush habitats as well as riparian areas, wet meadows and alfalfa fields, all of which provide forbs and insects, essential foods for the birds at this time of the year. In the fall, sage-grouse begin shifting their diet entirely to sagebrush, which they then depend on throughout the winter for food and cover. Damage to even one of these seasonal habitats can impact sage-grouse.	East	Both	emc0167RM

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	While impacts to habitat are not uniform across the range, impacts are substantial in many areas and will continue or even increase in the future across much of the range of the species. The FWS concludes: With continued habitat destruction and modification, resulting in fragmentation and diminished connectivity, greater sage-grouse populations will likely decline in size and become more isolated, making them more vulnerable to further reduction over time and increasing the risk of extinction (70 FR 2244). And based on current and ongoing habitat issues, their synergistic effects, and the likelihood these will continue in the future, the FWS sites "threat of present or threatened destruction, modification, or curtailment of the greater sage-grouse's habitat or range" as the basis for determining that the species warrants listing under the Act as a threatened or endangered species (70 FR 2244).			
598.	The NTT report lays out two spatial extents for measuring anthropogenic disturbances: 1) the area contained within individual priority areas and 2) each one-mile section within the priority area. The report also recommends exclusion of any large-scale development or disturbances that impact sage grouse distribution and abundance at any level within priority areas (excluding valid pre-existing rights). Smaller scale development should not exceed 3 percent of acreage within the priority area. Any proposed anthropogenic disturbance will be encouraged to occur in existing disturbance areas or outside of priority areas (p. 8). By not allowing anthropogenic disturbance in key habitat strongholds, the BLM will reduce threats, help stabilize sage-grouse populations, and provide upfront information to developers regarding potential areas closed to disturbance. In addition to creating permanent safeguards in priority habitat, the NTT outlines several objectives for general habitat on pages 9 and 10. These include: ☐ Assess general habitat for the potential to provide connectivity among priority areas ☐ Conserve, enhance or restore sage-grouse habitat and connectivity to promote movement and genetic diversity ☐ Assess general sage-grouse habitat to determine potential to replace lost priority habitat caused by disturbances and provide between priority areas. The NTT explains, "These habitats should be given some priority over other general sage-grouse habitats that provide marginal or substandard sage-grouse habitat." (p. 9) ☐ Restore habitat functionality to support sage-grouse populations by increasing connectivity and enhancing general sage-grouse habitat to ensure population declines in one area are replaced The report underscores the value of areas defined as "general habitat." General habitat serves an invaluable role of connecting priority areas in the sage grouses' lifecycle. General habitat also provides future opportunity for habitat restoration and replacement of lost priority habitat. For these reasons, general habitat should not be viewed as marginal lands, and the BLM should focus on conserving, enhancing, and restoring these areas as suggested by the NTT report.	East	Both	emc0167RM
599.	Besides habitat fragmentation, other challenges to sage grouse conservation persist. Some threats are indirect effects from the mechanisms that create habitat fragmentation. For example, noise from drilling and associated activities can drive sage-grouse from the area, can cause physiological stress, and moreover may interfere with auditory cues and communication between individual birds. As the NTT Report points out, a recently completed research study in Wyoming revealed that noise from natural gas drilling and roads resulted in a 29 percent and 73 percent decline respectively in male peak attendance at leks relative to paired controls, and that declines were immediate and sustained throughout the experiment with low statistical	East	Both	emc0167RM

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	support for a cumulative effect of noise over time.			
600.	C. RMPs and Forest Plans Must Require Consistent and Scientifically-Based Monitoring Efforts and Include Detailed Information on Sage-Grouse Populations and Habitat. Effective management of sage-grouse and their habitats is dependent on accurate information on populations, demography, behavior, habitat quality, habitat distribution, and many other factors.3 Long term population, habitat, and implementation monitoring must be required in all land management plans. In order to determine the impacts of public land activities and other potential threats to sage-grouse, the BLM and Forest Service must implement consistent and scientifically-based monitoring plans that will determine the health, range, and changes to sage-grouse populations and sagebrush habitat. Monitoring should be continuous, on-going, and a consistent approach should be utilized across the range of the sage-grouse to allow for easy data comparisons. Additionally, monitoring and population surveys should be conducted before, during, and after completion of all site-specific projects and activities in order to determine the effects from all projects on sage-grouse. To this end, individual projects approved under amended plans must include appropriate funding levels for monitoring. Surveys should include a numerical count of sage-grouse and a count of leks and male sage-grouse numbers near each documented lek. The responsible federal or state agency should include all relevant information to help inform future decision-makers, including the distance of documented leks and birds from the project. Monitoring should not be limited to aerial surveys but should also include ground-truthing to ensure collection of the most accurate data possible.	East	Both	emc0167RM
601.	Although there has been an ever-increasing amount of research on sage-grouse and sagebrush habitat in recent decades, there are still many questions with regard to the decreasing populations of sage-grouse. For example, the effects of OHV use on sage-grouse or sagebrush habitats are relatively unknown, although experts have surmised the potential effects. Additionally, although many experts believe that a buffer between leks and harmful activities may increase sage-grouse survival rates, it is unclear for which activities a buffer should be implemented, or how large that buffer should be based on scientific evidence. To gather answers to these important questions that will offer more insight on how to manage for healthy sage-grouse populations across the West, the BLM and Forest Service should identify, prioritize, and facilitate research opportunities with the States and with the Western Association of Fish and Wildlife Agencies. This should consist of range-wide cooperation and collaboration efforts. The agencies must also work to ensure that annual funding is available for such research and all completed studies should be published, made easily accessible to the public, and peer-reviewed where necessary to affirm scientific accuracy	East	Both	emc0167RM
602.	E. The BLM and Forest Service Should Determine, and the RMPs and Forest Plans Should Identify, Priority Sage-grouse Habitat, Occupied Sage-grouse Habitat, and Unoccupied but Suitable Sage-grouse Habitat Within each RMP and Forest Plan land planning areas, the BLM and Forest Service must collect pertinent information and identify priority sage-grouse habitat, occupied sage-grouse habitat, and unoccupied but suitable sage-grouse habitat. This determination must be based upon the best available science and up-to-date surveying and monitoring results. As the National Technical Team suggests, priority habitats should include breeding, late brood-rearing, winter concentrations areas, and migration or connectivity corridors.	East	Both	emc0167RM

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	Nothing in this determination should be based upon political endeavors or other agency priorities. When determining unoccupied but suitable sage-grouse habitat, the public should be given an opportunity to weigh in and final determinations should be based upon the biological and scientific information demonstrating the capability of the area to support sage-grouse. To this end, the agencies must complete, maintain, and update eco-regional assessments of sagebrush and sage-grouse habitats across the sagebrush biome prior to the initiation of any new projects.			
603.	The agencies should also prohibit conversion of sagebrush habitat to any other use within priority sage-grouse habitat. Direct conversion of land for agriculture, development, and other purposes deprives sage-grouse of habitat necessary to survive. This direct loss of habitat is inevitably harmful to a species already struggling to survive across its current, and already seriously reduced, range. Remaining priority habitat must be protected, as this species can hardly endure further loss. See infra Section III.H for more information on the threats associated with conversion of sage-grouse habitat. Because direct conversion is a real threat when public lands are sold to private interests, we agree with NTT's directive to retain public ownership of priority sage-grouse habitat and to seek and acquire state and private lands where possible to best conserve sage-grouse habitat.	East	Both	emc0167RM
604.	G. The BLM and Forest Service Should Manage Activities in a Manner to Protect Sage-Grouse to the Greatest Extent Possible in Occupied or Suitable Habitat The NTT mainly addresses priority habitat, and thus only addresses broad objectives in other sage-grouse habitat that also must be protected through this process. In areas that are occupied by sage-grouse but not determined to be priority habitat, or in areas unoccupied but suitable for sage-grouse, the agencies must implement standards to ensure that all activities and projects proceed in a manner aimed to protect sage-grouse to the greatest extent possible. Energy development and other projects described above should proceed in these areas, only as long as they can conform to standards set forth in the RMPs and Forest Plans. These standards must be stringent in order to protect suitable habitat, as the Technical Team Report noted that sage-grouse "may avoid otherwise suitable habitat as the density of roads, power lines, or energy development increases."	East	Both	emc0167RM
605.	Furthermore, "avoidance is likely to result in true population declines if density dependence, competition, or displacement of birds into poorer-quality adjacent habitats lowers survival or reproduction."14 Thus, density limits on infrastructure should be set in areas of suitable habitat that is outside of the priority habitat areas.	East	Both	emc0167RM
606.	Additionally, the agencies should require a "no net loss" of sagebrush habitat or sage-grouse populations at appropriate spatial and temporal scales when providing for non-renewable resource development and utilization or renewable energy development. The agencies should further develop and implement technologies and practices that offset, reduce and/or minimize disturbance to sage-grouse and their habitat associated with nonrenewable resource recovery activities. In areas where dispersed recreation is permitted, it should be managed in a way to avoid, reduce, and where possible eliminate, displacement of sage-grouse or negative impacts to sage-grouse habitat. Along those lines, we support the NTT's directive to allow only special recreation permits that have neutral or beneficial affects to priority habitat areas.	East	Both	emc0167RM
607.	The environmental impact statement (EIS) must acknowledge and address the scientific controversies regarding the habitat for the sage grouse, estimates of current numbers and changes in populations, impacts of other uses on sage grouse numbers, as well as historical range, current range, and best mitigation measures. The Technical Team Report is written in absolutes, a profound error given both the lack of data, the wide range of lands affected, and the apparent failure of BLM to consider	East	Both	emc0155RM

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	conflicting data and research.			
608.	The Council on Environmental Quality (CEQ) rules require federal agencies to address and document areas of scientific controversy. 40 C.F.R. §§1503.4, 1502.9(b); 1508.27. There is ample scientific dispute with respect to most aspects of the Technical Team Report and the IM, including historic range of the sage grouse, sage grouse population estimates, impacts on sage grouse numbers, including predators, hunting, and diseases, like West Nile Virus, impacts, if any, of livestock grazing, and impacts of development. These issues and oth283ers have been raised and yet BLM fails to address them or even acknowledge the scientific debates. The IMs do not acknowledge contrary viewpoints, research or data. See e.g. Thresholds of Energy Development and Greater Sage-grouse Populations, Harju, Taylor, Dzialak, Clark, Hayden-Wing, and Winstead 2010; Oil and Gas Development and Greater Sage Grouse (Centrocercus Urophasianus): a Review of Threats and Mitigation Measures, Ramey, Brown, and Blackgoat 2011. The Colorado Division of Wildlife also assessed the basis for the USFWS listing but warranted decision and prepared a detailed critical review. These reports and other work need to be considered especially since the universe of sage-grouse research is very incestuous and does not meet the professional standard for peer review. Science or Advocacy? Ecology and Conservation of Greater Sage-Grouse: A Landscape Species and Its Habitats Center for Environmental Science Accuracy and Reliability (Feb. 1, 2012) (CESAR) pp. 2-7.	East	Both	emc0155rm
609.	As shown in the attached comments, the premise of sage grouse having lost most or all of its historic habitat is deeply flawed. Ex. 1, pp. 1-2; Ex. 1A pp. 1-4; see also CESAR at pp. 8-12. The assumption ignores recorded history, soils and climate. The USFWS lacks any data for the historical range described in the 2010 finding and it grossly overstates original sage grouse populations and range. Id. BLM has a legal obligation to use actual data and records, not just take for granted the unsupported hyperbole found in the USFWS finding.	East	Both	emc0155rm
610.	There is no data to support the 3% limit used in the Technical Team Report for the surface disturbance ceiling in priority habitat. Technical Team Report at pp. 7-9. Its application is made more problematic in light of DOI's efforts to push through its green energy projects that will quickly use up the 3% disturbance ceiling especially when added to existing roads, projects and permits. The 3% surface disturbance limit is also infeasible to achieve and has been selected without any thought to whether it can actually be implemented. In many areas, current roads and rights-of-way will equal the 3% without taking into consideration valid rights. This occurred in Wyoming when the Wyoming Game and Fish Department (WGFD) adopted the surface disturbance limit in 2009. It was significantly revised once it was apparent that it could not be implemented without violating land rights and valid rights.	East	Both	emc0155rm
611.	Land management changes should not occur without important research issues being addressed. For example, much of the consternation focuses on lek absence in the middle of drilling fields. But there is no data regarding whether the birds died or merely relocated. The failure to discover whether the sage grouse relocated is a huge gap in the knowledge base.	East	Both	emc0155rm
612.	A related question is sage grouse use of reclaimed habitat. How does that differ from sage grouse use of other habitat that has been the subject of vegetation improvement projects? Do sage grouse return to a well site or field once traffic and activity levels die down? Certainly other wildlife return to the fields once activity levels drop off.	East	Both	emc0155rm
613.	In order to truly protect sage-grouse habitat, we feel all agencies must focus on ways to enhance and increase sage-grouse populations. The species warrants protection due to the dramatic population declines range-wide. BLM has an obligation to	East	Both	emc0385GB

Table C-4.A
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	evaluate all reasonable methods and management alternatives under which populations will increase, not simply flat-line. We encourage the BLM to incorporate the designation of Areas of Critical Environmental Concern (ACEC) into planning and analysis for Oregon. Because of the mapping efforts already completed by ODFW, areas of "core" sage-grouse habitat, identified as "Habitat Category 1" and considered "irreplaceable, essential habitat,"8 are places where ACEC designations should be considered to ensure long-term protections. We urge BLM to use the recommendations of its own National Technical Team (NTT) as minimum standards and work with ODFW representatives when preparing the new EISs. The NTT summarized existing sage-grouse science well, and BLM must work within the framework of the most recent science to create an adequate regulatory framework as defined by USFWS.			
614.	We recommend that management efforts for greater sage-grouse first focus on increasing female survival by restoring large, intact sagebrush-steppe landscapes, reducing persistent sources of human-caused mortality, and eliminating anthropogenic habitat features that subsidize species that prey on juvenile, yearling, and adult females.	GB	Both	emc0404GB
615.	We support efforts to increase chick survival and nest success by eliminating anthropogenic habitat features that subsidize chick and nest predators, and by managing shrub, forb, and grass cover, height, and composition to meet local brood-rearing and nesting habitat guidelines.	GB	Both	emc0404GB
616.	In the semi-arid rangelands of the Great Basin, the unstable moisture occurrence results in drastic growth differences of many plant species. Along with the mmbinations of other various factors, this can and does strongly affect numerous animal species. Those species that can handle the severe up's and down of the Great Basin survive the best. Unfortunately the GSG does not handle those up's and downs well.	GB	Both	emc0388GB
617.	Sage-Grouse are endangered only to the extent that natural cycles occur in the sage brush eco-system of the Great Basin.The Sage-Grouse are reduced as predator numbers increase. Fire and drought adjust predator numbers and Sage-Grouse flourish. The positive for Sage-Grouse can be extend by man through livestock grazing and predator control. Ultimately the cycle will prevail.	GB	Both	emc0223GB
618.	The Greater Sage-Grouse (Centrocercus urophasianus), often referred to as simply "sagegrouse," is the largest grouse in North America and lives in sagebrush dominated systems. The species is considered a "landscape specialist"—requiring large, intact sagebrush habitats. Sage-grouse rely on different types of sagebrush habitat to satisfy their requirements during different seasons of the year1, with the annual range of a sage-grouse encompassing up to 2,700 km. Ensuring the species' survival requires comprehensive analysis of remaining habitats and populations on a range-wide basis, and then adopting a range-wide conservation plan to ensure that adequate regulatory mechanisms are in place to protect the species across its range. Indeed, the U.S. Fish and Wildlife Service has recognized this basic fact, calling for, "Meaningful restoration for greater sage-grouse requires landscape, watershed, or eco-regional scale context rather than individual, unconnected efforts." (75 Fed. Reg. at 13917)	GB	Both	emc0355GB
619.	Identify Important Habitats: Identify areas of high biological value for sage-grouse, including important seasonal areas and migratory corridors that can be permanently set-aside from large-scale development and managed with emphasis on not only maintaining, but enhancing greater sage-grouse populations.	GB	Both	emc0355GB

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620.	In order to truly protect sage-grouse habitat we feel all agencies must focus on ways to enhance and increase sage-grouse populations. The species warrants protection due to the dramatic population declines range-wide BLM and FS have an obligation to evaluate all reasonable methods and management alternatives under which populations can rise, not simply maintain. We urge BLM and FS to use the recommendations of its own National Technical Team (NTT) as minimum standards in preparing the new EIS's. The NTT summarized existing sage-grouse science well, and BLM must work within the framework of the most recent science to create an adequate regulatory framework as defined by USFWS.	GB	Both	emc0355GB
621.	The BLM should continue to utilize the most recent compilation of scientific information and management recommendations. Information outlined in the December, 2011, "Report on National Greater Sage Grouse Conservation Measures" (referred to hereafter as "report") prepared by the Sage Grouse National Technical Team (referred to hereafter as "NTT"), as well as ongoing scientific findings, should be incorporated into the conservation guidance that drives BLM management decisions. Interim guidance issued in December 2011 (See IM 2012- 043) by BLM does not fully reflect the breadth of discussion and the conservation direction provided in the report. The omission of important conservation measures in IM 2012-043, such as prohibiting energy development in high productivity sage-grouse habitat, demonstrates that BLM is not yet fully relying on the scientific information described by the Technical Team. The report serves as a road map of what BLM should consider when creating scientifically defensible management decisions for sage-grouse conservation. This report is a review of the most recent science needed to address the listing factors outlined in detail by the U.S. Fish and Wildlife Service in the 12-Month Findings for Petitions to List the Greater Sage-Grouse as Threatened or Endangered. BLM should also refer to the 12-month findings and other peerreviewed scientific information when completing the sage-grouse EIS's.	GB	Both	emc0355GB
622.	The USFWS' analysis in the March 2010 finding underscores the many increasing threats facing sage-grouse populations and remaining habitats, including from agricultural conversion of sage-brush habitats, improper grazing management, infrastructure, energy development (both traditional and renewable energy sources), invasive weeds, fire, climate change, West Nile virus, and others. This has been corroborated by many others in the scientific community. In 2011, a consortium of premiere sage-grouse researchers came together in a peer-reviewed journal, Studies in Avian Biology, to review the impacts on this iconic bird and provide best management objectives. Recommendations from the sources listed above are summarized in Section XV – Scientific Background. Summary: The 2010 USFWS 12-month findings, the Studies in Avian Biology sage-grouse monograph, the Technical Team's report, and other relevant peer-reviewed research on sage-grouse biology should be clearly referenced and provide the foundation of BLM planning to ensure that the most recent science is guiding decision-making and to enable effective public review and comment.	GB	Both	emc0355GB
623.	According to the NTT report, "priority sage-grouse habitats are areas that have the highest conservation value to maintaining or increasing sage-grouse populations. These areas would include breeding, late brood-rearing, winter concentration areas, and where known, migration or connectivity corridors." Often transitional habitat, such as migration or connectivity corridors is not adequately recognized and incorporated into sage-grouse conservation and management. Such transitional habitat is necessary for sage-grouse to travel through the landscape (Knick and Hanser 2011) to crucial seasonal habitat. The interim guidance released by BLM in December, 2011 14 does little to provide guidelines for the preservation or inventory of important sage-grouse transition habitat, and our organizations seek to assure that the full suite of habitat requirements is	GB	Both	emc0355GB

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	incorporated into the final guidance on RMP revisions for sage-grouse. Many state-level planning efforts have not adequately incorporated transitional habitat into conservation efforts. The BLM has an obligation to build upon the knowledge and efforts completed by state agencies and ensure public lands are managed to enhance sage-grouse populations. Additionally, there is great need for more research to adequately identify and delineate these transitional habitats. Summary: The BLM should work with state wildlife agencies to identify important migratory corridors and afford them ACEC status or a level of protection equivalent to protections created for other crucial habitat.			
624.	Populations Are Not in Drastic Decline The FWS Findings admit that GSG "numbers are difficult to estimate" due to numerous factors, but conclude "since neither presettlement nor current numbers of sage-grouse are accurately known, the actual rate and magnitude of decline since presettlement times is uncertain." If the assumption is made that the overall trend reflects a "decline" from presettlement times, it would require GSG population levels in the early and mid 1800s to be much higher than documented at various points in recorded history for the Great Basin. A complete picture of Great Basin GSG numbers since written records began indicates: • pre-settlement populations were quite low, but well scattered; • populations dramatically increased between the late 1800s and early 1900s; • populations peaked in about 1930 and remained high through the 1960s (perhaps interrupted by a moderate dip due to commercial hunting); • populations declined rapidly from the 1970s through about 2000; and • populations declined more slowly from 2000 through 2010, and have even increased during the last part of this period in certain locations. Recent data from Nevada Department of Wildlife report increasing GSG populations within the state from 2008 through 2010. This conflicts with the forecast that GSG populations will continue to significantly decline into the foreseeable future	GB	Both	emc0381GB
625.	There seems to be an unstated assumption in this and other documents/papers that large sage-grouse populations known to occur in the 1950's are the baseline for comparison with today's populations. This approach is highly questionable. There is no evidence (scientific or anecdotal) that pre-settlement sagegrouse populations were nearly as large as those observed in the 1950's or even today. It may be quite desirable to stop the downward trend in population in those areas where it has occurred, but returning to the large populations of the past is likely not possible and should not be a management goal, until we understand what conditions led to those large populations.	GB	Both	rmc0067GB
626.	Western Legacy Alliance would encourage the BLM to determine for themselves if a 5,000 bird minimum sustainable population will inherently have protection, and be housed within current WSA's, National Parks and Monuments, State WMA's etc. Are the use restrictions already in place within these designated area's complementing the existing GSG populations and as such would this preclude increased regulatory mechanisms on other lands under BLM's management?	GB	Both	emc0384gb
627.	Some sage-grouse in southwest Montana migrate (sometimes up to 50 miles) between separate summer and winter areas. Ongoing research has documented migratory movement across the Continential Divide from eastern Idaho to Big Sheep Creek Basin in southwestern Beaverhead County, and from the Centennial Valley in southwest Montana to Idaho. Research on habitat and sage-grouse populations is being conducted by Fish Wildlife and Parks (FWP), BLM, USFS, U.S. Fish and Wildlife Service (USFWS), University of Montana Western (UMW), The Nature Conservancy (TNC), and Montana	IDMT	Both	rmc0028GB

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	Audubon in the Dillon Local Working Group Area. This includes work on lek counts, habitat mapping, migration patterns, and the genetics of the population.			
628.	I would contend you missed some USDA Foest. Priority forest on the Salmon-challis NF. Your mp shows the Pioneer MTS and the last River Range as non-priority and there is some good sage-grouse habitat there	IDMT	Both	cfc0004GB
629.	Another habitat concern that needs to be addressed are those areas where we do not have complete information on sage-grouse distribution. In those areas in particular all sagebrush habitat, no matter how deteriorated, must be considered potentially important to sage grouse until adequate data are collected to determine they are not now, nor will they be in the future, necessary to recover sage-grouse is particularly true for the southeast Idaho Uplands area, areas south and west of the Big Desert area, and areas where the traditional sage-grouse habitat has become fragmented by agriculture and infrastructure development.	IDMT	Both	emc0181GB
630.	The Group has developed a sage-grouse conservation plan for Jarbidge Planning Area, which includes the goals outlined below. We ask that the BLM consider these goals as they finalize the Sage-Grouse Planning Strategy. -Maintain and restore a dynamic sagebrush ecosytem. -Increase sagebrush habitat	IDMT	Both	emc0158GB
631.	The Group has developed a sage-grouse conservation plan for Jarbidge Planning Area, which includes the goals outlined below. We ask that the BLM consider these goals as they finalize the Sage-Grouse Planning Strategy. -Restore fragmented and degraded sagebrush habitat to a healthier condition with distribution matching historical patterns - Link existing and restored sagebrush habitat	IDMT	Both	emc0158GB
632.	The Group has developed a sage-grouse conservation plan for Jarbidge Planning Area, which includes the goals outlined below. We ask that the BLM consider these goals as they finalize the Sage-Grouse Planning Strategy. -Maintain huntable and sustainable sage-grouse populations -Sustain, maintain, or improve sage-grouse habitat in the five sub-units of the Jarbidge Field Office.	IDMT	Both	emc0158GB
633.	I am a resident of Stanley, Idaho and live in an area where froom time to time sage-grouse are present.	IDMT	Both	emc0065GB
634.	There is little doubt that the once healthy populations of this bird in our area and the study area have been in decline for some time and are now in serious jeopardy. The basic cause is also pretty clear - the decline of large areas of suitable habitat due to increased mineral exploration, the over extension of livestock ranching and the impact of greatly increased recreation, often with little or no oversight	IDMT	Both	emc0065GB
635.	As I understand, according to BLM data, the biggest threats to Sage Grouse populations are loss of habitat in the last 40 years due to invasive species/conifer invasion (cheat grass & juniper trees), infrastructure (power transmission lines, wind power projects), mineral and energy extraction, range fires (both wild and prescribed), and agriculture & grazing activity plus changes in the weather.	IDMT	Both	emc0122GB
636.	I would like to offer some comments on the recovery of the sage-grouse. To begin with it is well under way. Being in their territory most of my time I see a very significant increase in the last ten years and even more in the last five years. The first thing agencies want to study is habitat and I can assure you that habitat- especially in our area is quite good. Every time we make a range improvement or enhance a grazing system things improve for all.	IDMT	Both	emc0377GB

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637.	in our ranching area, south of Malta, Montana, we find several groups of sage-grouse use our agriculture fields including alfalfa and grain. Factors we have observed over the years include; 1) most grouse groups range from 5-8 with no young; 2) increased numbers of coyotes and fox; 3) vastly increased numbers of ravens and crows; and 4) over the years we have observed an increase in hunter pressure on upland game birds.	IDMT	Both	emc0135GB
638.	We have seen many Sage Grouse, undisturbed in mountainous and prarie land. My estimations are that our Sage Grouse population is thriving.	IDMT	Both	rmc0007RM
639.	Some states, like Idaho, released overwhelmingly lek area-based maps with the IMs that omitted critical intact occupied sagebrush habitats. Others, like Nevada, did not provide maps until early March 2012. See discussions below about Idaho and Nevada mapping concerns. To its credit, Nevada took much more care in mapping than Idaho, but still segregated large areas and failed to have any updated information on some Population Management Units (PMUs) that may be on the verge of extinction.	IDMT	Both	emc0411GB
640.	Idaho mapping sacrifices extensive occupied sage-grouse habitats in Idaho that had previously been identified as Key habitat for sage-grouse from 2006 to 2011 in the Idaho Sage-grouse Plan Mapping. Vast areas in Salmon-Challis BLM region and other areas have been chopped off from what had been recognized as vital Key Habitat in 2010 in landscapes with intact sagebrush where recent fires have not occurred. We questioned the BLM state biologist about this. The reply was: That's different one is habitat based [Key], the other is based on population based [BLM's Priority scheme]. How can BLM expect a population to exist without habitat? Tremendous harm will be done unless the mapping and habitat protections are immediately restored at a minimum to include all Key Habitats, and nearly all the identified restoration habitats as priority areas. Many of these restoration habitats were omitted altogether.	IDMT	Both	emc0411GB
641.	The mapping at the Idaho meeting appeared to rely almost solely on the Core habitat Sacrifice Model, and was focused on leks where agencies could access areas to count birds, or where intensive studies had been conducted. There were lofty descriptions of what the mapping was claimed to be presenting on the top of each map. For example, the Priority Habitat map caption stated that these areas were what BLM had identified as sufficient to "sustain" sage-grouse populations. The Map Legend: Preliminary Priority Habitat (PPH) and Preliminary General Habitat (PGH) are shown for Idaho, while Sagegrouse Core Habitat is shown for Montana. PPH includes areas that have been identified as having the highest conservation value to maintaining sustainable greater sage-grouse populations. These areas include breeding, late brood-rearing, and winter concentration areas. PGH includes areas of occupied seasonal or year-round habitat outside of priority habitat. Both PPH and PGH have been identified by the BLM in coordination with the Idaho Fish and Game Department. Core Habitat in Montana is roughly equivalent to PPH, and includes habitats associated with 1) Montana's highest densities of sage-grouse, based on male counts and/or 2) sage-grouse lek complexes and associated habitat important to sage-grouse distribution But this was not the case. Our queries revealed that the mapping at the meeting was almost entirely lek-driven, and the legend was misleading. IDFG's representative distanced himself from the mapping, and said it was really BLM's mapping, and IDFG had not had that much input yet.	IDMT	Both	emc0411GB
642.	Idaho mapping shows how bad things are in Idaho. In many areas of critically important sagebrush habitats that have not yet been overrun by annual exotic weeds such as the Pahsimeroi, the Little Lost, the Lemhi, portions of the Owyhees including	IDMT	BLM	emc0411GB

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	vital low sagebrush country right at the ION border, BLM failed to include lands as "Priority" habitat. The "Priority" habitat is based on drawing a 4 or 5 mile circle around some known leks, and at times including some other lands in a few areas where the most intensive studies have been done. And of course, areas of good lek surveys, are very often areas with the best truck access in early spring			
643.	BLM provided no map that showed the historic extent of sagebrush habitat in Idaho (or western Montana). In order to understand the degree and severity of sagebrush and sage-grouse habitat and population loss, thorough and detailed mapping of all historic sagebrush habitat is necessary. The changes that occurred over time must be displayed. This is essential to show how the Priority habitat scheme slices off a considerable amount of what remains of the already greatly reduced habitat. We note that at least one isolated population of sage-grouse in western Montana appeared missing from BLM mapping entirely.	IDMT	BLM	emc0411GB
644.	State game agencies in the past focused on counting birds at the largest and more accessible leks. Lek counts, and the trend leks that are counted consistently over time, have often been larger leks, and their selection has also depended on accessibility - very often by road – for annual counts. Thus, there is a bias in the Core Area and PPH lek-based mapping to monitor larger leks, in areas where it was easiest for agencies to count the most birds on the ground and to locate leks. Leks in more remote areas for example he West Little Owyhee country, portions of the Bruneau, etc. may be under-sampled. Many more leks are counted in recent years, so higher totals do not necessarily reflect more birds.	IDMT	Both	emc0411GB
645.	Priority habitat is defined as: Breeding, late brood-rearing, winter concentration, and migration corridors (where known). Yet the mapping in Idaho greatly reflects leks- and not all of these other seasonal habitats in many areas.	IDMT	Both	emc0411GB
646.	The NTT's "priority habitats" are supposed to stabilize populations in the short term, and enhance populations over the long term. But the habitat-discarding mapping of ID BLM in the Pahsimeroi, Lost River, Little Lost, southeastern Idaho, portions of the Owyhee and Jarbidge other areas shows BLM is not doing this. But instead has focused overwhelmingly on some lek clusters while sacrificing vast areas of sagebrush habitats. We emphasize what is not stated, i.e. there is no commitment to do anything positive whatsoever for all the sacrificed populations that fall in the segregated General Habitat category. Plus, review of Nevada's and other mapping clearly shows that both habitats are used by the same PMU. And the only requirement for General habitat under the IM is to "reduce and mitigate" adverse effects. There is no commitment to do anything positive for the population. Yet a population uses BOTH kinds of habitats. So how can BLM expect rosy outcomes by just taking care of one sub-set of habitat?	IDMT	BLM	emc0411GB
647.	..Maintain or increase current populations, manage or restore priority areas so that at least 70% of the land cover [in priority habitats only] provides adequate sagebrush habitat to meet sage-grouse needs." Where in the mapping for all these states to date has the BLM identified where land cover is adequate vs. inadequate? Wouldn't "inadequate" areas be identified as restoration habitat, wouldn't it? Yet BLM Priority/General mapping as in the case of Idaho omits any clear distinction and understanding, and omits large areas of identified restoration habitat. In fact, Idaho's carefully identified restoration and key habitats from the 2006 Plan that have been used through 2010 are arbitrarily ignored by BLM in many areas in this process. The Nevada mapping and process is better - in that it uses more habitat categories and much more careful and thoughtful work went into it, but yet it still relegates many important areas to lesser importance once the Priority/General scheme is imposed.	IDMT	BLM	emc0411GB

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648.	Large differences in the care with which mapping was done are found between states. And even within states - as in different areas in Idaho are treated quite differently. This is arbitrarily done from one location to another.	IDMT	Both	emc0411GB
649.	Idaho BLM produced a White Paper report (Makela and Majors). This embraces the lek-based core model, and writes off large blocks of occupied sagebrush habitats in some areas, while arbitrarily including burned areas in other some regions – but not all – as Priority habitats through model upon model being applied. It is impossible to understand the utility of the Idaho mapping – other than as an office cubicle modeling exercise. The Core and Idaho BLM modeling focuses on leks and some sub-set of breeding and nesting habitats. The White Paper describes that: In March 2010, USDI BLM directed FO managers to implement appropriate conservation actions in "priority sage grouse habitat". IM 2010-071. This was described as "habitat of highest conservation value relative to maintaining sustainable sage-grouse populations rangewide". It is hard to understand how all occupied habitat for this species that Warrants ESA Listing is not considered of high value by BLM now in 2011-2012. General Areas "represent areas of occupied sage grouse habitat not included in Priority Areas". Priority Areas represent high priority sage grouse areas characterized by a combined high make lek attendance, high density, and high lek connectivity. "Gas may serve as important connectivity corridors between Pas, potential stepping stones, (habitat islands for grouse movement within corridors) or occupied habitat characterized by low lek density". We elsewhere discuss how naturally fragmented topography may result in lower densities of grouse in an area, even though the habitat may be of high quality – and the many problems of applying a Wyoming- based big expanses of sage-grouse habitat Core Model to a landscape where sage-grouse exist in a fundamentally different landscape configuration, in a less uniform and often highly fragmented landscape.	IDMT	Both	emc0411GB
650.	Makela and Major state: "many area of sage-grouse habitat in Idaho are contiguous with habitats in the neighboring states of Utah, Nevada, Oregon, and Montana". But BLM's analyses and actions in this EIS process are to be based on artificial state boundaries for the agency's own convenience. This illustrates why a unified set of strong protections, and ACECs that span state boundaries, must be developed range-wide. Pages 2-3 states that sage grouse breeding density in 2010 was modeled on three scale: Rangewide; across the Stiver WAFWA Management Zones [MZs based on the diversionary floristics habitat segregation scheme, and not populations]; and by individual state". Idaho lies within MZ IV. Idaho BLM claims to have incorporated data from neighboring states - and espouses interstate connectivity. But this appears to be arbitrarily applied – for example in portions of the Owyhee Region where the extreme SW corner of Idaho in the heart of a critical block of sagebrush habitat is sacrificed as general sacrifice habitat, and other areas as well. Review of the floristic region boundary in western Idaho-eastern Oregon and Nevada (MZ V) shows interconnection of habitats and populations in the Stiver et al. (2006) mapping Fig. 1.3. This is despite claims made in Stiver (2006) and up to the present that somehow MZs are not very connected, as justification in part for why they are being used.	IDMT	BLM	emc0411GB
651.	Did IDFG datasets or BLM exclude leks that have since been lost, and thus underplay importance of habitats recently lost to fire – like Murphy. See page 4. Makela and Majors tried to identify patterns of habitat and non-habitat using burn severity. They assumed areas of low burn severity maintained largely the same habitat as before the burn. But burn severity says nothing about the presence of sagebrush, and there is no evidence that sufficient sagebrush may remain in areas of low burn severity. Burn severity may also depend on the characteristics of the vegetation that was present pre-burn. In fact, it is our observations in some areas of the Jarbidge and elsewhere that areas of low burn severity typically had reduced or limited sagebrush or other woody shrub structure over substantial areas pre-burn. This means that even if there are islands of unburned vegetation left	IDMT	BLM	emc0411GB

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	in "low severity" areas in a burn, the vegetation that is present may be primarily grass, or sparse shrubs not suitable for providing habitat essentials. It is unacceptable to map low severity burns as sagebrush habitat without ground-truthing. Because after all "low severity" still means the sagebrush burned, and is likely not providing sagebrush habitat essentials for sagegrouse. This is not to downplay the importance of any remaining unburned islands of sagebrush – but claiming that all of these areas are comprised of sagebrush helps agencies mask the severity of habitat loss and fragmentation that has occurred. We find it very hard to believe that BLM did not have quite adequate veg data available, and/or did not make an effort to obtain, current high quality current information on sagebrush cover in burned areas so that a valid estimate of the remaining sagebrush within burn perimeters could be determined. In fact, it is our experience with the Murphy and other wildfires, that BLM uses a flush of fire funds associated with wildfires to immediately obtain detailed information about sagebrush persistence – often down to 5 to 10 acre polygons, or to even greater accuracy. Why wasn't this information used? Why didn't BLM collect at least current data on vegetation cover for this report that is now being used to segregate and doom some habitats? BLM claims that "due to our limited ability to effectively characterize "burn severity" in shrub systems, it is likely COH (Currently Occupied Habitat) in low severity is over-estimated". There is no valid reason for BLM not obtaining high quality data, especially now that this report and its various models are being used to discard habitats. This lack of accurate information adds to the uncertainty of heaping modeling exercise upon modeling exercise to try to guess at the slice of landscape one can sacrifice and still have sage-grouse be present, and the importance of particular lands to a population. Unless BLM understands how little habitat it has left, it can't understand how imperative protection and restoration are, or how it can possibly "sustain" habitats.			
652.	The Report's decision not to use a 10 year time interval to estimate where 75% of the claimed Core breeding population was located, and instead shifting to only the last five years, likely resulted in the mapped Core area shrinking from what would have been shown based on 10 years of data, because of fire effects on lek counts in large burned areas. So less habitat was mapped by Idaho. Under this lekbased method, as the habitat is lost and population wiped out, the area essential for 75% of the population shrinks to a certain point. This accommodates industrial development. And the Wyoming 5% development even of Core, plus the NTT range-wide 3% more development even of core/priority. Plus habitat degradation will continue as from chronic livestock grazing disturbance, and stochastic events will result in ever-shrinking originally identified Core habitat and ever-smaller protected areas. In the meantime, the General areas with few if any effective development controls have become lost altogether.	IDMT	Both	emc0411GB
653.	Regarding the White Paper's use of corridor terminology: We are concerned that grouse may not migrate in the same way in a corridor as do antelope, deer, elk, etc. Movement may be much more diffuse, at times. Big game (deer, elk) tolerate more disturbances than sage-grouse, and use a much broader array of disrupted habitats, big expanses of grasslands, roads and transmission lines and the combined effects of these, etc. during migration and throughout the year so for such species a narrow corridor approach may be feasible. With sage-grouse, much broader areas may be required. BLM has recently issued some new documents on corridors, and it is unclear if they apply to sagegrouse. But until BLM gathers much more complete multi-year harsh weather use and movement and other data on sage-grouse, and use of all seasonal habitats including brood rearing habitats, and nesting habitats for the significant numbers of birds that nest a considerable distance from leks, the definition of discrete narrow areas as corridors will be a big mistake. Blocks of land are needed especially to buffer areas of	IDMT	BLM	emc0411GB

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	the landscape used for movement from fire, sagebrush die-off or other unforeseen and unpredictable events.			
654.	The BLM Instruction Memo 2010-071 states: Priority habitat will be areas of high quality habitat supporting important sage-grouse populations, including those that are vulnerable to localized extirpation but necessary to maintain range-wide connectivity and genetic diversity. How will BLM decide which populations it is going to sacrifice? Idaho BLM appears to have forgotten about this when developing its model upon model mapping. The Core Model cast aside peripheral populations, even though these may be very important to maintain genetic diversity. It also chops off leks and habitats that may even be contiguous to Core Areas - just because larger numbers of birds are not known to show up on leks in those areas. BLM must fully consider all seasonal habitats and habitat connectivity as critical, and consider areas critical for connectivity to be priority habitat not map it away as has been done in the Pahsimeroi, Lost River, Little Lost, Beaverhead, Lemhi and other areas.	IDMT	BLM	emc0411GB
655.	The next generation of analyses to direct conservation action should be two fold. First, there is a need to support implementation of core regions with studies that document seasonal habitat use and migration patterns of radio-marked sage-grouse (Aldridge and Boyce 2007, Doherty et al. 2008) to ensure identified priority landscapes meet all seasonal habitat needs. Second, incorporation of future modeling of other relevant risks, such as cheatgrass (Bromus tectorum) invasion, to core regions will ensure gains in conservation will not be offset by unevaluated risks. Well, there is nothing in the Makela and Majors Idaho White Paper about risk of cheatgrass, is there? Yet ID set about chopping off habitats with this score scheme, it appears without assessing risk. It does not appear that Nevada assessed risk, either. So habitat segregation is occurring in lands most vulnerable to cheatgrass without assessing risk. Precautionary management requires that agencies do these studies first – before sacrificing habitat to the oil and gas, wind or other industries. There is no going back, and replacing habitat sacrificed under the core or priority scheme models. Regarding cheatgrass – this already has been done- for example, in the embargoed WBEA, Great Basin, and Nevada Ecoregional Assessment reports. If cheatgrass is a concern, it makes no sense to write off areas currently with less cheatgrass – as has been done in ID Pahsimeroi, Little Lost, Lemhi. Agencies can amend or alter rights-of-ways or leases.	IDMT	Both	emc0411GB
656.	In 2004, several of these populations – Quinn Canyon Range NV, Twin Bridges MT, White Mountains CA/NV Pine Nut NV were described as "insufficient date for analysis". To this day in 2012, NDOW and federal agencies have failed to provide current data on the Quinn and White Mountains populations. As part of this process, agencies must provide full and complete current data for all populations. All sagebrush habitats must be protected while this is being done, and the Priority and General Habitat segregation scheme must be immediately set aside. Agencies must admit if these populations have blinked out, have declined to drastically low levels, or have experienced significant range contraction. Small populations cannot just be routinely sacrificed if they are in lands coveted by the energy industry – as Doherty proposes and the NTT and IMs carry out.	IDMT	Both	emc0411GB
657.	For example, the headwater springs, seeps, streams in northern Nevada and southern Idaho are already under great stress from historical and chronic ongoing livestock grazing disturbance. In areas suffering mining disturbance, aquifer drawdown processes are causing flow reductions, and springs are drying up altogether. The Core Model uses sage-grouse to essentially marginalize all non-sage-grouse habitat lands. Yet mining, energy or other development and/or continued livestock degradation of the nonsage- grouse or "lesser importance" lands would disrupt watershed processes, and lead to further declines in perennial surface flows – resulting in losses of essential sage-grouse brood rearing habitats. Use of this flawed	IDMT	Both	emc0411GB

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	approach is likely to endanger many other species.			
658.	It is important that the agencies emphasize that any management changes that are undertaken must be linked to the population status of the bird and this must be conducted on a site-specific basis. If sage grouse populations are stable, there should be no need to trigger additional management measures. If management changes are deemed necessary, those changes need to reflect the import of the habitat and account for the primary threats first.	IDMT	Both	flh0000GB
659.	I urge you to preserve the sagebrush lands of the Sage Grouse in Colorado and the west. This endangered land-nesting bird is of great importance to its sagebrush ecosystem. While many people urge expansion, development, and extraction of our Rocky Mountain region lands, I feel strongly that we must preserve nature-including habitats for birds. Some people care about money - this results in exploitation and destruction of species and environments which we can never replace. I urge you to continue to protect the endangered sage grouse by working to conserve and restore it's natural ecosystem/environments.	MT-RM	Both	emc0205GB
660.	Time has proven that northeast Montana has the best sage grouse habitat management on the continent. For the past 60 years, this land has been managed in partnership between ranches and the BLM. The RMP should preserve the sage grouse by continuing current management practices and by focusing on ways to keep this partnership strong.	MT-RM	BLM	emc0013RM
661.	It has been my perception that the sage grouse populations have an established hold in the region.. The mutual partnerships between landowners, [ranchers and farmers], the FWP and the BLM, have been responsible and credited with this endeavor…	MT-RM	BLM	emc0017RM
662.	The pipeline will bisect known migratory corridors for sage-grouse, as evidenced by the map below, which show satellite tracked daily movements of sage-grouse between Montana core areas 1 and 2 (red hatched areas) based on data collected by Rebecca Smith under the supervision of Dr. Dave Naugle (University of Montana). PS-10 and the associated transmission line are located in and adjacent to this migratory corridor. The movement data collected by Rebecca Smith and sage-grouse movement data collected from across the eastern region should be considered in your planning process. Furthermore, considerations of the importance of connectivity of sage-grouse habitats including those that extend beyond national borders should be a key consideration as the Canadian population of sage-grouse is unlikely to persist without the support of management actions by wildlife and land managers in the United States including the BLM. *Included an attachment (map) 'Sage-grouse migration paths Fall 2010'	MT-RM	Both	emc0034RM
663.	We also believe the impact of the pipeline on migratory corridors has been overlooked. While alternative B bisects only a small portion of Montana sage-grouse core area 1, it bisects key migratory pathways for sage-grouse coming from and moving to Canada. Because sage-grouse from core areas 1 and 2 provide 'source' populations for sage-grouse that are federally listed as endangered in Canada, it is imperative that we not disrupt their migration in this region. All pump stations and other permanent structures should be placed a minimum of 2 miles (3.2 km) from the nearest lek, with a preferred distance of >4 miles (6.4 km) from active leks, based upon the best-available data from Naugle et al. (2011). Power lines should be buried whenever possible to decrease impacts from aerial predators. These recommendations hold for all types of oil and gas development within the range of greater sage-grouse and should be applied to the Keystone XL pipeline on BLM lands without exception.	MT-RM	Both	emc0034RM
664.	Northeast Montana has the healthiest, most diverse grassland ecosystem in the world. We have so many sage grouse that the	MT-RM	Both	emc0028RM

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	Montana Department of Fish, Wildlife & Parks is translocating some of them to Canada. This region's sage grouse production is due to decades of cooperation between ranchers and the BLM. In the EIS, please include an analysis of the importance of this public-private partnership to the sage-grouse. Please explore things the BLM can do to strengthen this partnership by keeping ranches economically viable. When amending the RMPs, please protect northeast Montana from any changes in land management. Instead, this region's land use traditions should be used as a model for sage grouse conservation and restoration elsewhere.			
665.	The Greater Yellowstone Coalition and Montana Audubon nominate all BLM lands identified as core sage grouse habitat by Montana Fish, Wildlife and Parks within the BLM Dillon Resource Area as an Area of Critical Environmental Concern (ACEC) (See enclosed map: "Proposed ACEC Boundaries to Protect Core Sage Grouse Areas"). This potential ACEC is in Sage-Grouse Management Zone IV and in large part encompasses all of the seasonal habitats supporting southwest Montana's population of Sage-Grouse. While much of the population can be found yearlong in the proposed ACEC, in extreme winters some portion of the population also migrates south to Idaho in areas not covered by this nomination. Management Zone IV contains one of the highest reported densities of Greater Sage-Grouse (Fed. Reg. 3/4/10).	MT-RM	BLM	emc0248GB
666.	In the northeast sections of Montana the Sage Grouse population is so healthy that some are translocated to Canada by the Montana Department of Fish, Wildlife and Parks.	MT-RM	Both	rmc0007RM
667.	It should also be constantly reiterated, that Montana and Wyoming have, what are considered to be, sustainable sage grouse populations. BLM and the state agencies need to keep this at the forefront, when deboerating this issue. It is imperative, that you avoid hurting our livestock operations. These ranches are extremely important to the local economy, and are a good, safe source of food for our nation. It is also worth noting that this food source is grown from an ecologically healthy, renewable resource.	MT-RM	Both	rmc0012RM, rmc0022RM
668.	The Little Missouri Grazing Association (LMGA) has taken a pro active approach towards the sage-grouse. We have two years of habitat monitoring data collected. We also have data showing historical grazing use showing that the stocking rates have not changed in many years. The land use practices have not changed. We have no oil & gas impact and no industrial encroachment.	ND	Both	emc0039RM
669.	We also encourage you to review requirements regarding activity near leks and throughout sage grouse habitats. We support efforts to update management plans based on latest research findings and contemporary technical information.	ND	Both	emc0153RM
670.	Elko County believes that there are many factors that have led to the decline of Greater Sage-Grouse populations in Northern Nevada, some of which we can control and many that we cannot control.	NVCA	Both	rmc0026GB
671.	Hunting: Although hunting may represent annual loss of individuals through harvest, its impacts to the species are less significant as compared to other contributing factors. Additionally, the wing harvest data that hunting provides gives biologists comprehensive data that indicates age and annual recruitment. Please consider maintaining hunting opportunities for sage-grouse within Nevada.	NVCA	Both	emc0180GB
672.	As an avid hiker and outdoor enthusiast residing in Esmeralda County for 26 years, I have hiked extensively in areas designated as sage grouse habitat on various information maps. Areas shaded in Esmeralda County have sparse populations of chucker,	NVCA	Both	emc0023GB

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	quail, dove, other bird species including predatory birds; however, as an Esmeralda County Commissioner for eight years, with a closerelationship to my constituents in Esmeralda County, I have no reports of sage grouse sightings in our county. Additionally, as the originator of the 10th annual (2011) 34 mile one day charity hike over the Silver Peak Range, and participant for ten years, I have not observed one sage grouse in the designated areas I train in (hiking cross country for the past 26 years).			
673.	According to the Nevada Board of Wildlife Commissioner's report in August 2011 , an estimated 6.3% of the Greater Sage-Grouse in Nevada were harvested in 2009. From 2004-2008, the fall harvest average was 3.52%. NV Energy requests that hunting, as well as all other land uses that have the potential to impact sage grouse, be fully considered in the EIS.	NVCA	Both	emc0198GB
674.	read the history of Nv from the time of the first white explorers who kept pretty good journals and you will see that the sage-grouse were mentioned vary rarely in fact they were not even a significant part of the Indian diet. Now we have probably 100,000 sage-grouse across the state and a huntable population year after year hardly a reason to list the sagegrouse as endangered.	NVCA	Both	emc0187GB
675.	Buckhorn Land and Livestock, LLC owns the Winnemucca Ranch and has a Grazing allotment located in the Virginia Range in Nevada. We have owned the ranch and operated the Winnemucca Ranch allotment since 2005. When we purchased the ranch in 2005 we noticed a declined population of the sage-grouse within our allotment. However, since 2005 we have noticed increased number of sage-grouse on the range over the seven year period we have owned the ranch while at the same time ran cattle on this same allotment, Thru our grazing practices we don't allow our cattle to camp on riparian areas as we believe in keeping our herds moving thru the range.	NVCA	Both	emc0232GB
676.	One of the “informational” documents that was handed out at the March 2012 BLM oil and gas lease sale (2005 Finding) listed oil and gas at the sixth largest threat to Sage Grouse. Interestingly, the Department of Interior’s wildlife management tactics were not even listed. I think that if there we a more comprehensive study conducted it would be discovered that the reason Sage Grouse populations dropped in Nevada several years ago was because the Department of the Interior attempted to control a Mormon Cricket infestation with poison that was toxic to Sage Grouse. Perhaps the best method of protecting Sage Grouse would be to provide better management techniques that would not poison the existing population.	NVCA	Both	emc0245GB
677.	At the time of submission of scoping period comments for 76 FR 77008-77011, population estimates of the greater sage-grouse have not been verified in the State of Nevada. The Association asks that population trends be confirmed and released to the public for review before the further development of the EIS or SEIS. It is policy of the Association to support the conservation of wildlife species and the maintenance and/or restoration of their habitat but this goal cannot be achieved without an understanding of the current population trend.	NVCA	Both	emc0328GB
678.	Also critical for this process to work is accurate up-to-date information on Greater Sage-Grouse populations, trends, distributions and priority habitats in Population Management Units (PMU) in Nevada and eastern California. We do know a lot about the species' life history, populations and habitat requirements in our region, but we certainly do not know everything. We appreciate the intense effort of state agencies which was used to develop a map of priority habitats and leks now posted on the agencies' websites. Additional research needs to be done to identify and ground-truth priority habitats and locate additional leks, as well as to figure out how many leks have been lost due to disturbance.	NVCA	Both	emc0391GB

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679.	SNWA respectfully requests that the EIS consider and discuss the following: the delineation of priority habitat and the justification for determining priority habitat. We encourage the use of best scientific data sets and occurrence data when determining priority habitat. In particular, please identify how priority habitat has been designated in Cave Valley. The future process for updating the habitat categories.	NVCA	Both	rmc0069GB
680.	SNWA respectfully requests that the EIS consider and discuss the following: adjustments to conservation measures in order to address local ecological site variability;	NVCA	Both	rmc0069GB
681.	SNWA respectfully requests that the EIS consider and discuss the following: permitting and authorization specifics for projects that cannot avoid priority habitat;	NVCA	Both	rmc0069GB
682.	We also are concerned that relying on the Nevada Department of Wildlife's habitat maps could result in inaccurate and overly broad habitat designations, unless on-the-ground verification is allowed.	NVCA	Both	emc0277GB
683.	On March 9, 2012, the BLM and the Forest Service released the Nevada preliminary habitat maps just two weeks before the close of comments on the EIS scoping process.9 Two weeks is insufficient time to fully evaluate the ramifications of the habitat maps;	NVCA	Both	emc0277GB
684.	It is difficult to determine the precise basis for which areas were classified as Preliminary Priority Habitat or Preliminary General Habitat. The objective criteria for such designations, as well as any subjective components considered, should be provided to the public. Furthermore, we note that the NDOW maps are only a "starting point" and the boundaries "are expected to change." The maps also were developed on a landscape-scale and were not intended to identify project-level habitat boundaries. Thus, the NDOW maps provide no certainty regarding the geographic scope of the proposed EISs and make it difficult, if not impossible, to fully assess the potential applicability of conservation measures and to provide complete comments on their effects.	NVCA	Both	emc0277GB
685.	These flaws demonstrate the necessity for on-the-ground site assessments and that actual land-use decisions cannot be reliably based on the NDOW mapping. Our experience is that on-the-ground verification is the only way to assure the accuracy of habitat maps, which may focus on concepts of historic range without adequately considering the effects of fire, ecological succession, and incursion of invasive species. Based on our preliminary review of the NDOW maps, some of the areas designated as Priority or General Habitat do not appear to reflect the current conditions. Whether this is due to dated or inaccurate information, or simply a function of broad-scale mapping, the proposed habitat maps appear to contain errors and simplifications. These errors can be addressed during baseline data collection, but only if the mapping effort is ongoing. When the agencies released the Nevada maps, they acknowledged the necessity for such ground-truthing, stating: "To apply these results to specific locations it is necessary to conduct a field investigation by a qualified biologist for the purpose of impact assessment."	NVCA	Both	emc0277GB
686.	vi. Affected environment As discussed above, it is difficult to fully assess the possible effects of the proposed EISs because the agencies have not completed the Priority and General Habitat maps. See supra Section II. Further, the agencies have not	NVCA	Both	emc0277GB

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	provided a clear, uniform definition of Priority and General Habitat. Thus, we cannot independently analyze the locations of where the conservation measures will potentially apply and cannot provide a complete response to the agencies' requests for comments. In fact, the agencies have issued varying habitat definitions, adding to the confusion of the scope of the affected environment. For example, the BLM's Technical Report defines Priority and General Habitat as: Priority Habitat Areas "that have the highest conservation value to maintaining or increasing sage-grouse populations. These areas would include breeding, late brood-rearing, winter concentration areas, and where known, migration or connectivity corridors.,,27 General Habitat Areas of "occupied (seasonal or year-round) habitat outside of priority habitat.,,28 On the other hand, the agencies' Nevada offices have adopted different habitat definitions based on the Nevada Department of Wildlife's categories: Priority Habitat Category 1 - Essential/Irreplaceable Habitat: Areas covering the lek itself and associated nesting habitat. Areas covering more mesic habitats used for nesting and brood raising. Category 2 -: Important Habitat: Suitable and diverse winter habitats and high quality brood rearing habitats.3o General Habitat Category 3 - Habitat of Moderate Importance: Areas that "are not meeting their full potential due to any number of factors, but serve some benefit to sage-grouse populations. These habitats can serve as nesting, brood rearing, winter or transitional habitat, but are marginal.,,31 As discussed above, the agencies should explain the designations and provide for on-the-ground confirmation to ensure accurate implementation of the conservation measures. The agencies should not leave the public, including affected industries, to guess which areas will be impacted by the proposed conservation measures.			
687.	The Rochester Mine is located in the Humboldt PMU with the closest viable population in the Sonoma PMU. With long-term viability considered to be very low, how is BLM going to manage proposed projects in areas such as these? If priority habitat areas are consistent with previous NDOW sage grouse habitat maps, the Rochester mine would have more than 3% of the habitat area with direct surface impacts. Since all viable populations are several mountain ranges away, how can BLM justify identifying areas in and surrounding the Rochester mine as priority habitat? It would seem that priority habitat should be focused in areas where viable populations exist or are somewhat close to be able to expand. A clear focus area of the EIS scoping document must be appropriate habitat classification to avoid habitat designation in areas that have little to no biological value for the Sage Grouse.	NVCA	Both	emc0302GB
688.	In the National Technical Team's (NTT) Document (December 21, 2011) it is proposed that for saleable mineral materials all priority habitat areas should be closed to mineral material sales. There are no suggestions for off-site mitigation which appears counter to the multiple-use mandate of BIM administered public lands. CRI believes that off-site mitigation should be an option for saleable mineral materials, especially in habitat areas where no viable sage grouse population exists.	NVCA	Both	emc0302GB
689.	Historical evidence indicates a positive correlation between livestock numbers and sage grouse populations.	NVCA	Both	emc0304GB
690.	Therefore, a landscape-scale map cannot be used to make sound land use decisions pertaining to mineral resources. Field studies will be required to identify areas with both mineral potential and sage-grouse habitat. As discussed below, BLM must manage these areas to comply with statutory directives in the Federal Land Policy and Management Act to achieve an	NVCA	Both	emc0327GB

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	appropriate balance to protect sage-grouse habitat while at the same time recognizing the legal rights of claim owners to explore for and develop minerals on public lands.			
691.	As discussed above, NVMRA member companies have worked with BLM to conduct their mineral exploration projects to avoid impacts to greater sage-grouse habitat. The site specific measures that BLM requires on a project-by-project basis are examples of the regulatory mechanisms already in place that require project proponents to protect and conserve sage-grouse habitat while at the same time authorizing mineral exploration and development activities. This balanced approach to land use management complies with FLPMA and demonstrates that sagegrouse habitat protection and mineral exploration and development can and do co-exist.	NVCA	Both	emc0327GB
692.	FLPMA, the U.S. Mining Law, and BLM policies that implement these laws such as the 43 C.F.R. § 3809 surface management regulations appropriately recognize that mineral deposits are rare and unique geologic features that can only be developed where they are found. Unfortunately, the NTT Report proposal to withdraw lands with sage-grouse habitat from mineral entry does not recognize this. The EIS docwnents must address this fact and evaluate alternatives that focus on the fixed location and spatial constraints associated with mineral development. At a minimwn, the EIS docwnents should evaluate two alternatives in the context of minimizing resource conflicts with minerals:1) off-site mitigation; and 2) no-net loss of habitat. These alternatives are described below. The Off-Site Mitigation Alternative: In locations where mineral resources are co-located with priority sage-grouse habitat, off-site mitigation should be the principal land management tool to minimize impacts to sage-grouse habitat and to resolve resource conflicts. Rather than prohibit mineral project development in habitat areas for project components that cannot be moved (i.e., the ore body) and/or where alternative locations for ancillary facilities are impractical or do not exist due to topographic, property, or other constraints, off-site mitigation should be the standard approach. The No Net Loss of Sage-Grouse Habitat Alternative: This alternative is related to the Off-Site Mitigation Alternative. Unavoidable impacts to priority sage-grouse habitat by mining of mineral deposits in areas with priority sage-grouse habitat should be mitigated through off-site mitigation measures that replace lost habitat using the principle of no net loss of habitat. This alternative would off-set impacts due to mineral development and could result in significant private-sector investment in habitat enhancement measures.	NVCA	Both	emc0327GB
693.	Working closely with BLM and the Nevada Department of Wildlife ("NDOW") Eureka Moly developed an extensive Sage Grouse Mitigation Plan that includes designed (i.e., engineered) and administrative mitigation measures. Examples of these mitigation measures include burying new transmission lines and installing anti -perching devices on existing overhead transmission lines, locating equipment in areas that are screened from view from habitat areas or are minimally visible from these areas, and imposing seasonal constraints on certain activities during the breeding and nesting seasons. The foregoing demonstrates that BLM already has the regulatory mechanisms to work with project proponents like Eureka Moly to design sage-grouse mitigation measures that can eliminate significant impacts to the species. We suggest that these existing mechanisms preclude the need for the wholesale adoption of the restrictions proposed in IM 2012-044 and in the NTT	NVCA	BLM	emc0335GB

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	Report.			
694.	Several years ago, a biologist was visiting our ranch conducting an update to the 1909 survey conducted by the University of California of the fauna in our area. The subject of sage-grouse came up in our conversations, and her unsolicited response was that if one wanted to see sagegrouse, go where the cattle were. This opinion was reinforced to me by the recent article published March 5, 2012 by Assemblyman Ira Hansen in the Silver Pinyon Journal (Guest Commentary: The Introduction of Agriculture and the impact on Sage Grouse). In this article, Assemblyman Hansen summarizes a number of important points which led to the increase in sage-grouse populations with the introduction of agriculture to the Great Basin and the population's subsequent decline. Some points he raised which I found especially pertinent to Quinn River Ranch included habitat changes, livestock grazing, water development, and predator control.	NVCA	Both	rmc0065GB
695.	The government has been managing 87% of Nevada land since the 1934 Taylor Grazing Act. During this BLM management period, sage grouse populations have peaked and decreased. When the population peaked, there were many more sheep and cattle grazing on the BLM land, predator control was a major investment with 1080 being used prevalently, fire was used to control total sagebrush thickets, invasion of Junipers and wild horses were controlled and sagebrush range conversion to crested wheatgrass was encouraged. When the BLM started changing their policies from the past ones to the current ones correlates with the beginning ofthe decrease of sage grouse populations.	NVCA	BLM	fxc0013GB
696.	Sage grouse are an important part of the ecosystem in northeastern Nevada, however, an ecosystem can only exist if there is a true balance amongst the animals and forage that exist with in them.	NVCA	Both	fxc0016GB
697.	Our family has been ranching outside Mountain City, Nevada since 1887 and through the years our family has experienced many changes to the area we live in. During my childhood (1960's) Ido not recall seeing very many sage grouse, in fact here recently is the most experience I have had with this bird. However, in my childhood I heard stories of sage grouse dinners and there was talk about the number of sage grouse in the area. In fact, they were a regular part of the diet. This was at a time when there were more people and livestock in the area than there is currently. In the Mountain City area in particular, at the turn of the century through the 1960's, there were a number of mines in operation, as well as livestock grazing, logging, and a larger population than today. The mining officially ended by the mid- 1970's, as well as the logging. The number of cattle and sheep in the area has exponentially declined since the early part of the 20th century and the human population has as well.	NVCA	Both	fxc0016GB
698.	How many Sage Grouse does the USFWS want to be maintained in order to not be listed?	NVCA	Both	fxc0014GB
699.	Some birds also occur in a nadir of non-mapped sagebrush habitat, as well. This is ignored altogether, despite land areas having been identified as necessary for restoration. The reality of the mapping and habitat identification efforts to date is that they do not depict or protect many important seasonal habitat use areas required by sage-grouse, a landscape species. Nor is this just a mapping error due to incomplete knowledge. NDOW and Nevada BLM's application of this new Model and its map legend, for example, show how habitats are excluded from the Priority Category on purpose. See NDOW Greater Sage-Grouse Habitat Categorization Executive Summary March 2012 and NDOW Greater Sage-grouse Habitat Categorization White Paper, describing the process, five habitat categories, and how categories were lumped to fit the BLM Priority and General habitat segregation scheme. Even occupied areas of Moderate importance and transitional ranges used by sage-grouse were	NVCA	Both	emc0411GB

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	not considered priority habitat for this landscape bird in the Nevada model.			
700.	Some states, like Idaho, released overwhelmingly lek area-based maps with the IMs that omitted critical intact occupied sagebrush habitats. Others, like Nevada, did not provide maps until early March 2012. See discussions below about Idaho and Nevada mapping concerns. To its credit, Nevada took much more care in mapping than Idaho, but still segregated large areas and failed to have any updated information on some Population Management Units (PMUs) that may be on the verge of extinction.	NVCA	Both	emc0411GB
701.	BLM must examine all the Nevada PMUs and other functional populations or biologically meaningful units identified for managing sage-grouse and tracking change. Agencies must determine changes and declines, and viability in the short, mid and long term, including changes since the 2004 NDOW Sage-grouse Plan, the 2006 Idaho Plan, and Plans in all other states.	NVCA	Both	emc0411GB
702.	If agencies persist with the deeply flawed PPH, General and Non habitat segregation of sagebrush landscapes, then the EIS must fully examine the impacts of development in General or non-habitat and the sacrifices of it that will occur. Given the tremendous impact that development is now known to have (see for example news of recent Powder River Basin study by Naugle et al. showing the inadequacies of the Core Model and the need to protect habitats over far greater areas than the limited lek-derived Doherty et al. distances used in the core/Priority Models), how long will the BLM persist with this flawed Core and core-derived scheme? Under an honest assessment of the ecological harm that would be done under development scenarios, and continued chronic grazing disturbance, then what would actually happen to all the seasonal habitats required by a local sage-grouse population, or PMU? Look at the Nevada habitat mapping, for example. What would the effects be of foreseeable development in all the blue or white area stripes through the pink habitat stripes? Just because a development occurs in an area segregated by agencies into a habitat sacrifice category does not mean that the Footprint or intrusion of that activity on the grouse habitat and population would not be very significant Example: Gold mines, Oil and Gas, industrial wind, industrial geothermal, industrial solar facilities situated in General or in Non-habitat would have a Footprint of noise, visual pollution, ancillary facilities and infrastructure, human disturbance, impacts to water tables, etc. that adversely impacts grouse in the Priority segregated habitats. This demonstrates flaws in this habitat segregation scheme. The cumulative impacts of all of these actions on actual populations and their viability must be assessed, not merely on sage-grouse lumped in VMZs or other contrivances that stymie clear understanding of actual populations and their habitats and viability.	NVCA	Both	emc0411GB
703.	..Maintain or increase current populations, manage or restore priority areas so that at least 70% of the land cover [in priority habitats only] provides adequate sagebrush habitat to meet sage-grouse needs." Where in the mapping for all these states to date has the BLM identified where land cover is adequate vs. inadequate? Wouldn't "inadequate" areas be identified as restoration habitat, wouldn't it? Yet BLM Priority/General mapping as in the case of Idaho omits any clear distinction and understanding, and omits large areas of identified restoration habitat. In fact, Idaho's carefully identified restoration and key habitats from the 2006 Plan that have been used through 2010 are arbitrarily ignored by BLM in many areas in this process. The Nevada mapping and process is better - in that it uses more habitat categories and much more careful and thoughtful work went into it, but yet it still relegates many important areas to lesser importance once the Priority/General scheme is imposed.	NVCA	BLM	emc0411GB
704.	The plight of the Clear Lake sage-grouse population also illustrates why this EIS process must be expanded to include USFWS	NVCA	Both	emc0411GB

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	lands. Lek sites for this very small and isolated populations are located on USFWS lands. Nesting habitat and other seasonal habitat on located on Forest Service lands. So integrated actions must be developed under this EIS. Loss of the Clear Lake population, that is at perilously low numbers, will result in a further sage-grouse range contraction in the CA-OR region. We also stress that other very small populations in NE California are in grave trouble. This includes birds near Alturas and the Likely Tablelands area, where BLM's new RMP Opened a vacant allotment to grazing use at Yankee Jim.			
705.	We are very concerned that segregation and zoning of lands based on the NTT's RRP and GPH models will both allow widespread harm to continue to occur even in Core/Priority areas, and will also result in agencies ignoring full consideration of harms to other rare, important and declining species of development in all non-Priority areas. The Core/Priority habitat scheme, as it is being developed and Final maps are appearing in March 2012 in Nevada shows how arbitrary some of this is. For example, the methods by which the NDOW map was developed that are described in the White Paper are not reproducible. Different biologists with different experiences may make different judgment calls. The Nevada mapping appears to sacrifice brood rearing and winter habitats many of which are mapped as habitat of Moderate importance. When BLM and NDOW imposed the artificial category of Priority habitat, the agencies only selected what they had termed as Essential/Irreplaceable Habitat and Important Habitat as Priority Habitat. Moderate habitat was not included. The White Paper defines Moderate Importance Habitat as: These habitats are those that are not meeting their full potential due to any number of factors, but serve some benefit to sage-grouse populations. These habitats can serve as nesting, brood rearing, winter or transitional habitat, but are marginal. For the short-term, these habitats may only be of limited value on a seasonal basis, but could serve additional long-term values if certain habitat components (most importantly sagebrush) return to the site. But there won't be a long-term --- as the General habitat is sacrificed/undergoes development and continued degradation in the interim, or as a result of the EIS process. Also, this segregation helps agencies to avoid having to address instances of significant degradation by mapping degraded habitats out of Priority concern areas. The Nevada Priority/General maps also exclude any Category 4 habitat, (Low value/Transitional). Yet this must be included if agencies are seeking any recovery, as well as habitat connectivity and some winter habitats. Low value may be low value because of degradation. So instead of describing and addressing degradation to sustain populations in their occupied habitats, and increase abundance and expand distribution, agencies sacrifice these lands.	NVCA	Both	emc0411GB
706.	The HTNF Website states that sage-grouse occur outside of the PMUs. See http://www.fs.usda.gov/detail/htnf/home/?cid=stelprdb5357133 Where are the locations where sage-grouse currently occur outside PMUs? Why aren't these lands, too, shown as critical connecting habitats? This seems essential in a state that has a natural layer of fragmentation, and which has suffered such extensive losses from mining, development, ag in valleys, BLM/Forest sagebrush treatments, etc. How do lands in PMUs compare to the historic range? How do occupied portions of PMUs compare to historic range? Nevada may be minimizing the importance of sagebrush habitats that are winter, connecting, or where intensive radio collar bird or other studies have not yet been done.	NVCA	Both	emc0411GB
707.	Regarding this statement: These areas include breeding habitat (lek sites and nesting habitat), brood-rearing habitat, winter range, and important movement corridors. PPH primarily consists of sagebrush, but may also include riparian communities, perennial grasslands, agriculturally-developed land, and restored habitat, including recovering burned areas. We request that NDOW, BLM and the Forest provide more detailed mapping that identifies all of the following seasonal habitats as well as	NVCA	Both	emc0411GB

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	sagebrush, riparian, perennial grasslands native must be identified separately from non-native, ag-developed land, and restored habitat successfully restored lands must be separated from treated lands, weedlands that have resulted from fuels treatments, etc. As we describe throughout just because an agency spent funds on projects does not mean that the claimed project benefits such as restoration or even successful rehab have actually been achieved on the ground. It is critical to identify areas of crested wheatgrass for removal, inter-seeding, etc. There is typically less suitable nesting cover, and crested wheatgrass limits forb and other native plant recovery. It is also very important to identify these areas to prevent federal agencies from proposing to mow or purge sagebrush when sagebrush has moved back in to some degree. Unfortunately, killing sagebrush in seedings, rather than acting to restore seedings, or at a minimum inter-seed seedings with less sagebrush has been proposed by Ely BLM and other offices in Nevada that seek to relentlessly alter, manipulate and destroy sagebrush and other woody vegetation communities.			
708.	NDOW White Paper March 2012: The paper describes the five categories of habitat, plus non-habitat. It has no category for historical habitat that has been lost. At a minimum, habitat of moderate importance and transitional range, as well as low value habitat that has mature or old growth sagebrush present, must be included as high value, or key, habitat. It is of great concern that human land-use development will be allowed to proceed, but detailed site-specific studies are not required. While sage-grouse may be broadly distributed, the habitat is peppered with holes, and often is highly degraded as well. There is extensive natural fragmentation all the Great Basin mountain ranges as well as salt desert habitats in valley bottoms. On top of this is a plethora of livestock, mining, energy, agency treatment, and fire disturbance adversely impacting remaining habitat quality and quantity. While sage-grouse may be considered an umbrella species by some, in Nevada the agency attitude (for example Ely BLM and ag interests supporting ranchers who seek continued destruction of sagebrush) towards mature and intact sagebrush communities is causing big leaks in the umbrella. In fact, the umbrella is collapsing in many areas as cheatgrass and other weeds sweep Ely treatments claimed to be for sage-grouse. Sage-grouse are being used as an excuse to radically alter sagebrush, and destroy old growth and mature pinyon-juniper as well as trees re-colonizing historic ranges. In fact, the Ely RMP proposes manipulation of fully 2/3 of the native vegetation communities an action likely to result in tremendous desertification and habitat loss for both sagebrush and pinyon-juniper dependent species. We are concerned that the NDOW report claims sage-grouse are an umbrella species for the pygmy rabbit when in fact, NDOW will promote Ely and Elko BLM and Forest Service projects like in the Santa Rosa RD projects that purposefully alter, reduce destroy denser sagebrush required by the pygmy rabbit. This is in part justified by claiming that sagebrush with good microbiotic crust understories and denser Wyoming sagebrush cover is somehow deficient based on biased soil inventories and then added onto this are claims that the community is decadent and only destroying it will somehow save it. When in fact, these are very important habitats that often support high densities of pygmy rabbit, sage sparrow, etc. NDOW also supports (as in the Montana Mountains) band-aid fencing projects of riparian or stringer meadow areas rather than an integrated hard look at livestock impacts. For sage-grouse in Nevada to be an umbrella species, NDOW needs to start sticking up for wildlife values, and not taking the easy route out by endorsing projects that alter sagebrush, destroy it in the process of a general purging of trees, or that serve to shift and intensify harmful livestock impacts in other areas as the agency currently is doing.	NVCA	BLM	emc0411GB
709.	It sounds like after mapping, various staff looked at the polygon info and made some decisions. Is this replicable? They also looked at the 75% Core Breeding Density Doherty 2010 Mapping, and thank goodness appear not to have relied too strongly	NVCA	BLM	emc0411GB

Table C-4.A
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	on the Core. We are glad to see the agencies acknowledging that focusing solely on the lek and a buffer around it does not adequately represent areas crucial to long-term survival of particular populations, especially migratory ones.			
710.	How did NDOW and BLM determine that habitats of moderate importance were not at potential? We are very concerned that agencies are writing off habitats with significant livestock degradation without considering alternatives such as removal of livestock so that passive restoration can occur. R-1, R-2, R-3 habitats could be included here. How was each decision made?	NVCA	Both	emc0411GB
711.	We are glad to see NDOW admit that understory composition is difficult to identify using ESI and soil survey info, and "the accuracy of the R-1 and R-2 classifications was variable. We are very concerned that NDOW will support federal agencies writing off habitat because it does not contain ideal nesting characteristics but may be important in winter, and be the best remaining nesting habitat, or receive significantly less livestock disturbance during nesting, all of which may serve to make these sites very important habitats of high concern.	NVCA	Both	emc0411GB
712.	White Paper at 7 lists several very imperiled PMUs where we believe NDOW cannot wait until the next version of mapping occurs as this could be several years. These very imperiled areas are: o Steptoe-Cave PMU; Here Ely BLM is right now conducting, and is proposing even more, large-scale sagebrush and tree destruction projects. Quinn PMU; The SWIP powerline was built right through this PMU, the Ely Westside EIS was issued (and withdrawn when WWP Appealed it), and agencies never bothered to even look for the grouse that inhabit these lands (if any still exist). o Nightingale PMU; o Sahwave 1 and 2 PMUs; o Limbo PMU; o Majuba 1, 2, 4, and 5 PMUs; o East Range PMU; and Failure of NDOW year after year to even bother to look for leks in some of these areas (like Quinn) is a cause for great concern. These areas all must be examined as soon as possible and full information on the extent and severity of habitat loss must be incorporated into this EIS process. Urgent action is needed before Ely BLM destroys even more sagebrush habitat for the Quinn PMU, or Winnemucca BLM authorizes more mining, cell towers, and other disturbances in the very imperiled Nightingale, Sahwave, Limbo, Majuba, East Range areas or again permits scorched earth grazing in the associated Sonoma Range. By failing to provide up-to-date info on these PMUs, NDOW is masking the plight and range contractions of sage-grouse. Some of these populations are very likely to blink out before agencies ever get around to looking for them again, or lifting a finger to take actions to sustain them	NVCA	Both	emc0411GB
713.	This statement shows why General Habitat, too, must be protected: however, PGH may also include areas of higher quality habitat that lacks bird survey and inventory data to support a priority habitat ranking. Just because studies have not been done, there is no reason to sacrifice habitat. Agencies will never know the scale and scope of losses under this habitat sacrificing scheme that BLM is already applying under the NTT without any critical NEPA hard look analysis.	NVCA	Both	emc0411GB
714.	We are very concerned about the following statement: PGH provides some benefit to greater sage-grouse populations but, in many instances, lacks a key component, such as adequate shrub height or density or sufficient herbaceous understory In fact, nearly all the lands in many Priority Habitat sagebrush communities. For example, vast areas of all the PMUs in northeastern Nevada (Gollaher, Snake, O'Neil, North Fork, Tuscarora, Desert for example. If agencies are going to make this claim – which has long been an excuse used by Ely BLM and others to manipulate, alter, fragment and destroy sagebrush habitats critical to pygmy rabbit, sage sparrow loggerhead shrike, and sage-grouse, then all the data used in making these determinations in the mapping must be provided. Under this description,lands where Ely BLM treated by crushing and mowing sagebrush thus greatly reducing shrub cover would not be found suitable. Nor would the large areas of Elko BLM lands with a large amount of cheatgrass in the understory - such as in the Salmon River or Owyhee allotments that are mapped as being Priority habitat.	NVCA	Both	emc0411GB

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	There seems to be a high degree of bias and arbitrariness in how this was applied. Plus what this seems most aimed at is promoting massive treatment alteration and destruction of the expanses of intact little-weeded Wyoming big sagebrush communities that have good microbiotic crusts, but may have less grass/forbs than the idealized NRCS description. We are concerned that this description is being used to sacrifice occupied habitats to unlimited new industrial development as well as a likely battery of forage/fuels "treatments			
715.	Tracking many leks just seems to vary considerably from one year to the next. For example, the Mount Grant PMU is recorded as having lek counts considerably lower than 2010 but it is noted that more eks were counted. What is NOT mentioned is if these are new leks, or that just more effort was put into counting known higher bird abundance leks (perhaps in response to finding low numbers of birds at some leks). The Mount Grant PMU has 12 known leks – of which 11 were surveyed. Of these 11, only 5 were active. How can this isolated PMU be considered viable? Or the Pine Nut PMU – with 1 lek and 18 birds. And why were no lek counts attempted in the White Mountains? The Pine Forest and Lone Willow PMUs appear to have low numbers of birds for leks – and many known leks without birds. On Page 7 Pine Forest appears to have continued declines. The report presents bleak news for the Sonoma PMU, Pershing County, and the Eugene Mountains area. 24 lek were surveyed in the Sonoma PMU, with only 6 active. There is only 1 known lek remaining in the Clan Alpine PMU. Its neighbor, Desatoya, is not abundant.	NVCA	Both	emc0411GB
716.	It is hard to understand why leks were not surveyed in the Battle Mountain PMU. This is a very small PMU that faces severe livestock grazing degradation of its limited sagebrush upland and riparian meadow/spring/headwater riparian areas. This PMU also faces constant mining disturbance. It is isolated. Likewise, the small and beleaguered Fish Creek PMU, suffers from mining disturbance and chronic grazing degradation and livestock facilities degrading habitats and also not sampled. A lot of the small PMUs were not sampled. It is curious that once again no information was collected on the Kawich PMU. The situation with Kawich parallels the Quinn situation. Both PMUs are located on the southern edge of sage-grouse range – and appear to be being willfully ignored by federal and state agencies. Do a very few sagegrouse still remain? And if so –where? Or has sage-grouse range now shrunk, and the PMUs may no onger exist? This is also a concern at least for Quinn, because Ely BLM has conducted one of its sagebrush destruction projects in sagebrush lands located near the sites of the last known leks. We note that this situation appears to be paralleled in southern areas of Lincoln County as well. While commenting on the Ely RMP and reviewing the preceding Land Use Plan, WWP saw that areas near Patterson Wash that formerly had had several leks were now claimed by BLM to no longer be occupied. This Patterson Wash area had been radically altered by BLM crested wheatgrass seedings, intensive livestock grazing, and wells and other water developments that have extended intensive livestock grazing impacts. The report also curiously omits any sampling of areas where leks are very likely to have been reduced in numbers, or lost altogether. It is alarming that the Jarbidge country "Islands" area was not surveyed. These are the leks and habitats that were greatly mpacted by the Murphy Complex blaze, as well as the Forest "controlled" Slide Rock fire that predictably blew up, and raged out of control after having initially been nursed along by the Forest. It then consumed significant areas of remaining sagebrush habitats on Forest lands right by the southern extent of the Murphy Blaze. The same livestock permittees run livestock on BLM and Forest lands here. Large-scale losses have been documented in Idaho across the state line – yet even though the BLM lands in Nevada are managed by the Jarbidge BLM office, Nevada's lack of surveys foil complete understanding of the impacts of these habitat losses.	NVCA	Both	emc0411GB

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717.	We believe to have any valid understanding of populations, efforts must be made to survey leks both large and small and get a solid idea of what is happening with fire and other effects.	NVCA	Both	emc0411GB
718.	The next generation of analyses to direct conservation action should be two fold. First, there is a need to support implementation of core regions with studies that document seasonal habitat use and migration patterns of radio-marked sage-grouse (Aldridge and Boyce 2007, Doherty et al. 2008) to ensure identified priority landscapes meet all seasonal habitat needs. Second, incorporation of future modeling of other relevant risks, such as cheatgrass (Bromus tectorum) invasion, to core regions will ensure gains in conservation will not be offset by unevaluated risks. Well, there is nothing in the Makela and Majors Idaho White Paper about risk of cheatgrass, is there? Yet ID set about chopping off habitats with this score scheme, it appears without assessing risk. It does not appear that Nevada assessed risk, either. So habitat segregation is occurring in lands most vulnerable to cheatgrass without assessing risk. Precautionary management requires that agencies do these studies first – before sacrificing habitat to the oil and gas, wind or other industries. There is no going back, and replacing habitat sacrificed under the core or priority scheme models. Regarding cheatgrass – this already has been done- for example, in the embargoed WBEA, Great Basin, and Nevada Ecoregional Assessment reports. If cheatgrass is a concern, it makes no sense to write off areas currently with less cheatgrass – as has been done in ID Pahsimeroi, Little Lost, Lemhi. Agencies can amend or alter rights-of-ways or leases.	NVCA	Both	emc0411GB
719.	In 2004, several of these populations – Quinn Canyon Range NV, Twin Bridges MT, White Mountains CA/NV Pine Nut NV were described as "insufficient date for analysis". To this day in 2012, NDOW and federal agencies have failed to provide current data on the Quinn and White Mountains populations. As part of this process, agencies must provide full and complete current data for all populations. All sagebrush habitats must be protected while this is being done, and the Priority and General Habitat segregation scheme must be immediately set aside. Agencies must admit if these populations have blinked out, have declined to drastically low levels, or have experienced significant range contraction. Small populations cannot just be routinely sacrificed if they are in lands coveted by the energy industry – as Doherty proposes and the NTT and Ims carry out.	NVCA	Both	emc0411GB
720.	The ODFW EIS states that all types of land use in the eastern Oregon have probably contribute to the Sage Grouse decline. While this may be true, the heaviest impact come from the Activities described as Listing Factors. EIS Listing Factors included are: - Prescribed Fire - Livestock Grazing - Juniper expansion - Invasive Vegetation and Vegetation treatments - Realty - Energy Development and Transmission - Climate Change - Predation - West Nile Virus - Wild Fire	OR	Both	rmc0036GB

Table C-4.A
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	- Recreation - Inadequate Regulatory Mechanisms			
721.	Here in Oregon, we are concerned that this sage grouse planning process may place undue reliance on ODFW's sage grouse strategy which does not go far enough to conserve the species. We fully support the concept of protecting core habitat, but this mapping process was fraught with non-scientific policy judgments (e.g. carving out areas of interest to energy developers) that must be brought to light and carefully examined in the NEPA process.	OR	Both	emc0078GB
722.	The BLM/USFS are reminded that the sage-grouse situation and its improving population numbers within the State of Oregon is likely to be different than in other Western States where activities, different than those occurring within Oregon, may present situations of greater fragmentation of connectable habitat, or the loss of suitable habitat, that may adversely impact the sage-grouse species. A primary concern is that the BLM/USFS does not adopt a "national" strategy believing that "One national strategy, will fit all State situations."	OR	Both	emc0129GB
723.	We support the idea of linking management of ecological processes to improved long-term quality and abundance of sage-grouse habitat. To that end we propose that BLM and USFS begin their National Sage-Grouse Planning Strategy by assembling state-and-transition models that broadly describe sage-grouse habitat, and the ecological and management factors which influence change. This need not be an overly detailed exercise; for example, a generalized model for Wyoming big sagebrush would be pertinent to tens of millions of acres of sage-grouse habitat. These generalized efforts could then be linked to more specific models at state and local levels that would serve as working blueprints to promote actions which cause plant communities to move in a direction consistent with sage-grouse habitat management objectives. We have appended a list of references which we feel encapsulate the breadth of what we know, don't know, and need to know regarding the ecology and management of sagegrouse habitat throughout the range of the species. These references (and references cited therein) could be used as building blocks to construct and/or reinforce an ecologically-based approach to management of sage-grouse habitat that recognizes both the complexity of ecosystem challenges as well as opportunities for iterative improvement of sage-grouse habitat resources.	OR	Both	emc0192GB
724.	Calico has closely reviewed the recent document: Greater Sage-Grouse Assessment and Strategy for Oregon: A Plan to Maintain and Enhance Populations and Habitat (April, 2011) within the context of the BLM and USFS announced intent to prepare EIS's and Supplemental EIS's to evaluate greater sage-grouse r.onservation meBsures in land use plans in ten western states, and specifically Oregon. Several key and pertinent findings presented in the document are as follows. -Currently Oregon greater sage-grouse numbers and status are not outside the range of natural variation. - A central goal of the strategy is to maintain or enhance the current range and distribution of sagebrush habitats in Oregon. - A key recommended management feature is voluntary gUidelines designed to maintain or enhance the quality of current habitats. -These conservation guidelines or measures should involve land owners, other land developers, and local land managers.	OR	Both	rmc0074GB
725.	Finally, OSGA encourages the agency to take into account the research by NRCS showing a complimentary relationship between sage-grouse conservation and grazing. The scientific research conducted by NRCS clearly shows that grazing can actually improve sage-grouse habitat. It is important for this research to be taken into consideration as the agency proceeds	OR	Both	emc0309GB

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	in developing an EIS and SEIS.			
726.	The south Warner region has been recognized as one of the most important "sage-grouse strongholds," throughout the Great Basin. The relative abundance of sage-grouse in this region underlines the fact that well-managed grazing is entirely compatible with sage-grouse conservation; many of our members have been successfully grazing cattle on permits with substantial sage-grouse populations for generations. A number of District members have also been working closely with the Natural Resource Conservation Service (NRCS) to reclaim important sage-grouse habitat on their private land by removing encroaching juniper. Our community is dedicated to the responsible stewardship and conservation of the greater sagegrouse; the enviable populations of sage-grouse in this region demonstrates that ranching has a vital role to play in that process.	OR	Both	rmc0078GB
727.	Any EIS or SEIS developed must also recognize and incorporate the extensive research that has already been conducted by the USDA Natural Resources Conservation Service (NRCS) on the complimentary relationship between sage-grouse conservation and grazing. According to NRCS, "the same factors that negatively affect sage-grouse also negatively affect the health, productivity, and sustainability of native grazing lands. Therefore, improvements to benefit sage-grouse also benefit grazing lands and the ranchers that depend on them."	OR	Both	rmc0078GB
728.	The greater sage-grouse (Centrocercus urophasianus) is an iconic species in Oregon's high desert. Oregon sage-grouse populations and sagebrush habitats comprise about 20% of the North American range-wide distribution of the species. Therefore, management actions in Oregon have implications on a range-wide scale. Population fluctuations and declines in Oregon during the past century are similar to those documented throughout the species' range.1 Because Oregon contains some of the largest expanses of relatively intact sagebrush habitat in North America, and coupled with relatively minimal threats of oil, gas or coal-bed methane development, conservation and protection of sage-grouse in Oregon is extraordinarily important to the species' survival and recovery range-wide.2	OR	Both	emc0385GB
729.	Habitat fragmentation and disturbance from large-scale development, roads, and agriculture across much of the Greater sage-grouse's range has contributed to significant population declines over the past century.3 If current trends persist, many local populations may disappear in the next several decades, with the remaining fragmented population vulnerable to extinction. It is in the BLM's best interest to reduce fragmentation and limit and avoid development in areas identified as core sage-grouse habitat.	OR	Both	emc0385GB
730.	Other factors that have contributed to declines include: altered and unnatural fire regimes, which are influenced by human suppression; climate change and altered vegetative ecosystems; encroachment of juniper trees on sagebrush habitats, which has increased because of fire suppression, livestock grazing, and climatic influences over the last century or more; high road densities, which fragment sagebrush habitats; various types of energy development and utility corridors; and land use issues such as urban development, agriculture, and water development. Of future threats, we feel large-scale development and the infrastructure associated with such projects, especially as we expand energy development in Oregon, could significantly contribute to population loss.	OR	Both	emc0385GB
731.	ODFW's strategy is based on a core habitat approach whereby the agency maps important sage-grouse habitat areas based on	OR	Both	emc0385GB

Table C-4.A
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	lek density and connectivity. We strongly support measures to prohibit development in areas defined as core habitat and feel this policy is necessary to maintain vital sage-grouse habitat. Although the ODFW plan lacks important mechanisms for enforcement and implementation, it nevertheless takes an important step in the formulation of strong conservation measures required to protect this keystone species. Despite the attempt by ODFW to use the most recent science and conserve this species given the legal uncertainties related to ESA listing, changes occurred to the habitat maps based on non-scientific decision making, including omitting areas with speculative energy development. The BLM should be aware of the "revisions" that occurred to Oregon's "Core Area Maps" and base decisions on the most recent and defensible science.			
732.	Identify Important Habitats: Identify areas of high biological value for sage-grouse, including important seasonal areas and migratory corridors that can be permanently set-aside from large-scale development and managed with emphasis on not only maintaining, but enhancing greater sage-grouse populations.	OR	Both	emc0385GB
733.	The plight of the Clear Lake sage-grouse population also illustrates why this EIS process must be expanded to include USFWS lands. Lek sites for this very small and isolated populations are located on USFWS lands. Nesting habitat and other seasonal habitat on located on Forest Service lands. So integrated actions must be developed under this EIS. Loss of the Clear Lake population, that is at perilously low numbers, will result in a further sage-grouse range contraction in the CA-OR region. We also stress that other very small populations in NE California are in grave trouble. This includes birds near Alturas and the Likely Tablelands area, where BLM's new RMP Opened a vacant allotment to grazing use at Yankee Jim.	OR	Both	emc0411GB
734.	Wayne County Commissioners submit the following comments in response to the scoping notice for the National Greater Sage-Grouse Planning Strategy. Our comments are applicable only to the Parker Mountain population.	UT	Both	
735.	Findings by the Working Group have determined that: - By following guidelines established by the Working Group, livestock grazing does not adversely affect habitat or populations. - Populations are increasing. - Populations will sustain limited hunting.	UT	Both	
736.	Several factors have changed sage-grouse habitat in northern Utah, the important ones are: inappropriate livestock mangement, vegetative manipulations not beneficial to sage-grouse, fire with subsequent loss of habitat, plant succession conjenction with invasive species. These must be addressed to prevent listing of sage-grouse.	UT	Both	cfc0018GB
737.	The conservation district and private landowners here in southern Utah are engaged with working interagency Sage Grouse groups to protect and enhance the Sage Grouse populations in the district and it's watersheds. Conservation projects and monitoring strategies are in place. Education of the Sage Grouse and it's crucial habitat needs are also being implemented and planned. Hundreds of thousands of dollars have been expended affecting Sage Grouse habitat over several thousand acres of state, federal, and private agricultural and rangelands.	UT	Both	emc0178GB
738.	Subsequently the district does not believe the data warrants the Sage Grouse listing since many conservation efforts have been, and will continue to be, effective in sustaining, expanding and improving Sage Grouse habitat in southern Utah and within the Kane County Conservation District.	UT	Both	emc0178GB
739.	The district and it's conservation partners further believe that Sage Grouse populations will be sustained and even increase without the need for listing as planning, monitoring and implementation of conservation efforts continue.	UT	Both	emc0178GB

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
740.	Blue Mountain in north eastern Utah has a good sage grouse population but it could be increased with very little effort and hopefully not too much expense. The habitat on Blue Mt. can be improved by simply incorporating things that have been successfully implemented all over the country.	UT	Both	emc0406GB
741.	I do not agree that Sage Grouse numbers are declining in our area. (Rich county Ut, Uinta and Lincoln county WY). Our families have operated on this land since the early 1900: My father had the opportunity to homestead in Lincoln County WY. His history stated that in the 1930 Sage Grouse were few and far between, do in part to drought and predators. In the late 1950 they had recovered and were doing well until the late 1960 when two high power transmission lines were constructed between Kemmerer wy and Ogden Ut. The power lines were not the problem, but the construction crews hunted the sage grouse from a fifty mile wide corridor along the power line resulting in very low numbers of Sage Grouse. They have since recovered because of better habitat and the absence of predators	UT	Both	emc0137GB
742.	To the contrary, the state tirmly believes that sage-grouse popUlations in Utah are in good condition, are receiving significant management attention and, therefore, do not warrant listing under the Endangered Species Act. The state will challenge a proposed listing whenever and wherever necessary. The state requests that the BLM and Forest Service receive, review and fully analyze all evidence offered by the state and others in support of its position that a listing is not warranted as part of the analysis of the impacts of the EIS provisions and alternatives.	UT	Both	emc0337GB
743.	The Duchesne County general plan states that: "Resource-use and management decisions byfederal land management and regulatory agencies should support state-sponsored initiatives or programs designed to stabilize wildlife populations that may be experiencing a scientifically proven decline in numbers. " Note from the above paragraph that the goal is to stabilize sage-grouse populations rather than return the population to a level that may have existing before our county was homesteaded; beginning in 1905. Utah Division of Wildlife Resource lek counts in 1978 revealed 748 male sage grouse and a total estimated spring population of 2,992 adult birds in the Uintah Basin resource area. UDWR counts in 2005 found 788 male sage grouse and an estimated total spring population of 3,158 adult birds in the resource area. The science shows that sage grouse populations are fairly stable and perhaps even growing in our region; thanks to the efforts of the local sage-grouse working group and private/public land managers. The success of such local efforts must be reflected in the RMP amendments and the local sage grouse working groups must be consulted with.	UT	Both	emc0242GB
744.	BLM and Forest lands should not be expected to provide all needed sage grouse habitat to meet such benchmarks. Private, state and tribal lands contribute a good share of sage grouse habitat now and will continue to do so in the future. BLM should coordinate with state wildlife agencies to monitor the progress of sage grouse and establish population benchmarks for each state or region sufficient to prevent ESA listing.	UT	Both	emc0242GB
745.	Arimo Corporation and C Bar Cattle Co. u'ould like to cooperate with federal and state agencies on habitat projects for sage grouse. W-e believe that livestock grazing improves sage grouse habitat and are in supporl of continued rnanaged iivestock grazing in the west.	UT	Both	fxc0007GB
746.	Blue Mountain in north eastern Utah has a good sage grouse population but it could be increased with very little effort and hopefully not too much expense.	UT	Both	emc0296GB

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	The habitat on Blue Mt. can be improved by simply incorporating things that have been successfully implemented all over the country.			
747.	BLM IM 2012-043 delineates greater sage-grouse areas as Preliminary Priority Habitat (PPH) areas and Preliminary General Habitat areas, and provides different management criteria for each. There appears to have been no public input into these designations. BLM states that PPH "comprises areas that have been identified as having the highest conservation value to maintaining sustainable Greater Sage-Grouse populations." It saxs the areas were "identified by the BLM in coordination with respective state wildlife agencies." We submit that the Administrative Procedures Act (AP A) requires that public notice and opportunity for public comment should be provided before special protection areas can be designated on federal lands. We further submit that the designation process would greatly benefit from public input. PPH, as designated by BLM, should be provided to the public for comment as part of this NO I.	UT	Both	rmc0026RM
748.	Be aware that under Parker Mountain Resource Management (PARM) programming and practices-populations of grouse have consistently increased, chick survival rates have topped other national inventories; active Lek sites have increased; predation has been reduced and habitat for sage grouse has consistently been improved with mechanical, chemical and livestock driven management practices.	UT	Both	rmc0066GB
749.	The scoplng statement identifies 438,SOOacres on Thunder Basin National Grassland (TBNG) as potential sage grouse habitat, which is about 77% of the tota l acreage of FS lands (572,000) within the boundary of the T8NG. It seems that there is an abundance of habitat for the bird · other factors must be contributing to the bird's acknowledged dedine.	WY	Both	rmc0045RM
750.	In the scoping statement background section, Bureau of Land Management is represented to have 30 million acres of occupied sage grouse habitat, with another 10 million acres as potentiall~ suitable. Again, there seems to be no shortage of suitable habitat for the sage grouse.	WY	Both	rmc0045RM
751.	Likely factors in the sage glouse population decline also include West Nile virus. Predators, aerial predator perches in the form of power/transmission lines, fire · whether controlled or wildfire, invasive species such as cheatgrass, and the sage grouse's unfortunately slow reaction to escape when threatened.	WY	Both	rmc0045RM
752.	Conservation effortl would be much more productive if directed towards efforts to mitigate disease, reduce burning In sage grouse habitat, urefully site new power/transmission lines, retrofit existing power/transmission lines in sage-grouse sensitive areas with antiperch devices, control of invasive species such as cheatgrass, reduce the fragmentation effects of future oil and gas activities, and control of predators.	WY	Both	rmc0045RM
753.	The scoping statement background section states that other sagebrush dependent species are also in trouble. There is no evidence that this statement is true it presupposes that the habitat is the sole source of the sage grouse's decline and that other sage brush dependent species would be affected the same as the sage grouse. Factors unique to the sage grouse such as disease and predators likely would not affect olher species such as sage sparrow and sage thrasher 10 the same extent as the sage grouse.	WY	Both	rmc0045RM
754.	Irrigation from reservoirs and dirt work systems that are in place on Federal lands should be allowed to continue. Sage grouse still need the grassy areas for food and shelter. The irrigation of the sparse grasslands ecosystems in the landscape will slow	WY	Both	emc0050RM

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	down the encroachment of the prairie dog and allow forage for more than one species survival in the area.			
755.	Sage grouse carry many parasites and lice. Would it be possible to have "dusting" areas for the sage grouse to use? Have experiments been done that prove what and how they would use these facilities? Is it also possible that before courting and nesting a feed could be scattered which would contain elements to remove some parasites from the sage grouse. In other words feed them something that would help make them healthier? Have any experiments been done with this in mind? If any of these would help protect the bird from succumbing to health concerns shouldn't it be attempted at least on a small scale within active habitat sites? A very light scatter of this type of pellet would not be harmful to any other wildlife or livestock in the area.	WY	Both	emc0050RM
756.	Translocation of sage grouse into areas with good habitat and out of areas of mineral or large human development is a good idea. Yes, land areas can be maintained for good habitat but there are some instances where development has already fragmented the landscape and the renewal of the whole landscape looks dim. Sage grouse should be moved from areas where humans and industry are prevalent and placed in areas where humans are not as invasive. There are private landowners that would accept the sage grouse in addition to placing the bird on federally managed land. If the grouse were treated for lice and parasites before their release then a healthier bird would be there for repopulation.	WY	Both	emc0050RM
757.	iii. Strong components of Wyoming's approach Wyoming's strategy emphasizes stronger protections within core areas, with less stringent protections and greater management flexibility in non-core areas as an incentive for development to leave core areas intact. While this strategy acknowledges that non-core area grouse populations will likely decline due to loss and fragmentation of habitat, monitoring must take place to prevent the extirpation of populations and maintain connectivity among subpopulations. In non-core areas, lek persistence must be maintained over the long term, with sufficient proportions of sage-grouse populations remaining to maintain connectivity and movements.	WY	Both	emc0089RM
758.	BLM is well aware of the dire status of sage grouse in the West and of the extensive devastating impacts to sage grouse habitat and populations caused by BLM permitting in the Powder River Basin. The most recent study by the University of Montana for the Buffalo Field Office on the population viability of sage grouse in the Powder River Basin is a strong evidence of how quickly uncontrolled permitting and development of federal minerals can result in the destruction and decline of critical sage grouse habitat and the species. BLM must heed the results of that study and implement additional actions and steps to conserve, protect and restore sagebrush habitat now.	WY	BLM	emc0129RM
759.	BLM should expand core area boundaries and include larger buffers between sage grouse habitat and surface activity to protect sage grouse nesting and winter habitat. BLM policies to protect sage grouse habitat will be more successful if sage grouse core areas are expanded and buffered and if BLM implements policies that also protect sage grouse winter habitat. In support of the need to expand core area boundaries and protect sage grouse habitat see the attached declaration of former BLM wildlife biologist Larry Gerard. The experience and knowledge of Mr. Gerard and other BLM biologists should not be ignored. BLM must stop bowing to industry and political pressure, as occurred in the Powder River Basin, and step up to the plate to take the obvious and necessary actions to stop permitting mineral development in sage brush habitat.	WY	Both	emc0129RM

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760.	Concerns: The overarching concern for the Greater Sage Grouse in the Upper Snake River Basin Conservation Area is loss of Sage Grouse habitat. This issue is compounded because: (1) over half of the Sage Grouse occur outside of the core area recognized by the state; (2) one of the main leks is located on the Jackson Hole Airport, and management action to reduce potential bird-aircraft interaction will likely result in elimination of significant breeding, nesting, broodrearing and winter habitat in the core area; and (3) population isolation makes landscape connectivity a critical factor to maintain and/or restore.	WY	USFS	emc0144RM
761.	Because US Forest Service (USFS) management actions will likely affect the primary issues and threats - whether or not in a core area - we would like these concerns reflected in the Sage Grouse planning amendment. Please see three attached letters previously submitted to the BTNF regarding the Clark's Draw Prescribed Burn; winter use in the Breakneck Flats area; and the PXP proposal. Potential issues/threats affecting sage-grouse in the USRBCA were listed in the 2008 Conservation Plan, but the following points are emphasized for the BTNF:	WY	USFS	emc0144RM
762.	1) Manage vegetative communities to provide for nesting and early brood rearing, late brood rearing and winter habitat. Conduct landscape-scale analysis when evaluating sagebrush habitat for management needs and potential treatments.	WY	USFS	emc0144RM
763.	2) Evaluate the ramifications of ongoing genetics/connectivity studies and the need for additional population viability analysis, since these populations appear to be isolated with little genetic interchange.	WY	USFS	emc0144RM
764.	3) Evaluate and consider the need to maintain connectivity between these small populations and regional populations and core habitat: - Maintain movement corridors between the Upper Green River core population and the Gros Ventre River Valley by maintaining connectivity of sagebrush habitats between the upper Gros Ventre and Union Pass; - Maintain Bacon Ridge/Breakneck Flats sage-grouse winter use areas; - Maintain connectivity of sagebrush habitats between the Upper Green River Core population and the Hoback Basin; and - Maintain connectivity of sagebrush habitats along the Wyoming- Idaho State line near Crow, Stump, and Spring Creeks. Coordinate habitat work with the Forest Service and Idaho Fish and Game Dept. to maintain/improve connectivity between occupied habitat in Star Valley and Southeast Idaho.	WY	USFS	emc0144RM
765.	Situation: According to the range-wide Conservation Assessment of Greater Sage-Grouse and Sagebrush Habitats (Connelly et al., 2004), sage-grouse have declined across their range during the past 50 years, as has the quality and distribution of the bird's requisite sagebrush-steppe habitat.	WY	USFS	emc0144RM
766.	Sage-grouse are found in sagebrush/grassland habitats of the mountain valleys of the Upper Snake River drainage. All of the known strutting grounds or leks associated with these populations in Wyoming are on public lands administered by the National Park Service (NPS), US Fish and Wildlife Service (USFWS), or US Forest Service (USFS). Sagebrush habitat is essential for sage-grouse survival. Suitable habitat consists of plant communities dominated by sagebrush and a diverse native grass and forb (flowering broadleaf plants) understory. The composition of shrubs, grasses and forbs varies with the subspecies of sagebrush, the condition of the habitat at a location, and the site's potential. Seasonal habitats must occur in a patchwork or mosaic across the landscape. Both quantity and quality of the sagebrush environment determines suitability and productivity of sage-grouse. The limited habitat associated with these mountain valleys and the topography which separates areas of suitable habitat results in small populations that are thought to be relatively isolated. Because of these factors these populations are considered to be at some risk of extirpation.	WY	USFS	emc0144RM

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767.	Providing for all habitat needs at the landscape scale required by sage-grouse may be the most challenging element of managing the landscape in the context of other existing land uses. There is also a need to identify and manage habitat structure and cover components at a finer scale of individual plant species. These challenges are greatest in breeding (pre-nesting, nesting and early brood-rearing) habitats. The Wyoming Cooperative Fish and Wildlife Research Unit conducted a study of the populations of sage-grouse in Jackson Hole and the Gros Ventre drainage from 2000-2003, which was funded by the WGFD, NPS, and USFS (Holloran and Anderson, 2004). Population parameters, seasonal habitat use, and movements were evaluated in this study. The working group provided partial funding to the US Geological Survey for a vegetation assessment and analysis of seasonal sage-grouse distribution related to vegetation and to Craighead Beringia South for a follow-up sage-grouse study in Jackson Hole and the Gros Ventre River Valley to examine sage-grouse population parameters, habitat selection, seasonal movements, and interactions with raven populations. That study by Bedrosian et al. (2010) is available from the working group and both research projects can be found on the Wyoming Game Fish Department website at http://wgfd.wyo.gov/web2011/wildlife-1000382.aspx#	WY	USFS	emc0144RM
768.	Based on these research projects, available winter habitat was thought to be a critical and possibly limiting habitat component for these two small sage-grouse populations (Chong et al. 2011). Some portions of the seasonal habitats for the Jackson Hole and Gros Ventre populations are located on Forest Service lands and the latter population is almost entirely dependent on Forest Service lands.	WY	USFS	emc0144RM
769.	In addition there are 2 small populations south of Jackson. One population is located along the Idaho-Wyoming border in Star Valley. The 2 known leks for this apparently isolated population are found on private land in Idaho but the Spring Creek drainage on the Greys River Ranger District of the Bridge r Teton National Forest (BTNF) provides important winter and likely nesting and brood rearing habitat. The second small breeding population is found in the Hoback Basin with one know lek (Clark Draw) on the Big Piney Ranger District of the BTNF. This lek is unique in that it occupies habitat in a high mountain valley and birds generally move out of the valley to the south and occupy winter habitat on BLM land in a core area near Marbleton, WY. One hen was marked with a satellite GPS transmitter and followed for 2 breeding seasons and one male was marked with a transmitter and followed for one summer before it was predated.	WY	USFS	em0144RM
770.	Like the National Technical Team report, which recommends restrictions on land uses in sage-grouse priority habitat, the state of Wyoming – -to the extent the state has regulatory authority - applies special restrictions to activities in core habitat (areas). The core areas plan represented a fundamental change in protecting sage grouse compared to the BLM's "adaptive management" approach. The BLM approach had been to approve activities first, promising to modify stipulations after impacts to wildlife species were measured. Wyoming's core areas policy requires that developers of new activities must first demonstrate that sage grouse populations will not be negatively impacted. While the policy does not expand the state's current authority over any land-use activities, it has been recognized by federal regulators as a key strategy in protecting sage grouse. On November 10, 2010, the FWS confirmed that "this long-term, science-based vision for the conservation of greater sage-grouse has set the stage for similar conservation efforts across the species range," and that "the Core Population Area Strategy for the greater sage-grouse provides an excellent model for meaningful conservation of sage-grouse is fully supported and implemented". Several western states have adopted or are considering adopting the Wyoming Core Area Strategy, thus making the concept consistent across the species range. In 2010,	WY	Both	emc0167RM

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	the Wyoming BLM aligned its own conservation strategies with the core areas plan (BLM Memo WY-2010-012).			
771.	Recreation, pesticides, parasites and disease are considered to be low priority factors at this time, but may become more important in the future as we come to understand the ecology of these small populations.	WY	USFS	emc0144RM
772.	Wyoming is the last remaining stronghold for the greater sage grouse, and clearly the Wyoming population, having become the core of the rangewide sage grouse population, offers the last best hope of preventing sage grouse extinction. GIS analysis shows that Wyoming has the largest expanse of least fragmented sagebrush habitat remaining in North America (Knick et al. 2003). According to Rowland et al. (2006:v), "Concomitant with the amount of sagebrush habitat, the Wyoming Basins area harbors some of the largest extant populations of sagebrush-obligate species, such as greater sagegrouse and pronghorn. Future persistence of these sagebrush-obligate species therefore is closely linked to effective management of sagebrush habitats in the Wyoming Basins." These researchers mapped sagebrush habitats versus fragmentation in relation to sage grouse in the Wyoming Basins Ecoregion (see p. 5-31), and found that the Red Desert is one of the remaining major hotspots. But sage grouse populations in the state have been on a longterm downward trend, still cycling upward and downward but both the peaks and the troughs in population are steadily being reduced over the past 50 years.	WY	Both	emc0343GB
773.	Powder River Basin The sage grouse population in the Powder River Basin, the largest remaining occupied area in the Northern Plains ecosystem, is in especially dire straits. Even though the RMP amendments are not currently slated to apply here due to the sage grouse amendment already underway, this is an area that deserves extra attention. The Powder River Basin constitutes a significant portion of the range of the sage grouse, and its extirpation here would have important consequences for the persistence of the grouse on the High Plains as a whole. According to Naugle et al (2006:5), "An analysis of the current distribution and pace of development shows that the PRB is likely to be drilled at 32.4 ha (80 ac) spacing in less than 20 years (D. E. Naugle, unpublished data), leaving sage grouse no place else to go." Coalbed methane development (and, to a lesser extent, conventional oil and gas development) is driving the present population crash. According to Walker et al. (2007:2644), in the Powder River Basin, "Of leks active in 1997 or later, only 38% of 26 leks in CBNG [coalbed methane] fields remained active by 2004–2005, compared to 84% of 250 leks outside CBNG fields." This study found an 82% decline in sage grouse lek counts between 2001 and 2005, while Powder River Basin leks unaffected by development declined by only 12% over the same period. As of this study, 28,000 wells had been drilled on the Wyoming side of the Basin, but 50,000 additional wells had been authorized by the BLM. Id.	WY	Both	emc0343GB
774.	23) Habitat management I:,TUidclines for arid ~ites often exceed the ecological potential 01' Wyoming big sagebrush site!';, even those sites that support healthy populations or sage grouse.	WY	BLM	fxc0011gb
775.	The unpredictability of WNv outbreaks rangewide in the sage grouse population provides a stochastic mortality factor that will vary in magnitude, meaning that any population that becomes isolated or depleted is a candidate for extirpation due to WNv. Naugle et al. (2004) observed, "In small, fragmented populations, stochastic events such as disease exacerbate risk of extinction due to the combined effect of demographic stochasticity, deterministic stressors, and inbreeding depression. Moreover, because small or isolated populations generally show reduced genetic variation, they are less likely to contain individuals resistant to emerging infectious disease." (Internal citations omitted.) This study also showed no evidence that sage grouse could develop immunity to WNv and survive once infected. A subsequent study (Walker 2008) showed that the	WY	Both	emc0343GB

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	development of immunity in sage grouse populations was unlikely given current demographic parameters and labeled the disease "a persistent new source of mortality" for sage grouse in the Powder River Basin. Moreover, Without monitoring radio-marked individuals, impacts of WNv mortality, even severe outbreaks, may go undetected and lead to the misperception among managers and policy-makers that WNv is no longer an issue for greater sage-grouse in the Powder River Basin. Moreover, in the absence of radio-marked birds, population declines due to severe or persistent WNv mortality may be incorrectly attributed to other potential stressors (e.g., weather, range management) and lead to inappropriate policy and management decisions.			
776.	(Walker 2008:181). At present, radio-marking of sage grouse is not widespread in the Powder River Basin, and even the current level of radio-marking bird may not continue as current studies are reaching (or have reached) their conclusions. Given the cyclical nature of sage grouse population trends, West Nile presents the archetypal example of a stochastic event that could spell extirpation for fragmented populations: "The impact of WNv during a string of low-survival or low-productivity years may be severe" (Walker 2008:182). With this in mind, the Sage Grouse Plan Amendments should include strong measures to prevent an increase in Culex habitat in and near Core Areas. Walker et al. (2010) recommended reducing man-man water sources as a means of reducing the threat of West Nile virus. Specifically, we recommend that surface disposal of produced water from coalbed methane or other oil and gas operations should be prohibited within 20 miles of designated Priority Habitats, and CBM-related water storage reservoirs need to be drained and breached to avoid creating habitat for the Culex mosquito, which carries West Nile virus. This is eminently feasible, as there are several other disposal options. First, the water could be injected underground, into aquifers of equal or lower quality to protect groundwater supplies and comply with state laws. Second, the water could be treated and piped to municipal water facilities, without ever collecting on the surface. For low-volume water producing wells, holding all water in condensate tanks and trucking it to municipal treatment facilities may be an option. These are measures which do not appear to have been considered in the Wyoming sage grouse strategy to date, yet are crucially important because a population of grouse that is able to persist due to limitations on direct habitat destruction does not contribute to the overall survival of the species if it is then wiped out by an outbreak of West Nile virus.	WY	Both	emc0343GB
777.	Climate is an important factor affecting sage grouse populations (South-Central Local Working Group 2007:15). Climate change scenarios in the sagebrush ecosystem predict that the largest area of sagebrush that will persist in the future is in southern and southwest Wyoming, between the northern and central Rocky Mountains (Neilson et al. 2005) According to Rowland et al. (2006:vi), this is the very area of greatest ecological diversity and high risk for future habitat degradation in the Wyoming Basins Ecoregion: "Species richness of sagebrush-associated vertebrates of concern was greatest in southwestern Wyoming, where as many as 36 of the 40 vertebrate species of concern cooccur. Moreover, some of the areas identified as most affected by anthropogenic disturbance, as estimated by our human footprint model, are also those that have the greatest species richness. Human activities occurring in southwestern Wyoming are expected to have disproportionately and substantially greater effects on a larger number of species of concern compared to other portions of the WBEA area."	WY	Both	emc0343GB
778.	Populations of sage grouse that are closer geographically tend to be closer genetically, indicating that individuals rarely move between non-neighboring populations (Oyler- McCance et al. 2005). Knick and Hanser (2010) suggested that a distance of 11.2 miles or closer between leks promotes connectivity. The new Sage Grouse Plan Amendments should include provisions	WY	Both	emc0343GB

Table C-4.A
Comments Related to Greater Sage-Grouse in General

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	for designating Connectivity Areas as Priority Habitats in addition to Core Areas, particularly in parts of the range where Core or other Priority Habitats are potentially isolated from each other. The State of Wyoming has begun to address this need in the Powder River Basin under its Core Area plan, and it would be wise for the BLM to incorporate this feature into its plans throughout the sage grouse range. Under IM 2012-039, the BLM directs field offices to utilize a Crucial Habitat Assessment Tool (CHAT) or other available information sources to identify wildlife corridors and inform habitat management decisions. For the Wyoming Basins Ecoregion, the Heart of the West Conservation Plan (available online at http://www.voiceforthewild.org/Heart_of_the_West/HeartoftheWestPlan.pdf), constructed with sage grouse as a focal species, identifies some potential connectivity areas. See Attachment 6. We recommend that BLM consider additional connectivity zones identified under this plan, and designated corridors in Utah in Colorado based on the Core and Corridor recommendations of this plan. We incorporate the Heart of the West Plan into these comments by reference and ask the BLM to consider and respond to this plan as an integral part of these scoping comments.			
779.	Unless the conservation policy of the agencies is to conserve all sagebrush habitats in occupied sagegrouse habitat until sufficient studies are conducted to allow spatial definition of seasonal habitats for the sage-grouse populations, large irreversible habitat losses are likely to occur, and populations will decline further. The Core Model does just the opposite in sacrificing habitats. So relying on the core concept allows habitats to be lost without all the crucial habitats for a landscape species ever being determined. This is the opposite of the precautionary principle. It appears designed to favor the Oil and Gas industry and others who seek to aggressively exploit public lands and want a short-sighted model that provides short-term cover for their continued exploitation of many areas. How many birds were collared in core areas – vs. non-core? Where were they trapped in the core areas? At the center, or near the margins? How could this all impact findings? What is "relatively high" what percent of the population is this? Will this be sufficient to keep even the more continuous Wyoming populations afloat? We are concerned that the paper's generalizations will be applied to other parts of sage-grouse range that do not have broad, relatively flat interconnected expanses of sagebrush habitat. The [Fedy] paper states that "understanding interseasonal movements among all life stages is necessary to spatially define a population". Yet, the Core Model miraculously defines Core populations. Much of the text contradicts the conclusion in the last part of the Abstract. It also states that understanding how far grouse move between seasons is required to effectively manage and conserve them. Average nesting to summer distance was 8.1 km. Average summer to winter distance was 17.3 km. 383 birds had nests within the core, and 72 of these used habitat outside the core in seasonal movements. For winter, only 65% of locations occurred within the 75% core area. Average number of winter locations within the 100% core area was only 78%. So even in the relatively continuous interconnected sagebrush habitats blocks in Wyoming, sage-grouse used a considerable area outside the 100% core area. What if this analysis was applied to grouse in fragmented habitats, such as those in Air Force and IDFG studies in the Jarbidge? What would the distances be then?	WY	Both	emc0411GB
780.	There was substantial movement between critical life stages. The Wyoming study also found substantial variation in interseasonal movement distances among study sites and among individuals, and within study sites across all life stages. Example: Power River Basin. Birds moved: Nesting to summer – 8 km. Summer-winter – 11.3 km. Nest to winter – 18 km. "Thus results from one area may not necessarily apply to others and may be related to levels of fragmentation and overall habitat availability". Also, "movement distances may be affected by annual variation in moisture availability". Yet the Idaho	WY	Both	emc0411GB

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	White Paper (Makeal and Majors) used a Model to model these other habitats (and was planning on incorporating more models in the future). The paper cites an eastern Idaho Klebenow and Gray 1968 study that found grouse moving 8-24 km. to summer ranges. It states that movements may also be influenced by tradition – with birds bypassing what appears to be suitable habitat. Sage-grouse fidelity to winter areas has also been demonstrated (citing Berry and Eng 1985, Schroeder et al. 1999). This again shows the need for site-specific data, and protecting all habitats until that is obtained. It highlights the need for detailed studies of all populations use of seasonal habitats before any sagebrush habitat is relegated to a "general", "moderate" or other habitat sacrifice category or non suitable category. "Based on our distance measurements, a population may require entire landscapes to encompass the seasonal habitats required by the population". So it is hard to see how this supports the Core Model unless the core is the entire landscape. For Wyoming, the 90th percentile involves 19-km movements from nest to late summer and … an additional 36 km. from late summer to winter locations". The report continues: "the data included in these analyses are from sage-grouse in the core of the species' range, including relatively unfragmented habitat. The extent required by an individual to meet annual resource requirements in more fragmented landscapes may be considerably larger (Hagen et al. 2001)". It notes that greater movement distances may have a negative impact on juvenile birds. Landscape configuration, age, and gender can influence movement distances – and juveniles may move further. The majority of this study's birds were adult females. The report found remarkable variation in the extent of movement within and among sites in yoming … In some populations there was reasonable overlap between core and required habitats, but in others there was not. So it appears that relying on a Core Concept would also end up sacrificing a number of the core populations if BLM continues with the strongly lek-based Wyoming model in Wyoming or anywhere else. The study suggested seasonally explicit habitat selection models combined with site –specific information. We believe that site-specific data, not more models and armchair biology, are needed.			

Table C-4.B
Comments Related to Sage-Grouse Leks and Lekking

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	Having participated in many Local Working Groups, I have concerns with definitions & buffer zone issues. First, the definition of an ACTIVE lek needs to be reasonable and documented as a place of recent actual breeding, not just where two males were seen strutting once as was explained to me. When looking at possible buffer zones, the .6 mile buffer is more than sufficient and should be measured from the center of an ACTIVE lek.	All	Both	rmc0025GB
2.	Recommendation #5 - We recommend that all fences within three (3) miles of any active or recently-active Greater Sage-Grouse lek be removed or fitted with appropriate visibility markers to reduce fence collisions. We also recommend that all fences around small «320 acres) pastures be fitted with visibility markers.	All	Both	emc0074GB
3.	Trends in sage grouse populations are achieved through lek counts that compare yearly male populations with previous years. Utah counted over 5,700 male sage grouse on 285 leks in 2005 and 2007 and this increase from less than 1,000 shows that the population is increasing due to management efforts.	All	Both	rmc0001GB
4.	a) Determine a consistent definition of what constitutes an occupied lek	All	Both	rmc0004GB
5.	b) Buffer distance flexibility; 1 mile might or might not be necessary some studies suggest .6 miles. Consider cliffs and elevation differences. Established barriers should be considered. c) Any plan must establish consistency for the beginning measuring points for buffers. Buffer polygons should be created from center of the lek area. Observation data shall be the priority for setting buffers, timing and seasonal restrictions. If no observations data is available preclude that type of determination; any data used must be scientifically supportable under the elements of the Federal Data Quality Act.	All	Both	rmc0004GB
6.	Timing flexibility is needed; fixed dates are not always necessary or effective; time of day set at 2 hours before sunrise to 2 hours after sunset again may not be necessary. Again the flexibility of these standards shall be based on monitoring and observation	All	Both	rmc0004GB
7.	The birds have existed with grazing since day one, they adapt. A lek, used year after year near Judith Landing MT is in the center of a wide gravel road. I'd say the birds are adaptable.	All	Both	cfc0012GB
8.	One land-use restriction currently in place is a two mile non-disturbance buffer around known leks. If you look at the sage grouse population density map distributed by the BLM and USFS it becomes apparent that two mile buffers around leks may restrict many mining and mineral exploration activities.	All	Both	emc171GB
9.	When working with the SWARM Working Group a retired DWR employee was hired to look for leks and grouse one summer. He located many unknown leks. We encourage more resources devoted to locating and mapping sage-grouse. There are more birds out there than we know and it is less expensive to locate them than create habitat for them. It will require many methods to keep them from being listed.	All	Both	cfc0040GB
10.	Livestock Grazing- Disturbance- 4 miles radius of a lek means 14 square miles of land or more. That is way too much to expect anyone to give up use on. 2 miles seems to be fairly standard and is still a large area.	All	Both	cfc0025RM
11.	The EIS and alternatives must use the most recent science regarding the reclamation of disturbed leks and the ability of the species to use and reoccupy those areas.	All	Both	emc0310GB
12.	The EIS and alternatives must use the most recent science regarding the reclamation of disturbed leks PU and the ability of the species to use and reoccupy those areas.	All	Both	emc0310GB
13.	The EIS should provide the public with comprehensive maps of known sage-grouse leks and nesting areas, along with estimated	All	Both	emc0210GB

Table C-4.B
Comments Related to Sage-Grouse Leks and Lekking

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	population densities. The public needs to know the locations where any proposed actions will take effect. This EIS is somewhat different in that there is not a specific project site or project corridor that serves as the focus of the EIS.			
14.	The characteristics of a lek need to be definitively analyzed and established. Buffer zones. Where necessary and appropriate, to protect leks should be imposed only when research and local land managers deem them to be essential for greater sage-grouse habitat. The size of a buffer zone must be determined on a case-by-case basis and should account for variances in topography,current utilization, vegetation and other factors. The perimeter should be defined by an irregular polygon which reflects conditions. Rather than an arbitrary diameter dictated by policy. Observation data should be used to determine the maximum lek buffer perimeter	All	Both	emc0396GB
15.	Forage and cover are needed and larger buffer zones around leks and breeding grounds, at least 3 miles, should be the policy.	All	Both	emc0012RM
16.	Because most nest sites are within two miles of a lek (Call and Maser 1986) it would be extremely beneficial to fence off an area around a lek (1.5 to 2 miles) to protect the sagebrush preferred for nesting (Carr 1968, Gill 1965, Wallestad and Schladweiler 1974). Not all leks need to be fenced due to their location or land uses in the immediate proximity that have little or no impact. The cost of fencing would be much less than the millions that will be spent implementing the proposed strategy and the billions of dollars lost annually in the economy. Indeed, fenced leks would serve to repopulate other areas nearby and within migration routes.	All	Both	emc0139GB
17.	Fencing leks to optimize vegetation cover for nesting is a viable solution.	All	Both	emc0139GB
18.	Radius of impacts for sage grouse leks should only apply to areas within the defined radius that ~ sage grouse habitat, and not to all areas because it is within the circle.	All	Both	emc0142GB
19.	Address the effects of livestock grazing on sagegrouse nesting areas. (leks)	All	Both	emc0153GB
20.	Only 6% of safe grouse habitat remains. At one time 745 leks were noted. Now there are only about 400 active leks. The Sheldon area has run a special, permit-controlled hunt for the last 5- 10 years. Despite this management, the number have not increased there	All	Both	emc0170GB
21.	The technical team report (see Page 21) seems to ignore valid existing rights by recommending that, even in leased energy development areas, that surface disturbances be limited to one per section; not to exceed 3% of the area or less. This recommendation is unrealistic as is the recommendation for a 4-mile radius buffer around leks.	All	Both	emc0242GB
22.	The success of lek and nesting locations near existing - oil and gas development should be analyzed in the RMP amendments.	All	Both	emc0242GB
23.	Sage grouse lek buffers, if any, should be measured from the center of a lek rather than a boundary; which is difficult to determine.	All	Both	emc0242GB
24.	Measures to limit perching by avian predators should not be required outside of a 0.6 mile distance from the center of a lek.	All	Both	emc0242GB
25.	BLM's IM fence proposals appear to be reasonable and should be pursued including evaluating the need for proposed fences and appropriately marking fences that occur in proximity to known leks.	All	Both	emc0400GB
26.	I believe that there are several factors involved in the decrease of their population. Industry such as oil and gas drilling and wind generators that are located in their habitat areas have a great influence on the nesting and strutting leks.	All	Both	cfc0014RM

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Comments Related to Sage-Grouse Leks and Lekking

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27.	Sage grouse leks benefit from livestock disturbance. If economic and political factors force the ranch to sell out to absentee landowners, the lek could be lost.	All	Both	emc0013RM
28.	The RMP should include plans for a study of how lek location correlates to roads.	All	Both	emc0013RM
29.	In addition to oil and gas development, wind potential in the Eastern Region is very high. We believe development of wind energy can be compatible with wildlife if wind development occurs outside of sensitive areas. Because greater sage-grouse avoid tall structures, special care should be taken to develop wind energy outside of identified core areas and all structures should be placed at least five miles from the nearest lek if the population is non-migratory and up to 12.5 miles if the population is migratory (USFWS 2004).	All	Both	emc0034RM
30.	I have noticed a very strong bias of the identified Lek sites being in close proximity to roads. In fact Lek site maps closely resembles a primary and secondary road maps, especially the SG population maps of Nevada, for which I am most familiar with. I would like to have the EIS study develop statistics regarding the percentage of identified Lek sites within 1000 feet of a drivable road. Please also provide the area of public lands that are potential grouse habitat that exist further than 1000 feet from a road versus the amount of habitat within 1000 feet of a road. Please provide the amount of time survey personnel spent surveying within a 1000 feet from a road versus outside a 1000 feet from a road. Please prove that your estimated sage grouse populations are not biased to a low population number as a result of most of your population count surveys being strongly biased to areas near drivable roads. At a minimum, there should be a factor to adjust population counts due to poor survey techniques that are strongly biased to observations along existing roads. After adjustment for biased survey techniques, can a potentially threatened species conclusion still be made? I doubt it.	All	Both	emc0260GB
31.	The current 3-mile area of influence around a LEK site is obscenely large and not supported by any data. Studies of protective areas, SOD feet, 1,000 feet, one-mile and three miles from a Lek should be undertaken before restrictive rules are established. The three mile area around a Lek site is arbitrary and capricious, much more data support showing is required to have any restrictive area around a lek site.	All	Both	emc0260GB
32.	Please comment on why identified SG Lek sites are near roads. Please provide specific observed data on why limiting use and access on existing roads would increase SG populations.	All	Both	emc0260GB
33.	When considering the active or inactive status of a lek, either status does not give grounds for dismissal when considering the amount of habitat needed for Greater Sage Grouse preservation	All	Both	emc0074RM
34.	Active and inactive leks need to be mapped, and habitat designated to both, therefore representing a more real picture of habitat preservation needing to take place	All	Both	emc0074RM
35.	With regards to anthropogenic disturbances and their distance relationship to lek sites, it is the BLM's responsibility to allow no further disturbances to take place within a 5.5 mile radius of lek sites.	All	BLM	emc0074RM
36.	When considering disturbance density of oil and gas development, with development including but not limited to drilling, well creation, road creation and or usage, and maintenance, the BLM should allow no more than five drill sites within a 5.5 mile radius of each lek site. In this notation and further notations, I am considering drill sites to include sites that have a production value as well as those which do not. In this notation as well as further notations, I am considering disturbance density to include already existing oil and gas development as well as potential oil and gas development. Therefore, preexisting and potential oil	All	BLM	emc0074RM

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Comments Related to Sage-Grouse Leks and Lekking

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	and or gas sites will come to a cumulative total of five, not five of one and not five of another.			
37.	When considering the necessity for habitat preservation, all general habitat sites will be designated medium priority sites, with a mandatory evaluation of their protection from oil and gas development, and road development, and other leasing development. It will be mandatory for the BLM to act upon new information provided regarding lek locations, regardless of their activity status, and to install protective measures in the middle of the finalized land usage plan. These measures will follow the regulations of all high priority, priority and general habitats, as well as mandatory exemptions from oil and gas development, road and other leasing developments as other Greater Sage Grouse habitats have undergone.	All	Both	emc0074RM
38.	API believes that the continued emphasis on the lek count as the primary census methodology presents the importance of consistency in data gathering efforts to an accurate understanding of sage grouse population trends and the effectiveness of BLM's sage grouse conservation efforts. The fact that methodologies are not standardized across states, that leks are non-randomly sampled, and underlying assumptions are often incorrect, has been pointed out by numerous authors. The continued reliance on lek counts has led to a situation where in a number of cases inferences drawn from the data are neither repeatable nor reliable. Statistically robust, alternative methods for estimating sage grouse population number and trends have been identified and described in the reviewed literature but are underutilized. Agencies need improved methodologies in order to discern the status of individual species that are nominated for listing, and to measure the efficacy of any conservation actions that they undertake. The development of the National Strategy is an opportunity for the BLM to work with state wildlife agencies to facilitate implementation of methods to improve the accuracy and reliability of estimates of sage grouse populations on public lands (i.e. sentinel lek counts, stratified random sampling, or dual frame sampling). Without reliable and consistently applied methods, measurements of population responses to adaptive management actions and quantification of long-term sage grouse population trends will remain questionable, and increase the possibility of dispute and legal challenge. We view this as the most significant conservation issue facing sage grouse today. The strategy and subsequent amendments to RMPs must recognize the limitations that will occur when BLM tries to assess Greater Sage-grouse response to proposed management actions should BLM continue to rely upon lek counts as a basis for development of new BMPs.	All	BLM	emc0346GB
39.	Two problems may occur when an agency requires that a lek have no activity for ten years before it be considered "unoccupied." First, it has the potential to exacerbate a negative bias when using lek counts to estimate long term population trends. The problem was noted on page 7 of the WAFWA (2008) report titled, Greater sage-grouse population trends: an analysis of lek count databases 1965-2007. The authors reported, "One problem associated with missing values should be noted with this data set. Because the current sampling scheme is lek-based rather than area-based, locations are not considered a lek and therefore, not reported in databases, until grouse are found using them. Therefore, very few leks in the data set started with a zero. As a result, the initial establishment of a lek with a small number of male grouse and its concurrent increase from zero to a positive number of grouse is missing from these data, while long sets of zero counts often exist after a lek has become inactive. This could lead to negatively biased estimates of trend in male count."	All	BLM	emc0346GB
40.	And second, conservation effort may be misallocated to the protection of leks that are effectively abandoned (where no sage	All	BLM	emc0346GB

Table C-4.B
Comments Related to Sage-Grouse Leks and Lekking

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	grouse have been present for years). Some activities may also be unnecessarily restricted. We urge that the BLM take steps to: 1) ensure that analyses of population trends are unbiased, and 2) that the criterion for determining when a lek is 'abandoned' be based upon an analysis of biological data rather than simply 10 years of non-use (e.g. Lek count data could be used to determine the mean number of years that leks are inactive before becoming permanently abandoned.)			
41.	Please clarify whether lek count data used to quantify sage grouse responses to human activity will be based upon analysis of trends from single leks (within a lek complex), or combined data simultaneously collected from all leks within a lek complex. In other words, distinguish between local displacement of sage grouse (to another part of the population), versus an overall demographic effect (i.e. reduction in the population size).	All	BLM	emc0346GB
42.	As further evidence of the value of livestock grazing to the health of greater sage-grouse, we are prepared to provide data from large, private land holdings where large ungulate numbers have doubled over the last 30 years and greater sage-grouse lek counts have increased five-fold.	All	Both	emc0140RM
43.	Lek Definitions and Buffers Buffer zones should be used sparingly and only when scientific research and local land managers deem them to be beneficial for greater sage-grouse habitat. Buffer distances must be determined on a case-by-case basis. All buffers should be measured from a consistent starting point, with buffer polygons being consistently placed at the center of lek areas. Scientifically peer-reviewed observation data should be used to determine the proper lek perimeter measurement. Additionally, a complete definition of what constitutes a lek is needed. Nesting and brooding management decisions should not be based upon a "one-size-fits-all" formula, but should rather be left to site-specific conditions.	All	Both	emc0140RM
44.	In the case of the Greater and Gunnison Sage-Grouse mitigation measures such as seasonal and or time of day limitations can avoid disturbing the lekking process. Careful attention to trail routes can avoid fragmentation of critical habitat and avoid leks. Trail construction techniques can be used as a framework for enticing/encouraging trail users to conform their behavior to the desired conditions. All of these measures should be considered prior to resorting to outright prohibitions.	All	Both	emc0150RM
45.	Furthermore, we recommend that the planning documents also address the significant limitations associated with relying primarily upon lek counts as the preferred methodology to determine Greater Sage-grouse populations and the efficacy of subsequent conservation measures. Lek counts have been in use since 1952 and have been found to be a remarkably inconsistent tool when attempting to precisely estimate population sizes. Of primary concern is that the data collected are really non-random samples of sage grouse leks which fail to account for male Sage-grouse at unknown leks, ignoring the fact that males move between leks and ignores females or juveniles. Consequently, counting only males results in an unknown proportion of the total Sage-grouse populations. Therefore, we recommend the agencies utilize an improved approach that is more consistent, defensible and useful as a tool to accurately model population trends.	All	Both	emc0340GB
46.	However, our observations have consistently shown that smaller (25-200Ha) openings created in large (>500Ha) expanses of mountain and Basin big sagebrush in excess of 25% canopy coverage and above 2000m in elevation are used as brood habitat by GSG, and (based on increased lek attendance, lek persistence, and new lek development) can increase GSG populations	All	Both	emc0281GB

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47.	Under the Recreation section (page 12) indicates that many recreation activities are "benign uses in sagebrush habitats. However, excessive use, such as repeated disturbance to leks for viewing that disrupts sage-grouse breeding activities can have significant negative effects (75 FR 13910)." However, Nevada Department of Wildlife routinely live-traps sage-grouse on the leks, and somehow this does not seem to be disruptive of breeding activities. We would like to see this live-trapping activity analyzed in the EIS.	All	Both	emc0239GB
48.	COMMENTS ON Interim conservation Measures and Policies for Preliminary Priority Habitat, No. 2012-043 (IM) As the interim policy and program guidance in the IM: These comments are consistent with and applicable to the strategic suggestions above for the proposed action. The IM recommends consideration of alternatives that would increase buffer distances around active leks and timing restrictions within existing LUPs as needed to further reduce adverse effects on Greater Sage-Grouse and its habitat. We feel that agencies must apply known science in determining buffer distances around active leks and when establishing timing restrictions. It is our opinion that there is significant variability in the standards that have been applied in the past.	All	Both	emc0254GB
49.	We are particularly concerned that BLM may choose to incorporate one or all of the conservation measures outlined in the Report into the RMP's via this amendment process. Recommendations of particular concern are the four mile no surface occupancy (NSO) buffer around leks and the 3% surface disturbance limitation for leases entirely within core sage grouse habitat. These restrictions are not supported by science and are much more onerous than even the most restrictive management strategies used across the range of the species. Applying an NSO timing stipulation restriction four miles around leks on leases will prevent new 011 and gas development and may ultimately result in the infringement of valid lease existing rights (see 'Valid Existing Lease Rights' section below).	All	Both	emc0246GB
50.	We also request that BLM clarify whether the four mile NSO buffer is from the center or the edge of the lek and whether the restrictions apply to historic or active leks, or both.	All	BLM	emc0246GB
51.	We request that BLM acknowledge and incorporate recent studies regarding the impact of oil and gas activities or GSG viability into the EISs and SEISs. A report entitled "Thresholds of Energy Development and Greater SageGrouse Populations," by Taylor, Dzlalak and Clark et al. in 2010 was performed In Wyoming to show the actual impacts of energy development on GSG and was conducted using the most current publicly available data on lek attendance in areas with full-field development. Contrary to the conclusions reached in other studies, findings contained in this study clearly demonstrate that energy development and viable sage-grouse populations can successfully coexist when reasonable mitigation measures are utilized during exploration, development and producing activities. The 2011 report entitled "Oil and Gas Development and Greater Sage Grouse (Centrocercus urophasianus): A Review of Threats and Mitigation Measures," by Ramey, Brown and Blackgoat is a detailed technical review of previous research regarding general threats of oil and gas development to sage grouse and examination of the reliability of various mitigation measures.	All	Both	emc0246GB
52.	As stated In the December 2011 National Greater Sage-grouse Conservation Measures/Planning Strategy In the Monitoring of Sage-grouse and Sagebrush Habitats section, it is possible that lek counts are an inconsistent tool In relationship to population size estimates. We recommend a strategy to come up with a more consistent, defensible and use tool in order to accurately model population trends since lek counting has been used as the preferred method since 1952. We think it is time to further scrutinize lek counts as the preferred methodology and implement a more up to date scientific method.	All	Both	emc0246GB

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Comments Related to Sage-Grouse Leks and Lekking

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53.	Comments on "A Report on National Greater Sage-grouse Conservation Measures" (produced by the Sage-grouse National Technical Team, December 21, 2011). The following comments pertain to specific parts of the above-referenced document. Page 13, "Rights of Way" section, 3rd bullet. "Power lines effectively influence (direct physical area plus estimated area of effect due to predator movements) at least 39% of the sage-grouse range." While this paper is cited in the Conservation Strategy, another paper from the same book that found no effect of power lines on sage-grouse lek counts was not cited (see Johnson et al., pages 407-450 in Greater Sage-grouse: Ecology and Conservation of a Landscape Species and Its Habitats). The Conservation Strategy appears to select citations that support perceptions of negative impacts associated with power lines, yet does not include papers that do not support this view or that acknowledge the lack of data on the subject (e.g., UWIN literature review).	All	Both	emc0275GB
54.	Comments on "A Report on National Greater Sage-grouse Conservation Measures" (produced by the Sage-grouse National Technical Team, December 21, 2011). The following comments pertain to specific parts of the above-referenced document. Page 19, second paragraph, "Abandonment may increase if leks are repeatedly disturbed by raptors perching on power lines near leks". Leks may not necessarily abandon due to raptor predation (regardless of the presence of a power line). The Ellis (1984) study cited includes an anecdotal observation, not a scientifically rigorous study addressing this topic. It should be noted as such and not presented as a statistically valid study. It may also be noted that there are other anecdotal observations that contradict the observations in this earlier paper.	All	Both	emc0275GB
55.	As an interstate transporter of natural gas, El Paso constructs and maintains numerous facilities 111 many states that cross land managed by multiple BLM Field Offices. The proposed conservation measures must, to the greatest extent poss ible, provide a consistent management approach across the range of the species and between BLM Field Offices. The NIT objectives identify the need to "Oversee the development of consis/ent regula/OIY mechanisms across the range of the greater sagegrouse ." El Paso recently completed the Ruby Pipeline Project that crossed land managed by seven BLM Fie ld Offices in four states. Our experience was that the lack of consistency in Field Office policies across the Project had a significant impact on project permitting, construction schedule and costs. The conservation measures deve loped during the NEPA process should provide consistent definitions of lek buffer s ize, dates that identify when certain activities are allowed within identified habitats, and consistent levels of allowable impacts. We understand that s ite specific cons iderations may affect these parameters, but BLM should strive to minimize inconsistency.	All	Both	emc0278GB
56.	3. page 6, Goals and Objectives, paragraph 1. At the Idaho BLM Open House for EIS Scoping, Paul Makela, a wildlife biologist from the Idaho State Office, displayed a map with sage-grouse leks and nesting success throughout Southern Idaho and Northeast Nevada. Most of the lek sites in Northeast Nevada showed a 70- 100 percent nesting success. This information was based upon a survey contract completed in 2009. When Mr. Makela was asked, "How can this kind of success be improved upon?" His response was, "You can't. The most we can hope for is to maintain what we have." This leads one to think about the old adage, "If it isn't broke, why try and fix it."	All	Both	emc0289GB
57.	There seems to be some conflict when a rancher uses a road that is adjacent to a lek, but agency biologists don't recognize a conflict when they travel to these same sites several times each spring to do lek counts, at which time they stop and get out of their vehicles.	All	Both	emc0322GB

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Comments Related to Sage-Grouse Leks and Lekking

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
58.	We are particularly concerned that BLM may incorporate into the RMPs certain conservation measures outlined in the Report, including a four-mile NSO buffer around leks and 3% surface disturbance limitation for leases entirely within priority habitat. These restrictions are not supported by science and are much more onerous than even the most restrictive management strategies used across the range of the species. Applying a NSO restriction of four miles around leks will prevent new oil and gas development and may ultimately result in the infringement of valid existing rights (see 'Valid Existing Lease Rights' below).	All	BLM	emc0312GB
59.	We request that BLM clarify whether private and state lands will be included in the density restriction calculations and whether the four mile NSO buffer is from the center or the edge of the lek and whether the restrictions apply to historic or active leks, or both.	All	BLM	emc0312GB
60.	As stated in the December 2011 National Greater Sage-grouse Conservation Measures/Planning Strategy in the Monitoring of Sage-grouse and Sagebrush Habitats section, it is possible that lek counts are an inconsistent tool in relationship to population size estimates. We recommend a strategy to come up with a more consistent, defensible and useable tool in order to accurately model population trends since lek counting has been used as the preferred method since 1952. We think it is time to further scrutinize lek counts as the preferred methodology and implement a more to date scientific method.	All	BLM	emc0312GB
61.	The success of lek and nesting locations near existing oil and gas development should be analyzed in the RMP amendments.	All	Both	emc0376GB
62.	Make sure that topography is appropriately evaluated associated with leks.	All	Both	rmc0032GB
63.	Oil and gas development poses perhaps the greatest single threat to sage grouse persistence across the eastern half of its range. Taylor et al. (2010) found that in Montana, oil and gas development eclipsed agricultural tillage and West Nile virus as the most destructive factor facing sage grouse populations there. Walker et al. (2007) found that sage grouse habitat within 4 miles of a lek site was important to the persistence of the lek. Conversely, Walker et al. (2007) concluded that leks heavily impacted by oil and gas development "typically became inactive within 3-4 years." Harju et al. (2008) found a time lag of 2-10 years post-development, at which point negative effects became evident. The same is true for winter habitats. Indeed, Naugle et al. (2006) found that a model using habitat variables and coalbed methane development provided a near perfect fit for grouse distribution data. In the Powder River Basin, CBM well density within a 4 km2 area provided the best fit for modeling sage grouse habitat use (Doherty et al. 2008). Taylor et al. (2012) found the strongest relationship between sage grouse population persistence and density of producing wells was at a 12.4-mile radius. In addition to the impacts from direct disturbance, oil and gas development is correlated with elevated predator activity, which in turn depresses reproductive success (Bui et a. 2010, Dzialek et al. 2011).	All	Both	emc0343GB
64.	The area closest to a sage grouse lek is crucial to both the breeding activities and nesting success of local sage grouse populations. One scientist described the lek site as "the hub from which nesting occurs" (Autenreith 1985). Grouse exhibit strong fidelity to individual lek sites from year to year (Dunn and Braun 1986). During the spring period, male habitat use is concentrated within 2 km of lek site (Benson et al. 1991). A Montana study found that no male sage grouse traveled farther than 1.8 km from a lek during the breeding season (Wallestad and Schladweiler 1974). Other researchers found that 10 of 13 hens nested within 1.9 miles of the lek site during the first year of their southern Idaho study, with an average distance of 1.7 miles from the lek site; 100% of hens nested within 2 miles of the lek site during the second year of this study, with an average distance from lek of 0.5 mile (Hulet et al. 1986). In Montana, Wallestad and Pyrah (1974) found that 73% of nests were built within 2 miles	All	Both	emc0343GB

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Comments Related to Sage-Grouse Leks and Lekking

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	of the lek, but only one nest occurred within 0.5 mile of the lek site. Holloran (2005) found that 64% of sage grouse nested within 3.1 miles of a lek in western Wyoming, and Walker et al. (2007) found that sage grouse habitat within 4 miles of a lek site was important to the persistence of the lek. Doherty (2008) found that 97% of sage grouse nests were within 10 km (6.21 miles) of a lek. Aldridge and Boyce (2007) found a curvilinear relationship in which 90% of nests were predicted within 10 km of a lek. This is significant because Dzialek et al. (2011) found that nests closer to wells were at greater risk of nest failure, likely due to increased predation associated with anthropomorphic disturbance, and recommended that new oil and gas well be sited at least 1.6 km from the nearest nesting habitat.			
65.	According to Doherty (2008:51-52), "Impacts of energy development to sage-grouse populations are well documented (Naugle et al. in press) but nesting response to full development could not be thoroughly investigated here because severity of CBNG development to leks in the PRB (Walker et al. 2007:52) left too few birds to monitor inside gas fields. The best energy development predictor for birds that nested on the edge or within low levels of CBNG development increased model fit (-16.72 units) of my AIC best habitat model (Table 4). This finding is equivocal because an independent test of this model did not support inclusion of distance to road to the AIC best habitat model. My inability to validate findings or capture large samples of sage-grouse in fully developed fields is not surprising because Holloran et al. (2007) reported high female nest site fidelity, but lower survival of nesting adult sage-grouse in gas fields combined with avoidance of infrastructure by yearlings resulted in a time lag of 3-4 years between the onset of development activities and lek loss (Holloran 2005). The time lag observed by Holloran (2005) in the Pinedale Anticline in southwest Wyoming matched that for leks that became inactive 3-4 years following CBNG development in the PRB (Walker et al. 2007)." It is therefore critical to protect not just the lek itself, but a substantial amount of the nesting habitat surrounding the lek, through No Surface Occupancy buffers. We recommend, based on the findings of Holloran, NSO buffers of 2 miles around the lek with additional Timing Limitation Stipulations extending 3 miles from the lek during the breeding and nesting season.	All	Both	emc0343GB
66.	Nesting activities can also be impacted. In a study near Pinedale, sage grouse from disturbed leks where gas development occurred within 3 km of the lek site showed lower nesting rates (and hence lower reproduction), traveled farther to nest, and selected greater shrub cover than grouse from undisturbed leks (Lyon 2000). According to this study, impacts of oil and gas development to sage grouse include (1) direct habitat loss from new construction, (2) increased human activity and pumping noise causing displacement, (3) increased legal and illegal harvest, (4) direct mortality associated with reserve pits, and (5) lowered water tables resulting in herbaceous vegetation loss. Pump and compressor noise from oil and gas development may reduce the effective range of grouse vocalizations; low-frequency noise from wind turbines could have a similar effect. A consortium of eminent sage grouse biologists recommended, "Energy-related facilities should be located >3.2 km from active leks" (Connelly et al. 2000). And Dr. Clait Braun, one of the world's most eminent experts on sage grouse, has recommended even larger NSO buffers of 3 miles from lek sites, based on the uncertainty of protecting sage grouse nesting habitat with smaller buffers. Holloran (2005) found that active drilling of a well within 3.1 miles of a lek had a negative impact on lek attendance, while the presence of a producing well (absent construction/drilling activity) within 1.9 miles of a lek had a significant negative effect on lek attendance. Walker et al. (2007) found that sage grouse habitat within 4 miles of a lek site was important to the persistence of the lek. Conversely, Walker et al. (2007) concluded that leks heavily impacted by oil and gas development typically became inactive within 3-4 years." Harju et al. (2010) examined effect of distance from well(s) on lek attendance and	All	Both	emc0343GB

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	found variable results in different study areas. According to Harju et al. (2010), in the Moxa area, significant negative impacts extended out to Xmile from leks; in the Wamsutter area, negative impacts of wells extended out to Umile from leks; in the Pinedale area, negative impacts extended out to 1 mile; in the Bighorn Basin and Powder River areas, significant effects extended all the way out to 2Umiles, which was the maximum distance studied. Meanwhile, in the Sage Hen (Wind River Basin) and Shirley (Basin) sites, no significant effects were found, with no leks within Xmile of development for Sage Hen or within Umile of leks for Shirley. Holloran et al. (2010) found that yearling females avoided nesting within 950m of wells, while yearling males avoided leks near energy infrastructure, and those that did lek near oil and gas wells had a higher mortality rate and lower probability of establishing a breeding territory. We recommend a 4-mile NSO with well density limitations of 1 pad per square mile inside Core Areas.			
67.	Well density limits should be imposed to supplement NSO buffers Holloran (2005) found that when wellfields reached densities greater than one well per 699 acres reduced the breeding populations of males at lek sites. Doherty (2008) determined that there was a significant decline in lek populations statewide once wells exceeded 1 well per square mile, but was unable to detect a statistically significant difference at well densities below 1 per square mile. Specifically, the analysis showed a 17% increase in lek inactivity at the 4-year time lag state, but this increase was statistically insignificant when the data from Zones I and II were pooled. Notably, when the analysis was restricted to Zone II (southwestern Wyoming), a statistically significant 14% increase in lek inactivity with the 4-year time lag was detected at low densities of wells (1-12 wells per 32 km2). It is notable that when leks that switched from low-welldensity (1-12/30 ha) to medium or higher (13+), there was no longer a statistically significant difference. Doherty acknowledged (at p. 77) that low sample sizes in all categories other than control lead to a higher likelihood of a Type II error, in which differences exist but are not identified as statistically significant. This analysis did not test the impact of distance to wells or distance to roads at all, and thus no conclusions can be inferred about the impacts of wells and roads sited close to leks at low densities of wells. These findings were later published as Doherty et al. (2010). Harju et al. (2010) found that lek population declines ranged from 13% to 79% at 4 to 8 wellpads per square mile, depending on locale.	All	Both	emc0343GB
68.	Appropriate No Surface Occupancy buffers for leks are needed Walker et al. (2007) found that coalbed methane development within 2 miles of a sagegrouse lek had a negative effect on lek attendance. Holloran (2005) found that active drilling within 3.1 miles of a lek reduced breeding populations, while wells already constructed and drilled within 1.9 miles of the lek reduced breeding populations. In Canada, Carpenter et al. (2010) found that sage grouse strongly avoided oil and gas infrastructure to a distance of 1.9 km, and avoided two-track vehicle trails more weakly to a distance of 1.5 km; the closest that a grouse was located to a coalbed methane well in this study was 1,293m. Harju et al (2008) found that negative impacts of development on lek populations extended 4.8 km (3 miles) from the development. Both Holloran (2005) and Walker et al. (2007) documented the extirpation of breeding populations at active leks as a result of oil and gas development in the Upper Green River Valley and Powder River Basin, respectively. Rowland et al. (2006: A4-3 through A4-7) provide a useful literature review of the distance that impacts spread beyond the edge of disturbed areas into adjacent habitats. Males use shrubs <1 km (0.6 mi) from a lek for foraging, loafing, and shelter (Rothenmaier 1979, Emmons and Braun 1984, Autenrieth 1981). In Wyoming, State and BLM policies erroneously use this as a basis for an 0.6-mile No Surface Occupancy buffer around leks. However, there is no science to indicate that preventing wells within 0.6 mile of a lek will eliminate negative population impacts on sage grouse. In fact, the 1.9-mile buffer is the minimum amount found to be needed to avoid negative impacts to breeding grouse by Holloran (2005),	All	Both	emc0343GB

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	and indeed, to protect the nesting hens that site their nests within 5 miles of a lek, an even larger buffer may be needed.			
69.	As a rule, breeding and nesting activity are concentrated in the habitats surrounding the lek site. In a Montana study, Wallestad and Schladweiler (1974) found that no male sage grouse traveled farther than 1.8 km from a lek during the breeding season. But following breeding, males may make long migrations to distant summer ranges (Connelly et al. 1988). Hulet et al. (1986) found that 10 of 13 hens nested within 1.9 miles of the lek site during the first year of their southern Idaho study, with an average distance of 1.7 miles from the lek site; 100% of hens nested within 2 miles of the lek site during the second year of this study, with an average distance from lek of 0.5 mile. In Montana, Wallestad and Pyrah (1974) found that 73% of nests were built within 2 miles of the lek, but only one nest occurred within 0.5 mile of the lek site. But in Bates Hole, Wyoming, Holloran (1999) found that average nesting distance from lek site was 3.25 km for adults and 5.27 km for yearlings. Wakkinen et al. (1992) cautioned that leks were poor predictors of sage grouse nest sites; although 92% of sage grouse nested within 3.2 km of a lek in this study, sage grouse did not necessarily nest near the same lek where breeding took place. Lyon (2000) pointed out that quarter-mile lek buffers were insufficient to maintain the viability of grouse populations. Several years ago, a multi-state group of fish and game biologists evaluated the standard BLM mitigation measures for grouse (at the time, quarter-mile No Surface Occupance around leks with a two-mile Timing Limitation Stipulation for leks that prevented drilling and construction activity during breeding and nesting periods, but permitted production-related activity), and found them wholly inadequate (Christiansen and Bohne 2007). Connelly et al. (2000) recommended that sage grouse habitat should be protected within 3.2 km of lek sites under ideal habitat conditions, within 5 km when habitat conditions are not ideal, and within 18 km where sage grouse populations are migratory. Furthermore, these researchers stated that in areas where 40% or more of the original breeding habitat has been lost, all remaining habitat should be protected. Holloran (2005) provided a critical test of BLM's lek buffers' effectiveness in the Jonah and Pinedale Anticline fields, and found that in the face of fullfield gas development, finding that extirpation was expected for sage grouse in both fields within 19 years if conditions remained the same (and, of course, conditions have become much worse for grouse under the continued intensification of drilling and road construction in these two fields).	All	Both	emc0343GB
70.	The analysis should also disclose impacts of the hunting of the Grouse, which is still allowed in at least 8 of the 11 states where it is found. Importantly, Sage Grouse conservation efforts such as seasonal restrictions and bag limits have been quite successful in maintaining healthy populations. The same has been shown for motorized access and use. For example, Grouse leks are concise, well-established, historic areas that can last for decades. Add to this that leks are mostly in use for strutting/mating during crepuscular hours and that motorized recreation is generally NOT undertaken during those hours...the two can be successfully separated.	All	Both	flb0000gb
71.	There is significant scientific evidence that the BLM should protect sage grouse habitat by establishing a 4-mile No Surface Occupancy zone around each and every sage grouse lek, For the reasons enumerated below, this would promote their conservation and minimize the need for listing sage grouse under the ESA.	CO	BLM	emc0057RM
72.	For Special Status Species, like the sage-grouse, "habitat loss and fragmentation have been, and remain, the primary cause of their imperiled status." DRMP/DEIS, Ch. 3 at 3-100. BLM recognizes that "[l]arge contiguous areas of habitat have been shown to support aud maintain Greater sage-grouse populations, and are necessary in order to provide lower densities of nesting hens." !d. Ch. 4 at 4-283. Given the highly specific requirements of sage-grouse nesting and wintering habitat, any disruption is	CO	BLM	emc0057RM

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	detrimental to sage-grouse populations. !d. at 4-283. Thus, BLM recognizes it is crucial to preserve large blocks of un-fragmented sagebrush habitat. Considering only the Castle lek, all of the split estate parcels on the Proposed Tyler Mountain ACEC are within 2-3 miles of a lek. Furthermore, this split estate surface provides important nesting, brood rearing and winter habitat for a resident population of sage-grouse. Exhibit I at Ex. Bto R. Watson's Comment Letter (Dr. Holloran report,March 22, 2011). A more recent on-site survey confirms that these sage-grouse occupy 88% of the split estate parcels on the Proposed Tyler Mountain ACEC. 7 Exhibit11 toR. Watson's Comment Letter. Dr. Holloran has concluded that "sagebrush habitats on [Proposed Tyler Mountain ACEC] are suitable for sage-grouse; all sagebrush dominated areas of [Proposed Tyler Mountain ACEC] that were surveyed during field efforts are used by sage-grouse; and all sagebrush habitats on [Proposed Tyler Mountain ACEC] that were surveyed during field efforts should be protected as core sage-grouse habitat as established in the Colorado greater sage-grouse conservation plan ... the[se] sagebrush dominated areas on [Proposed Tyler Mountain ACEC} have special worth, significance, distinctiveness and substantial values for sage-grouse ... " Exhibit II Cover Memo atl to R. IVatson ·s Comrnent Letter (emphasis added). See also Holloran in Stolz EA Comments (Ex. 1) at Exhibit Band Maps at Exhibit D-1 to D-3. His expert conclusion is that the Proposed Tyler Mountain ACEC, including split-estate parcels subject to federal oil and gas development, hosts a largely sedentary, non-migratory population of sagegrouse that enjoy unfragmented access to all their seasonal habitat needs and that need to be protected as core sage-grouse habitat. !d.			
73.	The CDOW has also identified the Proposed Tyler Mountain ACEC split-estate parcels as important sage-grouse habitat. According to biologists with CDOW, the Middle Park sage-grouse population is one of only two populations in Colorado not influenced by oil and gas development. ld, Cover Memo at 1. The CDOW recommended the deferral of the Proposed Tyler Mountain ACEC parcels from leasing and emphasized that the CO Sage-Grouse Plan calls for "expansion of current greater sage-grouse protections (e.g., 0.6 mile no surface occupancy (NSO) around leks, expansion of nesting habitat timing limitations to 4-mile radii)." See Aug 20 II Lease Sale Comments, L. Sidener, CDOW, (February 17, 2011). Thus, this CDOW recommendation would include all the Ranch split estate parcels which are 3-4 miles or less from the Castle lek. !d. CDOW also strongly recommended that BLM defer leasing on CDOW core area on both federal and fee surface. Jd. The CDOW concluded its comments on the Proposed Tyler Mountain ACEC sage grouse by noting that "base[d] on radio collard data, all the parcels ... had sage grouse activity." !d.	CO	BLM	emc0057RM
74.	Sage-grouse Breeding (Lek) Habitat - All BLM split estate federal parcels are located within approximately 6.4 km of an active sage-grouse lek and negative impacts of energy development to male lck attendance have been documented out to 18 km from lek. Negative impacts of energy development have been documented out to 6.4 km from a lek. Exhibit 1, Ex. B. at 2 to R. Watson's Comment Letter. Female sage-grouse breeding on leks disturbed by access roads nest farther from the lek, have lower nest initiation rates and lower annual survival. !d. at l.	CO	BLM	emc0057RM
75.	As discussed by Dr. Holloran (Exhibit II, Cover Memo), in the DRMP/DEIS Appendix S, the Kremmling Potential Conservation Area is recommended as an ACEC by BLM because the "area contains important core habitat for greater sage-grouse . . ." DRMP/DEIS, App. Sat E-11-12. Yet, the Kremmling PCA is located within core sagegrouse habitat associated with the Castle lek, the identified lek, on the [Proposed Tyler Mountain ACEC]. Exhibit II, Cover Memo at 2. As Dr. Holloran points out: without protection of the population of sage-grouse that breeds on the lek located on [Proposed Tyler Mountain ACEC], the	CO	BLM	emc0057RM

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	Kremmling PCA ACEC will provide no value for sage-grouse because there will be no sage-grouse to use the area. . . Given that habitats on (Proposed Tyler Mountain ACEC] have special worth, significance, distinctiveness and substantial values, it is my opinion that sagebrush habitats on [Proposed Tyler Mountain ACEC] are worthy of at/east the same protections as those afforded the Kremmling PCA ACEC. Exhibit 11, Cover Memo at 2. (emphasis added). The fact that BLM has proposed to protect the sage-grouse habitat in the Kremmling PCA ACEC and the sage-grouse and paleontological resources in the Kremmling Ammonite ACEC should provide strong and compelling precedent for a special management designation for the same resources that are found over the BLM's interest in the Proposed Tyler Mountain ACEC.			
76.	The NTT report does not adequately address lek viewing. Lek viewing is an important seasonal recreational use in North Park. The local NPSGWG North Park Conservation Plan does address this impact and recommends allowing lek viewing provided that lek viewers follow appropriate lek viewing etiquette. Lek viewers bring a substantial amount of money into Jackson County in April - a time when almost no other recreationists are coming to the county. If the BLM is not going to allow commercial permits for lek viewing, then we would request that this economic loss be included in the socioeconomic evaluation of the sage-grouse EIS. Please also include an analysis of removing the opportunity for wildlife viewing for a growing segment of the public.	CO	BLM	emc0060RM
77.	While I understand the research behind the recommendations by the Sage-Grouse National Technical Team (Dec 21, 2011) for surface occupancy limitations within 4 miles of active leks and a cap of 3% disturbance per section (640 acres) it needs to be remembered that not all sections are of equal importance to grouse and are usually not even homogeneous in value to grouse across an entire section. An active well pad on a flat section does not have the same impact as one shielded by topography, even when they may both be the same distance from the lek. A road with a seasonal timing limitation or even a morning closure in the spring does not have the same level of effect that one without such limitations may have. Also, remember that not all anthropogenic disturbances are equal in effect. While the disturbance of heavy industrial activity in close association with leks may nearly always be negative, I personally have seen the birds shift the location a lek to recent pipeline scars when the original lek location has become overgrown. There is a range of effects, negative to positive, depending on the type and location of any given disturbance and this range needs to be built into any set of disturbance thresholds.	CO	Both	emc0061RM
78.	It would seem that the main focus should be placed on the MOST critical lek areas and wintering areas by creating small wildlife management areas with the leks in the center. The two-mile radius as mentioned in the Gunnison Sage Grouse Conservation Plan seems excessive as related to roads or trails. If horse and foot travel are allowed as in the travel plan for the Gunnison NCA, why would an occasional vehicle on a road (not in the middle of the Lek area) disturb grouse already used to hearing and seeing them? Again, speed limits and noise limits could be enforced.	CO	BLM	emc0067RM
79.	Recreation: Viewing of leks should be discouraged if not prohibited and lek disturbance by government agencies should be held to a minimum.	CO	Both	emc0069RM
80.	Middle Park Sage-Grouse Population Information Over the last decade high male counts on leks in Middle Park have ranged from a high of 313 males in 2001 to a low of 161 males in 2008. Lek count effort and method has been consistent since 2002. The goal is to count all leks three times per season, with less than 20 active leks to count this is an acceptable goal. High male counts from 2009 – 2011 have remained relatively constant	CO	Both	emc0063RM

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	at 201, 191 and 193, respectively, and the hope is that lek numbers will continue to improve over the next several years. The numbers of males counted across Colorado are still generally at a 5 – 10 year low, this is not unexpected given normal periodic population variability observed in the past and are expected and somewhat predictable based on weather conditions and population fluctuations. The MP and Statewide plans both discuss the hunting of sage-grouse populations. At the current season and bag limit (7 day season, bag and possession limit of 2 birds) the MPSGWG does not believe that hunting negatively impacts the Middle Park populations. The MPSGWG recognizes the importance that hunters have to providing conservation funding. Known active leks in Middle Park are distributed across private (48%) and public (53%) lands. Of the leks on public lands 43% occur on BLM lands. All leks located on private lands in Middle Park are within one mile of BLM lands. Therefore, the EIS should consider land-use changes and potential degradation occurring on lands adjacent to BLM in their cumulative impacts analysis. Sage grouse have diverse habitat needs, and their ranges extend across administrative boundaries. The overlapping of sage grouse ranges across multiple landowners also highlights the importance of local, cooperative planning that includes representatives from all landowner groups, such as the local working group structure already present in Colorado.			
81.	The MPSGWG believes the CPW Preliminary Priority Habitat (PPH) and Preliminary General Habitat (PGH) maps represent the best data currently available. However the working group strongly believes that these boundaries should be flexible enough to allow the incorporation of new data as it becomes available. The MPSGWG has concerns with drawing lines on a map at a broad scale and using this information for detailed project planning. High quality habitat may be missed in the overall range maps or designated PPH and even PGH areas. Although the MPSGWG understands how these maps can expedite management procedures, the work group believes BLM should continue to ground truth areas in close proximity to PPH to verify habitat quality areas before or during the development of projects and decisions. The MPSGWG also believes BLM should include an Adaptive Management approach in the plan to allow flexibility in management decisions. This flexibility should allow for land-use and management changes to best conserve sage-grouse. Sage-grouse lek locations and activity status change over time as can habitat quality, thus the final BLM document should allow for these changes. In Middle Park a lek that was found to be active again in 2009 was last recorded active in 1959, demonstrating how grouse use changes over time. The MPSGWG suggest eliminating isolated inclusions of PGH within PPH areas to decrease the fragmentation of the existing maps. Decreasing the fragmentation with the PPH can increase BLM management efficiencies and sustain the integrity of the PPH areas. The map was created using a vegetative model which does not identify habitat quality at the ground level, the working group believes that the pockets of PGH habitat are comparable in quality to the surrounding PPH areas.	CO	Both	emc0063RM
82.	Off-site mitigation is listed as an option under the Objectives Section (page 9) in response to an area with greater than 3% disturbance. The MPSGWG does not believe off-site mitigation to be an effective tool to protect or improve habitat in an area. It is very difficult, if not impossible to judge the habitat importance between an on-site and off-site parcel to sage-grouse populations. Additionally, sage grouse exhibit a high fidelity to historical ranges, particularly lek sites, and forced migration to alternative habitats may have the effect of reducing the population. The MPSGWG does not support off-site mitigation as an option for off-setting areas with greater than 3% disturbance. Mitigation should occur at an area adjacent to or within close	CO	Both	emc0063RM

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	proximity of the disturbance to best benefit the (sub)population impacted. The work group does support concentrating and clustering disturbances. The 3% disturbance concept needs greater clarification. For example, the NTT report does not clarify how the 3% value was selected. Nor does the report specify if the 3% disturbance will be calculated in PPH across the state or within each population. The MPSGWG recommends that BLM maintain some flexibility to allow disturbance to occur in lesser quality habitat (even if the defined area has met the 3% disturbance). Adaptability is important, it is possible that lesser quality habitat may occur on BLM lands and not adjacent private properties therefore it may benefit sage-grouse to allow controlled disturbance on BLM lands while protecting private property. Recommendations from BLM field staff in consultation with local wildlife agencies will be important to identify specific, local habitat quality within priority habitat areas.			
83.	The MPSGWG suggests that BLM evaluate and analyze the potential impacts of lek viewing on sage-grouse populations and develop best management practices for lek viewing. Lek locations in Middle Park are not well known by the general public and the MPSGWG does not want to encourage public viewing in the area but believes the EIS should analyze the potential impacts where viewing does occur on BLM lands. It is believed that poorly managed viewing can create disturbances during the breeding season that can disrupt breeding behavior. BLM currently has inadequate control mechanisms to mitigate impacts on leks caused by lek viewing. Concerns related to lek viewing disturbances were discussed in both the MPSG Plan (pg 19) and the CCP (pg 172) and in the attached CCP GrSG Disturbance Guidelines (Appendix II). General wildlife viewing guidelines are listed on the CPW webpage (http://wildlife.state.co.us/Viewing/Tips/Pages/Tips.aspx). Although the Granby area is under habitat loss pressures, it is believed that public disturbance during the breeding season or possibly increased vehicle traffic alone may have contributed to sage-grouse abandoning a breeding site in close proximity to a county road.	CO	Both	emc0063RM
84.	While scientists count leks and evaluate habitat potential, it is important that sound alternative recognize local experience regarding sage grouse activity around the leks. It has been reported that some areas identified as habitat have not experienced grouse activity in more than a decade. Another factor that should be carefully weighed is whether areas for necessary lor breeding or nesting are more important than other stages of grouse development. CMA questions why ten years is used for the lek survey when the average life span of a greater sage-grouse is three years.	CO	Both	emc0143RM
85.	i. Lander, WY RMP Alternative B stipulates light livestock grazing levels in areas typically preferred by cattle, such as riparian-wetland areas, adjacent upland areas, and around salt and mineral supplements and water troughs and developments. Also, Alternative B prohibits salt or mineral supplements within 0.5 mile of riparian-wetland habitats to prevent livestock congregation at water sources. Alternative B prohibits the placement of salt or mineral supplements within 0.6 mile of greater sage-grouse leks. All these provisions would protect important sage-grouse habitats (foraging areas, breeding areas, nesting areas) from livestock trampling and the impacts of heavy plant utilization.	East	Both	emc0089RM
86.	Sage-grouse conservation guidance from BLM should reflect the most current science on sagegrouse movement and migrations. Recent studies of nest-site selection and nest success have made clear that nest distributions are spatially related to lek locations (Holloran and Anderson 2005, Aldridge and Boyce 2007, Doherty et al. 2010a). Holloran and Anderson (2005) documented 64% of nests occurred within 3.1 miles of leks, 80% of nests occurred within 5 miles of leks, and 20% of nests	East	Both	emc0089RM

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	occurred at distances greater than 5 miles from leks; nest success also was greater the farther a nest occurred from a lek, indicating a disproportionate potential importance of these more distant nests for population recruitment. Based on their results, Holloran and Anderson (2005) concluded that to protect and maintain sage-grouse populations, land managers should minimize or halt actions that reduce suitability of nesting habitats within 3.1 miles of a lek.			
87.	iii. Strong components of Wyoming's approach Within core areas, stipulations on BLM, FS, Wind River Indian Reservation, and State of Wyoming lands limit the number of projects and the amount of allowed disturbance (no more than 5%13) allowed per square mile or 640 acres. Surface disturbance is prohibited within a 0.6 mile buffer around active leks (no surface occupancy - NSO), which includes roads during the breeding, nesting and brood-rearing periods (mid-March through end of June). In addition, a March 15 to June 30 timing limitation stipulation is required within nesting habitat within 4 miles of leks. Main roads used to transport production and/or waste products must be more than 1.9 miles from the perimeter of occupied grouse leks. Other roads used for access or maintenance must be more than 0.6 miles from the perimeter of occupied leks. Noise levels at the perimeter of a lek should not exceed 10 dBA above ambient noise from 6 pm to 8 am, so as not to disturb breeding activities (March 1 - May 15). Finally, proponents of new projects are expected to coordinate with the permitting agency and WGFD biologists to determine which leks need to be monitored and what data should be collected/reported. The Executive Order clearly identifies thresholds and outline adaptive management responses if declines in sage-grouse numbers occur14. However, in non-core areas, the EO recommends a 2-mile seasonal buffer around occupied leks and a 0.25 mile NSO buffer around active leks. Research has shown that the latter stipulation is inadequate and scientifically without merit. In addition, a surface disturbance cap is lacking from non-core area stipulations	East	Both	emc0089RM
88.	Habitat fragmentation may be one of the worst effects from such activities, resulting from infrastructure associated with the development, including access roads. The Fish and Wildlife Service has noted that these habitat fragmentation impacts may have greater effects on sage-grouse greater than the associated direct habitat losses. In detail, the NTT states that fragmentation of sagebrush habitats has been cited as a primary cause of the decline of sage-grouse populations because the species requires large expanses of contiguous sagebrush. (p. 20) Specifically, the NTT points out studies that have documented negative effects of fragmentation as a result of oil and gas development and its associated infrastructure on lek persistence, lek attendance, winter habitat use, recruitment, yearling annual survival rate, and female nest site choice. (p. 20) Throughout a collection of scientific studies, the documented impact on lek attendance ranges from 3.1 to as far away as 11.7 miles from a lek. Negative effects of well surface occupancy were apparent out to 3.1 miles, the largest radius investigated, in 2 of 7 study areas in Wyoming (Harju et al. 2010). Curvilinear relationships show that lek counts decreased with distance to the nearest active drilling rig, producing well, or main haul road and that development within 3 to 4 miles of leks decrease counts of displaying males (Holloran 2005). All well-supported models in Walker et al. (2007) indicate a strong negative effect, estimated as proportion of development within either 0.5 miles or 2 miles, on lek persistence. A model with development at 4 miles had less support, but the regression coefficient indicated that negative impacts within 4 miles were still apparent. Two additional studies reported negative impacts apparent out to 8 miles on large lek occurrence (>25 males; Tack 2009) and out to 11.7 miles on lek trends (Johnson et al.	East	Both	emc0167RM

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	2011), the largest scales evaluated.			
89.	Studies in Avian Biology, a peer-reviewed journal also recently published a review of the cumulative impacts to sage-grouse due to landscape fragmentation (Knick and Connelly 2011). Closely reflecting the NTT Report, the Studies in Avian Biology review emphasized two clear findings: - Multiple studies have recommended that sage-grouse populations should be managed at large spatial scales (Connelly et al. 2000, Connelly et al. 2004, Holloran and Anderson 2005, Walker et al. 2007, Aldridge and Boyce 2007). This study suggested an endogenous sagebrush landscape scale between 4.5 and 9.0 km to which sage-grouse dispersal and movement patterns have adapted. Growing evidence suggests that sage-grouse respond to large scales that exceed currently applied management scales of no disturbance within 0.5 km around leks and within 3.2 km around leks during the breeding season (15 March-15 June) in areas with coal-bed natural gas extractions (Walker et al. 2007, Doherty et al. 2008). See Ch.14, p.30. - Conservation of sagebrush within 5 km of leks has been recommended to maintain the most locations used for nesting and early brood-rearing by non-migratory populations, whereas 18-km radii have been recommended for migratory populations (Wakkinen et al. 1992, Connelly et al. 2000a, Holloran and Anderson 2005). Despite these numbers, which conclusively demonstrate negative impacts to sage grouse from mineral development as close as 3.1 miles (roughly 5 km) and as far-reaching as 11.7 miles from leks, the BLM's past conservation measures have only focused on 0.25 mile No Surface Occupancy (NSO) buffers around leks, and timing stipulations applied to 0.6 mile buffers around leks to protect both breeding and nesting activities. The comparisons between the NTT's summary, the Studies in Avian Biology review and BLM's conservation efforts are dramatic and speak to the need for a new paradigm of management. Clearly, recent scientific data is not reflected in current federal land agency sage grouse conservation. The FWS reasoning to determine sage grouse as "warranted but precluded" under the Endangered Species Act reiterates a disapproval of current management approaches: Our assessment of the implementation of regulations and associated stipulations guiding energy development indicates that current measures do not adequately ameliorate impacts to sage-grouse. Energy and associated infrastructure development, including both nonrenewable and renewable energy resources, are expected to continue to expand in the foreseeable future. Unless protective measures consistent with new research findings are widely implemented via a regulatory process, those measures cannot be considered an adequate regulatory mechanism in the context of our review. (Federal Register, March 10, 2010).	East	Both	emc0167
90.	The Great Basin sagebrush ecosystems are experiencing a relatively new threat in the form of large-scale industrial wind energy projects. Part of Spring Valley in Nevada has recently been developed with large wind turbine generators very close to active leks. This is inappropriate for the recovery of the Greater sage grouse.	GB	Both	emc0404GB
91.	The characteristics of a lek need to be definitively analyzed and established. Buffer zones, where necessary and appropriate, to protect leks should be imposed only when research and local land managers deem them to be essential for greater sage-grouse habitat. The size of a buffer zone must be determined on a case-by-case basis and should account for variances in topography, current utilization, vegetation and other factors. The perimeter should be defined by an irregular polygon which reflects conditions. Rather than an arbitrary diameter dictated by policy, observation data should be used to determine the maximum lek buffer perimeter. Areas which provide habitat for nesting and brooding should be defined in a similar fashion.	GB	Both	rmc0056GB

Table C-4.B
Comments Related to Sage-Grouse Leks and Lekking

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
92.	Actions taken to-date and proposed by the Dillon LWG The Dillon LWG, in addition to holding regular meetings, has undertaken several actions to assist sage-grouse conservation: - designed and helped designate a public sage-grouse viewing lek in the Reservoir Creek area	IDMT	Both	rmc0028GB
93.	Where are the Sage-grouse (habitat & location) delinated on the map for the Tex Creek WMA? The BOR/IDFG conducted the lek surveys as well as winter in 2008 and there are a lot of birds using the area year round. This is primary wintering habitat!	IDMT	Both	cfc0005GB
94.	After studying the maps delineating, "key habitat", "perennial grassland", "annual grassland", "preliminary general habitat" "preliminary priority habitat" and the distribution of "transmission lines" I have to conclude that they must be the initial effort. However, they are woefully incomplete and inaccurate. It appears that the habitat maps were developed using know leks ("breeding/nesting habitat") and that other seasonal habitat, e.g. late summer brood habitat, and fall/winter habitat was not considered. As an example the whole upper Birch Creek and upper Lemhi Valleys were not included even though research has found that these areas help sustain the lower Birch Creek and lower Lemhi Valley breeding populations. Another example is the Kilgore/Shotgun Valley area which is summer habitat for the Sand Creek breeding birds.	IDMT	Both	emc0181GB
95.	In the CMR NWR draft CCP and EIS (2010), a map on page 223 identifies sage grouse leks on the CMR Refuge. A map on page 305 identifies roads. These maps correlate. The RMP should propose a study to determine if leks are statistically more likely to be within a mile of a road.	MT-RM	Both	emc0013RM
96.	We agree with the state wildlife agencies that a buffer preventing energy development within 4 miles of active leks is preferred to protect as many nests as possible. The latest assessment suggests that Keystone is likely to implement a 3-mile buffer instead. We recommend that this not be permitted on BLM lands within sage-grouse core areas.	MT-RM	Both	emc0034RM
97.	I am responding to the comment period for the Sage-Grouse and Sagebrush Conservation. Starting on March 7th through May 17th 2011 my husband and I watched Sage Grouse activity in the Reese River Valley area on and around the Yomba Shoshone Indian Reservation. Starting at early morning hours as early as 4:30am, we watched and waited for the male Sage-Grouse to arrive and start their dance to draw in the female birds. Sometimes the birds would dance until 9am. After watching them for several weeks, we noticedthat we never saw any females in the leks. Over the next couple months, and observing 4 different lek areas, we only saw maybe 2 females in 1 of the 4 leks. My husband who was raised in Reese River Valley and is Native American (Shoshone), tells of times when he was a child that he would watch 50+ birds in different lek areas, which now the same lek area only has 8 -10 birds (this lek is in an area that was strip mowed). Several of our concerns are the fact that in the past 5 years, the BLM has mowed alternative strips of sagebrush, right through some of these lek areas. Sage-Grouse will return to the same areas to "Dance" for decades. However, after their habitat was destroyed with the mowing we have noticed that the numbers have declined in those areas. Not only did the sagebrush serve as food for the birds, but it also was a hiding place for them away from predators. We do not believe that the mowing that was done could possibly benefit these birds in any manner, but actually caused them more harm. After the male birds stopped dancing in late May early June, we could never locate any nests in any surrounding areas, which may be due to low numbers of female birds. I have been in the Reese River Valley off and on since the late 90's, and have noticed a drastic decline in the number of birds we see on the roads, and in areas of the valley that we used to see larger numbers. It is very alarming that these birds numbers are declining so rapidly.	NVCA	Both	emc0104GB

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Comments Related to Sage-Grouse Leks and Lekking

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
98.	Richmond Mtn and Mary's Mtn Leks Leks are definitely imperiled. - Potential bird interaction between Mary's Mtn leks and Palisade Lek Complex. - 2006 Carlin Fire burn area immediately northwest of Carlin responded well to both fire rehab sagebrush seeding efforts, and seeding and natural release of shrubs, grasses and forbs. - 2007 Party Fire area closer to Emigrant Pass is dominated by grasslands. - Latest primary impacts to both leks are the 2011 Chukar Canyon Fire and present and ongoing mine expansion	NVCA	Both	emc0101GB
99.	Palisade Leks #1, #2, #3 Complex - The Palisade Lek Complex area (55 males in 2010) should have the Category 1 (yellow) designation where the 75% breeding bird density (BBD) radius of 5.3 miles seems to cover the intact sagebrush habitat and ongoing fire-rehabilitated habitat from the center of the leks. There is a small sliver of intact sage outside the 5.3-mile radius near Carlin between I-80 and SR 278 that should be included. - The majority of the lek complex is on private section at T 32 N., R 51 E., sec 23 in the checkerboard where it might be important to look into purchase from NV Land and Resource Co unless a private party has already done so. - A lot of the #4 blue on south side of Emigrant Pass has potential pending recovery from recent wildfires (see General Info above regarding 5.3-mile radius) . Right now, a lot of it is a rolling grassland, primarily perennials, in need of additional artificial sagebrush and bitterbrush planting efforts. JBR/Dave Worley's Newmont Inventory area lek survey/search in spring 1991-92 included grouse observed on Emigrant Pass Ridge but did not confirm strutting behavior or lek areas. His reports are available at BLM Elko District Office. - Wintering grouse observed within T31N, R51E, Section 4 during 1999 Rose Fire rehab by Leticia Lister, BLM in winter 1999-2000. This area would fall within 5.3 miles of the leks and has scattered sagebrush cover. - Confirm status of Interstate 80 Lek. Is it re-definition of UTMs and now one of the leks in the Palisade #1, #2, #3 Complex ?	NVCA	Both	emc0101GB
100.	Cortez Range Leks – - General Information - Consider the circa May 14, 2011 5.3-mile 100% Breeding Bird Density (BBD) radii around all leks as a start, with intact sagebrush habitat buffered by Category 2 designation and other designations (see next bullet). Exceptions would be where radius takes in active mine areas. I am starting to see some merit in the BBD as long as it is tempered with outlying critical summer/late brood-rearing and fall/winter habitat. UNR has documented grouse nesting around 20.5.km (2006 Report) from a lek on the area relative to Falcon to Gonder grouse study. It is unclear as to why none of these leks are shown as part of 75% BBD on the same map for the entire Cortez Range and Cortez PMU. - Anything in a given native/seeded grassland-dominated area within the 5.3-mile BBD radius shows the importance of trying additional ways to get sagebrush and other shrubs (bitterbrush) back on site in the future on a priority basis, as needed. Example here is any additional seeding on the BooHoo Fire/other burn areas with limited sagebrush cover. - As discussed in our phone conversation, the UNR Study would confirm a lot of information in regard to habitat categories. North Cortez#1, #2 and 2A: Negatively impacted by 2006	NVCA	Both	emc0101GB
101.	North Cortez#1, #2 and 2A: Negatively impacted by 2006 BooHoo Fire. Block-burn configuration. - Needs additional shrub planting efforts. Checkerboard public lands where shrubs were not seeded after the fire on private	NVCA	Both	emc0101GB

Table C-4.B
Comments Related to Sage-Grouse Leks and Lekking

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	lands in 2007-08. Some of the same affected private landowners on this checkerboard might allow for shrub planting efforts as of 2012. (Barrick as landowner on some sections is unknown but, if so, might agree as offsite mitigation.)			
102.	Cherry Springs #1, #2 and #3: Negatively impacted by 2006 BooHoo Fire although intact sagebrush habitat exists to the south and west. - All spring complex areas and associated riparian/meadow habitat outside of the BooHoo Fire protection fence were in very poor condition as of Fall 2009. - Same as above in regard to seeding private lands on the checkerboard	NVCA	Both	emc0101GB
103.	Modarelli #1 and #2 - Intact lek areas but directly southwest of 2007 BooHoo Fire burn. - Suggest expanding Category 1 here to, at least, equivalent of 5.3-mile 75% BBD radius. - Barrick Goldstrike has Hay Ranch base property and is livestock permittee for South Buckhorn Allotment, former "Rother Use Area" that includes the Modarelli Mine/Little Pole Creek area north to near North Cortez#1, #2 and 2A lek areas and south to Valley Fence/Big Pole Creek area. - Modarelli Mine spring complex/Little Pole Creek habitat has been negatively impacted by chronic season-long livestock grazing. This was discussed with Gary Sundseth, Barrick Resources Manager, in December 2011. Jim Harmening, BLM Civil Engineer, estimates "around 100 sage-grouse" on the spring complex while completing BooHoo Fire livestock protection fence survey and design work in summer of 2008. - Per Valley Fence constructed in early 2000s and range adjudication, Bailey Ranch and Slagowki Ranch are permittees to the south of Valley Fence	NVCA	Both	emc0101GB
104.	Big Pole Creek Lek area- Lek area has been intact within a crested wheatgrass seeding with sagebrush cover on Potato Patch Allotment. - Riparian/meadow habitat in poor condition including adjoining South Buckhorn Allotment. - Suggest expanding Category 1 here to, at least, equivalent of 5.3-mile 75% BBD radius.	NVCA	Both	emc0101GB
105.	Quartz Road Lek - Originally questioned as a lek area, with large concentration of grouse droppings, as noted by Jason Spence, Range Specialist, during 2004 horse gather. BLM Biologist requested confirmation by UNR as part of Falcon to Gonder Study . Later confirmed as an active lek by Mike Atamian, UNR starting in, at least, Spring 2006. Birds captured here for marking and part of UNR Study. - Suggest expanding Category 1 here to, at least, equivalent of 5.3-mile 75% BBD radius. - Additional rehab, including any needed shrub seeding within, at least, the 75% BBD radius. - Riparian areas showed some improvement around 2003 when Cortez Joint Venture elected Conservation Non-Use, and after 2004 horse gather although some trespass cattle documented from adjoining Battle Mountain District. Barrick now allows use by Filippini Ranch and Tomera Ranch (Crescent Valley and north side of range) as latest – need confirmation.	NVCA	Both	emc0101GB
106.	Camp Lek – Currently shown with Category 2(?) but should be Category 1 within the 5.3-mile radius from lek.	NVCA	Both	emc0101GB
107.	Horse Creek #1 and #2 Leks – Intact lek areas with Category 1 habitat, as shown. - Imperiled by exploration drilling and potential mine expansion to the north, west and south. Drilling has been ongoing in the Horse Canyon area since, at least, 2007. Anecdotal Info: Drilling has resulted in a profusion of "artesian well-type" water flow in Horse Canyon.	NVCA	Both	emc0101GB

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	- West Pine Valley Exploration, including use of seismic trucks in the direct vicinity of Horse Creek #1 Lek, proposed in Summer 2012. Upfront preliminary habitat impact avoidance and minimization measures discussed with Barrick at BLM Elko office on 1/26/2012. I expressed concerns about the area not shown as 75% BBD and that mitigation measures would still need to be applied for any exploration proposal. - Horse Creek #1: On Battle Mountain BLM District. As known, it has been a trend lek with the largest and consistent number of male grouse over the years on the Cortez PMU. Concerns from Mike Atamian, UNR researcher, with 5/12/2006 e-mail excerpt as follows: Ken, Mike Podborny suggested I talk to you about what we can do about the residual Crested Wheat on the Horse Creek #1 lek. Currently there is 2 years of residual growth out there and its around 2-3 feet tall. The birds do not seem to like it at all for displaying let along roosting over night, and observations of this lek are basically useless. The question is, is there anyway we can get the lek mowed or burned at the end of this breeding/growing season? or if you have any other ideas on how we can get the crested wheat back under control out there. If we do nothing I'm afraid the birds will abandon the lek or if a wildfire starts out there with that much fuel we'll lose the surrounding nesting and brood rearing habitat. Please let me know your thoughts on what we should and can do.			
108.	Brock Canyon Lek – Unknown status of habitat by Elko BLM. 2001 Beowawe Fire burned seasonal habitat on Cortez Range including the mouth of Brock Canyon. Buckhorn Road Lek – Battle Mountain District - Unknown status of habitat Linka Creek Lek – Shown on old Form 1 at UTM 555800 E, 44550000N. Area has been affected by several wildfires since 1999. Sheep Creek Lek – Unknown status. UTM 563349E, 4458579N, unknown NAD. Unknown status as apparently checked in 1990. Pine Valley – Rand Ranch Lek: Area surveyed by helicopter in 2004. Survey notes indicate "poor habitat conditions."	NVCA	Both	emc0101GB
109.	NAFB would like to see the data that the sage grouse habitat categorization was based on. NAFB has conducted several wildlife surveys in the habitat categorization areas delineated on the map. During the past 8 years the only sage grouse observed on the Nevada Test and Training Range (NTTR) were within 200 feet of the NTTR north boundary near Breen Creek on the Kawich Range. In 2005, NDOW personnel assisted NAFB Natural Resources personnel on a sage grouse survey to locate sage grouse and leks. No birds or leks were observed and regional NDOW personnel stated that potential habitat for sage grouse was poor at the best. NAFB does not agree with the current map depicting the extent of important and moderate habitats on NTTR.	NVCA	Both	emc0280GB
110.	CRI operates the Rochester Mine which is located 23 miles northeast of Lovelock on the southern end of the Humboldt Mountain Range in Pershing County, Nevada. Sage grouse summer, winter, and breeding habitat has been identified by past Nevada Division of Wildlife (NDOW) maps in Rochester mine's project area. NDOW has not, however, indentified any active leks or viable sage grouse populations around the project area. According to NDOW's Nevada Sage Grouse Conservation Project Report (December 2011 Final Performance Report): "The Pershing County portion of this planning unit has suffered tremendous losses of sagebrush habitats due to wildfire over the last decade with some mountain ranges burning almost completely (e.g. Eugene Mountains). The most viable population within the county is the Sonoma PMU. Twenty-four leks were surveyed in this PMU in 2011 with only 6 being active. A peak total of 52 males were observed resulting in an average of 8.7	NVCA	Both	emc0302GB

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	males per active lek. This is a 7% decline from the previous year where the average attendance was 9.4 males. The long-term viability of PMUs such as the Eugene, Majuba, East Range, and Humboldt PM Us is considered very low, with some of these populations potentially extirpated already.'			
111.	VGC knows from working with BLM to secure authorization for our mineral activities on ELMadministered lands, that BLM already has rules and policies to ensure that mineral projects protect sage-grouse habitat. The U.S. Forest Service ("USFS") has similar policies to protect sage-grouse habitat on National Forest System lands. BLM Notices and BLM and USFS Plans of Operations for mineral projects contain numerous permit conditions and stipulations to protect sage-grouse habitat. Examples of these measures include seasonal restrictions on when and where activities can occur, buffer zones around identified sage-grouse leks, limiting constructionof new overhead structures that provide raptors perching sites, and installing anti-perching devices on existing transmission lines.Given the existing regulatory framework under which VGC and other mineral exploration and development companies must operate, we question the need for a completely new policy direction, like that proposed in the NTT Report. Before BLM and USFS "go back to the drawing board" and create new regulatory programs to protect sage-grouse habitat, they should first perform a gap analysis of the existing policies to determine what - if anything - needs to be improved or modified.	NVCA	Both	rmc0029RM, rmc0060GB
112.	It is hard to understand claims made in the report that appear aimed at minimizing the impacts of the 1999-2007 fires. Even though significant portions of Elko County burned … this planning unit continues to harbor some of the largest and most contiguous sage-grouse populations in Nevada. This describes NDOW mainly focusing on trend leks, while BLM directs efforts towards checking leks associated with burned areas or that have little historic data. There appear to be omissions of sampling important sites like the Islands area. Are there no Trend leks in small PMUs? If not, why not? Some should be established. All does not appear to be well in other areas suffering significant losses in the 1999-2007 fires. Example: Gollaher:124 known leks, with 33 leks surveyed. Yet just 6 were active. This includes portions of the extremely degraded Salmon River allotment, Goose Creek, and other areas – and these lands have suffered significant losses during many wildfires. Of the 124 known leks – how many are urrently active? Where are active leks in relation to fires? Where are inactive leks? This is the kind of information that is essential for understanding the impacts of fires, or other habitat changes or developments. What has happened to trend leks in or near areas that have burned? What is the habitat like surrounding leks that continue to have birds, vs. leks that do not. In O'Neil, 43 leks were surveyed, yet only 15 were active. This area too has suffered large-scale fire. And of course – in the contiguous Islands PMU, no leks were surveyed. Why is no mapping or other information provided to portray what is occurring, and show the leks that were sampled and active vs. inactive?	NVCA	Both	emc0411GB
113.	Agencies, could under loose methods game the system - and go out to leks with more birds when they want toand report more birds. We are not suggesting that NDOW has done this, because in many ways NDOW appears more reliable than several other state Wildlife agencies. But now that sagegrouse have become such a high stakes land conservation issue, there should be clear, consistent and transparent info provided annually. This would also better help to protect agency biologists from political pressures. What combination of leks are being visited each year? Have any trend leks been dropped over the past decade? What occurs if fire or other disturbance results in significant declines at those leks. Where are all trend leks? Were the leks chosen to be surveyed (for example in South Fork NDOW 2011 at 9) where there are 65 known leks, and in 2011 surveys were conducted at 19 leks, with 16 active were these selected active leks, not random samples? Which leks had the largest numbers	NVCA	Both	emc0411GB

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	of birds in previous years? Which leks urveyed in each area are actually trend leks? As it stands now, besides the trend leks (and it must be explained if there has been a change in trend leks counted and their location over time), there is potential to select subsets of PMUs or other leks where numbers may be better, while reducing counts in areas where there has been the most loss.			
114.	Sage-grouse generally do not prefer to occupy habitat near high volume roads (Lyon and Anderson 2003, Connelly et al. 2004, Aldridge and Boyce 2007). The majority of ODOT managed transportation facilities are major highways and freeways with relatively high traffic noise (up to 90 decibels). Connelly et al. (2004) indicated there were no active sage-grouse leks within 2 kilometers (km) of Interstate 80 across southern Wyoming and only 9 leks were known to occur between 2 and 4 km of I-80. ODOT biologist have conducted numerous environmental reviews and surveys over the years for transportation projects and associated material sources and have not encountered greater sage-grouse or identified areas of active use by these birds. Over the course of the last decade ODOT has been collecting data on collisions between wildlife and motor vehicles. Over this period no incident of sage-grouse killed by vehicles along ODOT transportation facilities has been recorded. ODOT believes that existing traffic, noise and disturbance along these transportation corridors generally precludes sage-grouse presence within the existing highway right-of-way and likely the areas immediately adjacent. Therefore, ODOT transportation corridors and their associated right-of-way should be exempt from any sage-grouse restrictions or exclusions.	OR	Both	emc0155GB
115.	Since 2002 the Rosebud Ranch has conducted an annual Wildlife Survey in early March. In 2005 sage grouse were observed and 4 lek sites were docurnented. These lek sites have been revisited and over the past 6 years we have observed anywhere from 10- 56 strutting males present.	UT	Both	fxc0007GB
116.	Tuesday, March 13, 2012 there were at least 10 sage grouse strutting on Keyton 1 lek. Cattle were also on the lek. Sunday, March 18, 2012 there were 12 strutting males. Monday, March 19, 2012 there was a golden eagle near the lek and no grouse. I realize this is "anecdotal" and we here on the ground are "not credible" but this is the truth.. It's not cattle, traffic or fences that have caused grouse problems.	WY	Both	cfc0032RM
117.	i. Lander, WY RMP Alternative B stipulates light livestock grazing levels in areas typically preferred by cattle, such as riparian-wetland areas, adjacent upland areas, and around salt and mineral supplements and water troughs and developments. Also, Alternative B prohibits salt or mineral supplements within 0.5 mile of riparian-wetland habitats to prevent livestock congregation at water sources. Alternative B prohibits the placement of salt or mineral supplements within 0.6 mile of greater sage-grouse leks. All these provisions would protect important sage-grouse habitats (foraging areas, breeding areas, nesting areas) from livestock trampling and the impacts of heavy plant utilization.	WY	Both	emc0089RM
118.	Livestock trailing that is authorized through crossing permits...will include a trailing plan that...will include specific routes and timeframes for trailing.(page 15 letter) This could cause undue hardship on a landowner trying to get livestock from point A to point B during a certain time of the year. If a route chosen by BLM is several miles around a core area and the time frame is chosen to be weeks or months later than a landowner needs then you are forcing the landowner to pay the extra expense of buying trucking or not to move his livestock at an opportune time for them. BLM is not in the ranch management business and	WY	BLM	emc0050RM

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	again I would like to refer you to the ROW-Rights-of-Way- precedent stated as #3 of my comments. If a landowner will not be in an area over 1 hour for disruption of a specific sage grouse area- we are not talking miles here-then the trail activity should not be considered a disruption. If there are concerns about the presence of leks or sage grouse nests in and area, then the BLM should let the landowner or lease holder know where these are and the livestock owner would be very willing to do their best to mitigate any disturbance in an area or to avoid leks altogether. Communication is the key here. Landowners are usually receptive to concerns if presented in a positive way and are willing to do what they can to cause as little harm as possible to any wildlife within reason. You might be surprised how well things will work out if the livestock owner is given an opportunity to deal with a concern over nesting or leks.			
119.	iii. Strong components of Wyoming's approach Within core areas, stipulations on BLM, FS, Wind River Indian Reservation, and State of Wyoming lands limit the number of projects and the amount of allowed disturbance (no more than 5%13) allowed per square mile or 640 acres. Surface disturbance is prohibited within a 0.6 mile buffer around active leks (no surface occupancy - NSO), which includes roads during the breeding, nesting and brood-rearing periods (mid-March through end of June). In addition, a March 15 to June 30 timing limitation stipulation is required within nesting habitat within 4 miles of leks. Main roads used to transport production and/or waste products must be more than 1.9 miles from the perimeter of occupied grouse leks. Other roads used for access or maintenance must be more than 0.6 miles from the perimeter of occupied leks. Noise levels at the perimeter of a lek should not exceed 10 dBA above ambient noise from 6 pm to 8 am, so as not to disturb breeding activities (March 1 - May 15). Finally, proponents of new projects are expected to coordinate with the permitting agency and WGFD biologists to determine which leks need to be monitored and what data should be collected/reported. The Executive Order clearly identifies thresholds and outline adaptive management responses if declines in sage-grouse numbers occur14. However, in non-core areas, the EO recommends a 2-mile seasonal buffer around occupied leks and a 0.25 mile NSO buffer around active leks. Research has shown that the latter stipulation is inadequate and scientifically without merit. In addition, a surface disturbance cap is lacking from non-core area stipulations	WY	Both	emc0089RM
120.	Secondly, I question strongly the notion that AUM cuts on grazing allotments will have any effect. If grazing is truly a factor, why were sage grouse so plentiful from the 1950's through the 1970's? This is a time frame when, typically, turnout dates were earlier and grazing allotments were not near so closely monitored, further, stubble height should not be used as a benchmark for sage grouse habitat, adjacent to leks. Soil type, in this instance is critical I am familiar with two leks in our area (on private land) that are located on white hardpan, which would never have sufficient srubble height on an exceptional year. Stubble height requirements, in my view, could be used in an arbitrary and capricious way to force AUM cuts, without any corresponding benefit to sage grouse populations.	WY	Both	rmc0012RM, rmc0022RM
121.	I will also add that the'e is a sage grouse lek near Casper. Wyoming thal has all bUI been 3bandoned by Ine ,age grouse lleuuse too many people approached the le~ to look at the males mostlv when they were strutting during matong season on the sprong, One could "'Y that they were loved to death. However. In my humble opinion, they were overly advertised to lhe general public bv some folh who did not reali,e the impact that such a large number of viewers would have upofllhe population.	WY	Both	rmc0043RM

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122.	Case in point: Keyton 3 Lek, located in the northwest part of the 4W Ranch had always been an active lek with 20 to 30 males strutting annually. 314 of a mile to west of this lek on Frog Creek in a small grove of Cottonwood Trees there has been a historic and active Red-Tail Hawk nest. In 2007 a pair of Golden Eagles took over that nest for one breeding season. The close proximity of these eagles completely disrupted the lek for that year and the sage-grouse have not returned to Keyton 3 Lek since. Red-tails returned to their nest in 2008, but the Grouse have not. This was certainly not the fault of livestock grazing, and this is a clear case of predation. How many other leks are influence by the presence of Golden Eagles and other large raptors? Then you add the Coyote and the Red Fox in this area and you have quite an arsenal of predators working on a limited prey base of sage-grouse and rabbits. It must also be understood that Red-tailed Hawks by nature are mousers. Small rodents are their main prey and a sagegrouse is by far too large of a prey for them. This is probably why the Red-tail and the grouse coexisted in this area for so many years.	WY	Both	rmc0034rm
123.	(5) For Sage Grouse Management Zone IV (MZ IV) BLM has developed a sage grouse habitat map delineating priority and general areas. It appears the map is based upon assumptions not entirely supported by current literature fllld also, the map is not based upon the most current lek infonnation. The BLM Map relied upon the following to designate priority areas: Active Leks-BLM defined as 2 or more males occupying a lck One year out of the past 5 years. The most recent literature defines an active lek as 2 Or more males occupying a lek nvo years out of the past 5 years; 13uffers~ ELM bllffered their leks 6.4-8.2 km to create the area designated as priority habitat Analysis of current literature suggests 6.1 km as a mOre appropriate buffer. The habitat maps relied upon lek counts from 2005-201 O. These priority/general habitat maps must be updated anllHally to reflect current year lek data. The maps must also incorporate a vegetation layer and be updated annually to account for vegetation changes.	WY	Both	FXC0011GB
124.	Holloran (2005) found that well densities greater than one well per 699 acres were correlated with lek declines. Doherty et al. (2010) did a statewide analysis in Wyoming and found that well densities greater than 1 well per square mile were correlated with sage grouse declines. Modeling by Taylor et al. (2012) determined that drilling a previously undeveloped landscape to a density of 4 to 8 wells per square mile would be predicted to cut sage grouse populations in half. Well densities can also interact with West Nile virus to accelerate sage grouse declines. Taylor et al. (2010) modeled sage grouse population dynamics and determined that increasing well densities from current levels (almost none) to 160-acre spacing in the Carter unit could result in a 97% decline of sage grouse populations and the loss of all leks with more than 10 males in the face of a West Nile virus outbreak. Notably, the increase of well density to 640 acre spacing in this area would be predicted to decrease populations by 11 percent in the absence of West Nile virus, so allowing well densities at 640-acre spacing is not harmless to sage grouse populations (id.). Similarly Taylor et al. (2012) found that as well densities increase to 8 wells per square mile in the Powder River Basin of Wyoming, a single West Nile virus outbreak is likely to reduce active sage grouse leks from 360 to 6. Importantly, Schrag et al. (2011) examined climate models and predicted increased risk of major West Nile outbreaks over current risk levels. These observations support the "no future leasing" approach to sage grouse Priority Habitats.	WY	Both	emc0343GB
125.	The situation gets even dicier in Wyoming where various entities especially in areas of checkerboard or other mixed land ownership, conducts lek counts under various partnership or other efforts. How much effort is put into lek counts (are many efforts being made to repeatedly visit leks with more birds and obtain the highest possible counts?), are leks being cherry-picked, and how is this all being vetted by the Wyoming agency?	WY	Both	emc0411GB

Table C-4.C
Comments Related to Sage-Grouse Breeding, Nesting, and Reproduction

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	MWGA's membership recognizes that fragmentation or loss of ground cover may increase the chances of sage grouse mortality. However, BLM officials must acknowledge that predators, both large and small, are having a devastating impact upon Sage Grouse populations. As such, any EIS or SEIS alternative analyzed should contain specific management actions that address and minimize this threat, working in conjunction with any other management actions proposed.	All	Both	rmc0021GB
2.	I BELEVE I SAW WHERE OREGON DID A STUDY, THEY MADE NEST AN FOUND THAT CROWS WAS EATING THE EGGS IN THE NEST THAT THE DEPT. PUT OUT.	All	Both	emc0048GB
3.	Research has found that collisions (mainly with fences) account for a significant source of mortality in prairie and shrubland grouse species. This mortality occurs primarily when hens are searching for suitable nest sites and laying and incubating eggs. Loss of hens at this time of year may impact overall population numbers more than would be expected at other times of the year. Low-cost methods to increase the visibility of fences have been developed as one way to reduce adult mortality and improve nesting and brood-rearing success.	All	Both	emc0074GB
4.	There is strong evidence from the scientific literature to support the fact that surface-disturbing energy or mineral development within sage-grouse habitats is not consistent with a goal to maintain or increase populations or distribution. None of the published science describes a positive influence of this type of development on sage-grouse populations or their habitats. Breeding populations are reduced severely at well pad densities commonly permitted by the BLM. The magnitude of losses varies from one field to another, but findings suggest that impacts are universally negative and typically severe.	All	Both	emc0074GB
5.	Let's take a real look at what westerners want, an AGGRESSIVE BREEDING PROGRAM to augment and enhance wild populations of sage grouse. This program should be run under the guidance of individual state fish and game personnel, as they know the habitat and land the best, as well as having the expertise to collect donor birds for breeding and egg collection. Local oversight would also continue the working relationship they have with people in each community.	All	Both	rmc0047GB
6.	The sage grouse is the perfect candidate for a multi state breeding program due to its large area of habitation, the diversity of the many local populations, and the natural hardiness of the bird. Look at the success we have had in reintroducing the Columbia Sharp Tail grouse, as well as the millions of non native birds, which share habitat in sage brush country, such as pheasants, chukars, and hungarian partridge. (none of these birds, which are all doing so well, are in their natural habitats here in the U.S.)	All	Both	rmc0047GB
7.	Bird breeders with facilities, as well as years of experience, could be offered the opportunity to bid on raising the grouse with supervision and standards provided from state game and fish personnel. This would provide direct and indirect jobs in the private sector, and an opportunity for the public and state personnel to work together toward a common goal. This approach will create many numerous and scattered sites which will help to increase the variety of the genetics in each breeding site. This type of program would provide the needed numbers of birds at a cost efficiency, per animal released, not seen in any other listed species program to date. A million dollars would produce a lot of birds, but the economic cost of a "habitat protection only" approach will not only cost the public hundred of millions of dollars directly and indirectly but will produce less predictable and controllable bird numbers.	All	Both	rmc0047GB
8.	As a side bar, I think a large portion of the funding needed would come from the private sector if they were assured that the money would go toward the production of birds, thus eliminating the need to list the sage grouse under the ESA, something both sides should approve of. I'm sure energy concerns, (both hydrocarbon and green renewable energy companies) as well	All	Both	rmc0047GB

Table C-4.C
Comments Related to Sage-Grouse Breeding, Nesting, and Reproduction

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	as agricultural entities and the general public would find that supporting the operation from their pockets, preferable to the consequences and costs that would come with a full endangered listing of the sage grouse. I know the my family and I would support this approach with personal donations. This option would also have the least impact on people's lives, resources, and needed energy production.			
9.	WHAT HAVE WE GOT TO LOSE? We can always go back to the inefficient and destructive approaches we have used in the past and maybe our great grandchildren might notice more grouse. Instead, let's use modern science and technology, coupled with centuries old knowledge in bird breeding, to create and release tens of thousands, if not hundreds of thousands of new birds into our sage lands within the next four to five years (not decades). Impossible, not if we use the public's drive and ingenuity to resolve this problem. It was public concern and private action that let to our greatest endangered species recovery (before the ESA) the iconic American Buffalo.	All	Both	rmc0047GB
10.	Putting this breeding program on the table with all the other options that have been proposed only makes good sense, and assures the public that all efforts are being made in the best interest of all. This breeding option will bring to light whether the ESA is being used for a political agenda, public control, or the true goal of increasing bird numbers. Let's work creatively to keep the sage grouse from becoming the western states spotted owl.	All	Both	rmc0047GB
11.	I would like to make the comment that a key component to sage grouse management will be management of ravens. Ravens are proven to eat sage grouse eggs and chicks. We cannot expect to be able to enhance any opportunity to protect sage grouse without addressing this significant factor. We can change everything else in the system like removing grazing, providing waters, etc., but if we do not address the fact that ravens are unmanaged they will continue to be affected. We must manage ravens to protect sage grouse.	All	Both	emc0059GB
12.	Most sage grouse nests occur under sagebrush, but sage grouse will nest under other plant species. However, grouse nesting under sagebrush experience greater nest success (53%) than those nesting under other plant species (22%). Grass height and cover also are important components of sage grouse nest sites (Table 1). Grass associated with nest sites and with the stand of vegetation containing the nest was taller and denser than grass at random sites Grass height at nests under non-sagebrush plants was greater than that associated with nests under sagebrush, further suggesting that grass height is an important habitat component for nesting sage grouse.	All	Both	emc0057GB
13.	If the problem is we're losing the overall number of Sage Grouse, has anyone suggested raising Sage Grouse and releasing them back in to the environment? We could actually create jobs and businesses for the younger generation, school programs, clubs, etc., where thru the raising of more birds and over populating the environment, we could create greater hunting environments which through additional hunting licenses/tags would pay for the raising and release of sage grouse, as well as improving their habitat. This works for chukar and pheasants, why not for sage grouse. The program would be self-sustaining and ensure the survival of the species.	All	Both	emc0229GB
14.	better use of money would be to actually improve the range where the birds live. But there will be NO ANSWERS OR IMPROVEMENT IN THEIR HABITAT UNTIL THE PREDATORS ARE CONTROLLED. The wolves, the coyotes and crows or ravens are devastating to success of these ground nesting birds. It is sickening to watch a crow or coyote steal the eggs while the mother bird chirps her complaint, but to no avail. The predator always wins.	All	Both	emc0279GB

Table C-4.C
Comments Related to Sage-Grouse Breeding, Nesting, and Reproduction

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
15.	With regards to roads around both priority and general Greater Sage Grouse habitats, no new roads or ROW's should be allowed or granted within a 5.5 mile radius of a lek site. With regards to priority habitats, the BLM should further include mandatory limited and or no usage of such roads that pass within a 5.5 mile radius of a lek site during mating and hatching seasons.	All	BLM	emc0074RM
16.	We have successfully implemented cool season burns, chemical, mechanical treatments to thin brush and release herbaceous vegetation (Danvir 2005). The overall effect is early seral openings in a sagebrush sea. Hunnicutt 1992 clearly showed that hens selected nest sites in homogeneous sagebrush patches at least 300m in diameter for nesting, but immediately moved broods to highly heterogeneous areas having an interspersion of sagebrush cover and grass-forb dominated feeding areas. Pronghorn populations (Aoude and Danvir 2002) showed similar production and population increases.	All	Both	emc0281GB
17.	Sage-grouse are perhaps most vulnerable to predators during nesting, when they remain on the ground to protect their nests. Nests with greater grass and forb cover, however, show a decrease in predation rates. Nesting success is positively correlated with the presence of big sagebrush and sufficient grass and forb cover, and thus nesting success is greater in unaltered habitats versus altered habitats. Generally, studies have found that low nest success due to predation is ultimately related to poor nesting habitat.	All	Both	emc0276GB
18.	We do not advise large prescribed fire in GSG or big game winter ranges in Wyoming big sagebrush, particularly at low elevations and precipitation (less than 10 inches annual precipitation). However, our observations have consistently shown that smaller (25-200Ha) openings created in large (>500Ha) expanses of mountain and Basin big sagebrush in excess of 25% canopy coverage and above 2000m in elevation are used as brood habitat by GSG, and (based on increased lek attendance, lek persistence, and new lek development) can increase GSG populations. We have successfully implemented cool season burns, chemical, mechanical treatments to thin brush and release herbaceous vegetation (Oanvir 2005). The overall effect is early seral openings in a sagebrush sea. Hunnicutt 1992 clearly showed that hens selected nest sites in homogeneous sagebrush patches at least 300m in diameter for nesting, but immediately moved broods to highly heterogeneous areas having an interspersion of sagebrush cover and grass-forb dominated feeding areas. Pronghorn populations (Aoude and Oanvir 2002) showed similar production and population increases.	All	Both	emc0303GB
19.	25) Published guidelines for sage grou.se nesting habitat are based on studies that described 'Vegetation at nest sites after hatching. It is inappropliate to use these post-hatch guidelines to evaluate pre-laying conditions.	All	BLM	fxc0011gb
20.	At minimum, the NEPA analysis should address the following: • Providing NSO buffers of at least 2 miles and up to 4 miles inside core areas to protect breeding and nesting habitats from impacts.	All	Both	emc0343GB
21.	Another consideration is that hatchling Sage-Grouse may be being affected by toxins on the foliage and insects they eat, resulting in developmental malformations consistent with thyroid hormone disruption. Photographs of adult Greater Sage-Grouse with underdeveloped upper bills indicate that they are being affected by thyroid hormone disruption during development in the same way as are the wild ruminants that live in the same area. See the study "Observations of Brachygnathia Superior In Wild Ruminants in Western Montana, USA." by Hoy, et. Al. It is free on Google. Look it up - if the toxins falling on the foliage can cause so much damage to fetal ruminants, it certainly can affect developing Sage Grouse chicks. Without considering this serious problem, we will not be able to insure the survival of Sage-Grouse or other declining bird species.	All	Both	fla0071gb

Table C-4.C
Comments Related to Sage-Grouse Breeding, Nesting, and Reproduction

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
22.	Sage-grouse Nesting and Early Brood-Rearing Habitats ··- There is potential nesting and early brood-rearing habitat within 8 km of known lek as identified through the Colorado Vegetation Classification Project data. CDOW documented sage-grouse use of all parcels, supporting the conclusion that suitable habitat exists in the parcels. Sagebrush dominant habitats within 5.5 km of a lek have a higher probability of use for nesting and early brood-rearing. Female sage-grouse avoid nesting within 1 km of oil and gas infrastructure and have a lower annual survival. Chick survival decreases within 1 km of visible wells. Id. at 2.	CO	BLM	emc0057RM
23.	The NPSGWG also requests that the EIS consider the variability in BLM Field Offices and how they have managed grazing in the past. The EIS should not be a "one-size-fits-all" approach. As mentioned above, the Kremmling Field Office has been extremely proactive in terms of grazing management. Only one allotment in last five years has not met minimum land health standards. BLM, HPP, and CPW have implemented a seeding project and grazing deferment in the allotment to bring it back to minimum standards. Grazing management in North Park is working. In 2010, the CPW conducted over 100 vegetation measurements at sage-grouse nest and female late-summer use sites. Vegetation measurements indicate that grazing management on BLM and private land is meeting the structural guidelines outlined in the Colorado Greater Sage-Grouse Conservation Plan (2008). CPW also documented good nesting success in 2010 with 47% of nests hatching at least one egg and better nest success in 2011 with 64% of nests hatching. North Park probably has the most stable greater sage-grouse population in Colorado and we believe this is a result of the good grazing management in Jackson County.	CO	BLM	emc0060RM
24.	According to the National Technical Team, the Bureau of Land Management has committed to a new paradigm in managing the sagebrush landscape. The BLM's goal is to "maintain and/or increase sage-grouse abundance and distribution by conserving, enhancing or restoring the sagebrush ecosystem upon which populations depend in cooperation with other conservation partners." Furthermore, the "adequacy of management adjustments will be measured by science-based effectiveness monitoring of the biological response of sagebrush landscapes and sage-grouse populations" (BLM Sage-grouse National Technical Team, 2011). What will this new management paradigm look like? I trust that BLM will clearly and openly articulate its new management goals for the sagebrush steppe in both the EIS and revised resource management plans. BLM cannot pretend to restore the sagebrush steppe and improve sage-grouse habitat while continuing to allow oil and gas development and livestock grazing at the current ecologically unsustainable levels. Future management of sage-grouse habitat on the sagebrush steppe must be science-based and will have to include 1) an honest recognition of the existing ecological condition relative to the potential natural plant community, 2) serious consideration of land-use changes that will benefit sage-grouse habitat, 3) commitment to ecological restoration over millions of acres, 4) consideration for special area designations that will benefit sage-grouse, and 5) an effective monitoring strategy and rigorous monitoring protocols.	CO	BLM	emc0066RM
25.	For purposes of this discussion, I assume that a reference state is composed of a set of reference conditions in support of biological integrity (Stoddard et al., 2006). Furthermore, the set of reference conditions would be closely related to, and defined specifically in terms of, high-quality habitat for all life stages of a particular sage-grouse population. Possible categories of reference conditions might include sagebrush canopy density, plant species richness, forb density and diversity, vegetation stubble height, herbaceous ground cover, and insect densities. Such reference conditions must be used to both 1) plan habitat	CO	BLM	emc0066RM

Table C-4.C
Comments Related to Sage-Grouse Breeding, Nesting, and Reproduction

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	restoration efforts and 2) conduct project effectiveness monitoring.			
26.	There must be consensus (federal, state, environmental organizations) on reference conditions for sage-grouse habitat, especially priority habitat. The choice of reference conditions is critical. As the BLM plans for sage-grouse habitat restoration, there will be a need for well-documented reference conditions and geo-referenced long-term reference sites that contain one or more reference conditions. The sagebrush steppe is far below its ecological potential because of past land uses. In particular, riparian and lentic wetlands critical for late brood-rearing habitat are severely degraded throughout the sagebrush steppe. This will make it difficult, but not impossible, to find suitable reference sites. However, Shinneman et al. (2008) found suitable reference areas in western Colorado. I have not had any difficulty in finding suitable upland reference sites in the sagebrush steppe of south-central Wyoming.	CO	BLM	emc0066RM
27.	The methods used to measure and describe the reference state can have a profound effect on the final management or restoration benchmarks chosen. The most common approach for estimating a reference state is to quantify the biological condition at a set of sites that are either minimally or least disturbed by human activity (Stoddard et al., 2006). This works only if the specific reference condition that the reference sites represent is clearly defined. Stoddard et al. (2006) show that the concept of reference condition may be defined along a gradient of biological condition. Minimally-disturbed sites in the sagebrush steppe are those showing an absence of significant human disturbances and would represent the best approximation of biotic integrity. Least-disturbed sites, defined by Stoddard et al. (2006) as having the "best available physical, chemical, and biological habitat conditions given today's state of the landscape" might also provide suitable reference conditions. In the final analysis, however, reference conditions and reference sites chosen for sage-grouse conservation efforts must reflect the specific habitat needs of a long-term sustainable sage-grouse population.	CO	BLM	emc0066RM
28.	It may be necessary for the BLM to use special area designations, such as Areas of Critical Environmental Concern (ACECs) or Research Natural Areas (RNAs), to protect reference sites over the long term.	CO	BLM	emc0066RM
29.	Sage-grouse conservation guidance from BLM should reflect the most current science on sagegrouse movement and migrations. Recent studies of nest-site selection and nest success have made clear that nest distributions are spatially related to lek locations (Holloran and Anderson 2005, Aldridge and Boyce 2007, Doherty et al. 2010a). Holloran and Anderson (2005) documented 64% of nests occurred within 3.1 miles of leks, 80% of nests occurred within 5 miles of leks, and 20% of nests occurred at distances greater than 5 miles from leks; nest success also was greater the farther a nest occurred from a lek, indicating a disproportionate potential importance of these more distant nests for population recruitment. Based on their results, Holloran and Anderson (2005) concluded that to protect and maintain sage-grouse populations, land managers should minimize or halt actions that reduce suitability of nesting habitats within 3.1 miles of a lek.	East	Both	emc0089RM
30.	The Nevada Wilderness Project respectfully requests that you address the impacts to sage-grouse and sage-grouse habitat caused by feral horses, including removal of vegetational cover necessary for nesting and brood-rearing, changes to vegetational composition that results from feral horse use, horse impacts to springs and other important free water sources utilized by sage-grouse, possible disturbance caused by feral horses during the nesting period, infrastructure used to mitigate horse impacts (e.g., fences) and how it may negatively affect sage-grouse, any connection to West Nile Virus as that disease is recognized as affecting both horses and sage-grouse, and the potential for feral horse management actions to negatively	NVCA	Both	emc0243GB

Table C-4.C
Comments Related to Sage-Grouse Breeding, Nesting, and Reproduction

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	affect sage-grouse and sage-grouse habitat.			
31.	Does Nevada consider all nesting habitat to be essential/irreplaceable? Or is som distance from leks being used? If so, significant expansion of irreplaceable habitat in NDOW mapping should occur to include all nesting habitat given the grazing, mining, and increasing energy threats birds are under.	NVCA	Both	emc0411GB
32.	The main problem that exists locally is the increased presence of predators. Crows, Ravens, Eagles, Hawks, Foxes, Coyotes, Raccoons, Skunks, etc. are everywhere nowadays and increasing In numbers each year. I have no doubt that they take a very large toll on Sage Grouse eggs and nests, as well as other upland animals.	UT	Both	emc0405GB
33.	If road closures for a time period during the year is considered then the lease holder and local landowners must be allowed to travel the areas roads as needed for maintenance and livestock needs. Their travel cannot be limited to certain times of the year if they have ranching requirements that must be met. The same must be taken into consideration for trailing, branding, docking, feeding, calving and lambing of livestock, as well as irrigation and summer hay cutting. These ranching activities all occur with regularity within the time frame of the courting and nesting of the sage grouse (March 1-June 30) The ability of the landowner and lease holder to adequately calve or lamb and take care of their livestock must be placed in the forefront as well. It is possible to take into the consideration the management and conservation of a species without causing undue hardship on landowners living in the area. Landowners are limited by area landscapes and habitats as well when it comes to adequately protecting newborn livestock. Their livestock management plans are made well in advance each year and for the most part cannot be easily changed. Corrals, barns and other facilities needed for livestock cannot be transported to far away pastures for shelter and convenience. Some pastures are used at the same time each year for the specific reason that they will help provide nourishment and shelter to a landowner's livestock from storms during the spring of the year.	WY	Both	emc0050RM
34.	Treatment of weeds and pests must remain a source of available management. Neither treatment usually occurs during courting or nesting time frames. These management tools must not be removed due to disturbance concerns. After the nesting period any sage grouse flushed while doing treatments will return as the treatment activity does not cause a major disturbance and is not a continual ongoing disruption to the daily lives of the sage grouse.	WY	Both	emc0050RM
35.	Disturbance issues do not carry over to private land use. If private land is within 2 miles of known nesting sites a letter to the landowner that there is a chance of nesting sage grouse within a distance upon their private lands might prompt the landowner to change the place or day that a planned activity on their lands will occur. Private lands are not controlled by federal agencies but most landowners do protect and conserve species of wildlife upon their private lands. The landowners usually know what exists on their land but a short letter describing the concerns across the fence could help educate the landowner or lease holder as to any actions they might take to alleviate some nesting or courting disturbances.	WY	Both	emc0050RM
36.	Livestock trailing that is authorized through crossing permits...will include a trailing plan that...will include specific routes and timeframes for trailing.(page 15 letter) This could cause undue hardship on a landowner trying to get livestock from point A to point B during a certain time of the year. If a route chosen by BLM is several miles around a core area and the time frame is chosen to be weeks or months later than a landowner needs then you are forcing the landowner to pay the extra expense of buying trucking or not to move his livestock at an opportune time for them. BLM is not in the ranch management business and again I would like to refer you to the ROW-Rights-of-Way- precedent stated as #3 of my comments. If a landowner will	WY	BLM	emc0050RM

Table C-4.C
Comments Related to Sage-Grouse Breeding, Nesting, and Reproduction

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	not be in an area over 1 hour for disruption of a specific sage grouse area- we are not talking miles here-then the trail activity should not be considered a disruption. If there are concerns about the presence of leks or sage grouse nests in and area, then the BLM should let the landowner or lease holder know where these are and the livestock owner would be very willing to do their best to mitigate any disturbance in an area or to avoid leks altogether. Communication is the key here. Landowners are usually receptive to concerns if presented in a positive way and are willing to do what they can to cause as little harm as possible to any wildlife within reason. You might be surprised how well things will work out if the livestock owner is given an opportunity to deal with a concern over nesting or leks.			

Table C-4.D
Comments Related to Sage-Grouse Winter Range

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	The practice of erecting artificial hawk nests or raptor perches that have taken place in some of the winter grounds of the sage grouse can't be good for the grouse as it enables their natural enemies (eagles) a perfect opportunity to infiltrate the wintering ground.	All	Both	emc0406GB
2.	The RMP should include plans for a study of how roads impact winter forage opportunities for sage grouse. Specifically: Why do grouse like to congregate on gravel roads, and how would road closures negatively impact the species?	All	Both	emc0013RM
3.	We do not advise large prescribed fire in GSG or big game winter ranges in Wyoming big sagebrush, particularly at low elevations and precipitation (less than 10 inches annual precipitation)	All	Both	emc0281GB
4.	We agree that poorly designed and placed fences kill wildlife and disrupt seasonal movements and migrations. All fences within 1.25 miles of known leks, or in heavily used winter concentration areas of GSG should be periodically monitored for signs of GSG collisions, and if so modified or visibly marked to reduce mortality.	All	Both	emc0281GB
5.	The practice of erecting artificial hawk nests or raptor perches that have taken place in some of the winter grounds of the sage grouse can't be good for the grouse as it enables their natural enemies (eagles) a perfect opportunity to infiltrate the wintering ground.	All	Both	emc0295GB
6.	In winter, sage grouse select large expanses of sagebrush with gentle topography and avoided conifer, riparian, and energy development (Doherty 2008). Well density had an additional effect in this study (id.). Sage grouse were 30% more likely to use winter habitat if CBM development was not present (id.). There was a landscape-scale effect of habitat selection, with areas with greater sagebrush at a 4 km2 scale receiving greater winter use (id.). Carpenter et al. (2010) found a similar relationship in Alberta, and found that grouse avoided oil and gas wells by 1.9 km and also showed some avoidance of jeep trails. Bruce et al. (2011) found that sage grouse moved widely across winter habitats, using an area of 1,480 km2, and recommended setting aside large reserves for winter habitats. According to Doherty (2008:22), "Identifying and setting aside areas of undeveloped, high-quality habitat within the project area should be top priority." Doherty (2008:22) asserted, "My spatially explicit winter habitat model can be used to identify areas in the PRB that provide the best remaining habitat for sage-grouse in winter." BLM should apply this model to the Powder River Basin and place areas predicted to be the best remaining sage grouse winter habitat off-limits to future oil and gas leasing, in addition to placing strong restrictions on the level of development that is allowed on existing leases. Similar protocols should be developed and followed throughout the remainder of the sage grouse range.	All	Both	emc0343GB
7.	There is also inadequate understanding of winter habitats and nesting habitats more distant from clusters of leks. Sage-grouse may use low elevation sagebrush completely left out of models in hard winters - and loss of this habitat may have serious impacts to populations. For example, NDOW in the Nevada sage Grouse Plan in (2004) stated: Information on winter habitats in Nevada and California are based on limited data. In general, winter movements are related to severity of winter weather, topography, and vegetative cover (Beck 1977). Sagebrush canopy at sage-grouse winter use sites can be highly variable (Patterson 1952, Eng and Schladweiler 1972, Wallestad et al. 1975, Beck 1977, Robertson 1991). However, sage-grouse habitats must provide adequate amounts of sagebrush because their winter diet consists almost exclusively of sagebrush. It is crucial that sagebrush be exposed at least 10 to 12 inches above snow level as this provides both food and cover for wintering sage-grouse (Barrington and Back 1984, Hupp and Braun 1989). During periods of heavy snowfall accumulation that essentially blanket an area, sage-grouse may move to canyon bottoms or lower elevation sagebrush flats or	All	Both	emc0411GB

Table C-4.D
Comments Related to Sage-Grouse Winter Range

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	benches associated with mountain ranges within Nevada to access available sagebrush. During the winter, it is not uncommon to find sage grouse on wind-swept ridges and slopes with south facing exposures. This highlights the very significant risk of BLM discarding vast areas of sage-grouse habitats under the "general" category (or not even mapping previously identified habitat at all as occurs in areas of Idaho)- while only trying to make some effort at stopping some new habitat destruction and disturbance in the Core/Priority areas.			
8.	In hard winters, remnant areas of sagebrush in low elevation habitats with sufficiently dense sagebrush stands above the snow may be used. Studies that fail to track bird use over considerable periods may not detect use during such critical crunch times. If one part of the suite of habitats in the sagebrush andscape required by sage-grouse is missing, there may be adverse and dire effects to the population. These winter habitats are the very same areas that BLM routinely sacrifices to all manner of intensive grazing, OHV, or other abuses and which the current Models also sacrifice.	All	Both	emc0411GB
9.	The USFWS (no date) conducted a literature review through 2010 and found that recommended buffer distances for sage grouse were generally 3.1 to 4 miles and beyond. We endorse the recommendations of USFWS (2003) and Mannville (2004) that wind power facilities be sited at least five miles from active sage grouse leks, regardless of whether or not they occur within Priority Habitats. Similarly, lands identified as sage grouse winter habitat should similarly be avoided by a distance of not less than three miles.	All	Both	emc0343GB
10.	At minimum, the NEPA analysis should address the following: • Evaluating winter habitat and placing key wintering areas with an adequate buffer (at least 2 miles) off-limits to industrial activity.	All	Both	emc0343GB
11.	Pages 16 and 17 in the NTT report suggest that BLM only allow treatments that conserve, enhance or restore sage-grouse habitat. An analysis should be conducted to evaluate the need for age-class diversity in sagebrush communities. We also request that the BLM consider allowing other treatments that are designed to achieve alternative objectives as long as they do not negatively impact sagegrouse habitat. Page 26 recommends that fuels management allow no treatments in winter range. Recommending no treatments in winter range is not realistic for PPH in the North Park basin	CO	BLM	emc0060RM
12.	CPW believes the following range-wide threats pose the greatest risk to greater sage-grouse populations and their habitats (not in order of risk): A principal feature of landscape-scale wildfires in sagebrush habitat includes an extremely long time frame (25-120 years, depending on habitat type) before the habitat again has the vegetation structure necessary to support nesting and wintering sage-grouse.	CO	Both	emc0072RM
13.	iii. Strong components of Wyoming's approach Importantly, Wyoming's designated core areas include connectivity areas, breeding areas, and late brood-rearing habitat (all of which are stressed by the NTT). The Core Area Strategy also recognized the importance of winter concentration areas. Wyoming Executive Order 2011-05 states, "While the bulk of winter habitat necessary to support core sage-grouse populations likely occurs inside Core Population Areas, seasonal stipulations (December 1 to March 14) should be considered in locations outside Core Population Areas where they have been identified as winter concentration areas necessary for supporting biologically significant numbers of sage-grouse nesting in Core Population Areas. All efforts should	East	Both	emc0089RM

Table C-4.D
Comments Related to Sage-Grouse Winter Range

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	he made to minimize disturbance to mature sagebrush cover in identified winter concentration areas."			
14.	Where are the Sage-grouse (habitat & location) delinated on the map for the Tex Creek WMA? The BOR/IDFG conducted the lek surveys as well as winter in 2008 and there are a lot of birds using the area year round. This is primary wintering habitat!	IDMT	Both	cfc0005GB
15.	iii. Strong components of Wyoming's approach Importantly, Wyoming's designated core areas include connectivity areas, breeding areas, and late brood-rearing habitat (all of which are stressed by the NTT). The Core Area Strategy also recognized the importance of winter concentration areas. Wyoming Executive Order 2011-05 states, "While the bulk of winter habitat necessary to support core sage-grouse populations likely occurs inside Core Population Areas, seasonal stipulations (December 1 to March 14) should be considered in locations outside Core Population Areas where they have been identified as winter concentration areas necessary for supporting biologically significant numbers of sage-grouse nesting in Core Population Areas. All efforts should he made to minimize disturbance to mature sagebrush cover in identified winter concentration areas."	WY	Both	emc0089RM
16.	BLM should expand core area boundaries and include larger buffers between sage grouse habitat and surface activity to protect sage grouse nesting and winter habitat. BLM policies to protect sage grouse habitat will be more successful if sage grouse core areas are expanded and buffered and if BLM implements policies that also protect sage grouse winter habitat. In support of the need to expand core area boundaries and protect sage grouse habitat see the attached declaration of former BLM wildlife biologist Larry Gerard. The experience and knowledge of Mr. Gerard and other BLM biologists should not be ignored. BLM must stop bowing to industry and political pressure, as occurred in the Powder River Basin, and step up to the plate to take the obvious and necessary actions to stop permitting mineral development in sage brush habitat.	WY	BLM	emc0129RM
17.	Availability of winter habitat is also a major concern for this (Powder River Basin) population. According to Naugle et al. (2006:2), "Expansion of CBNG development threatens to extirpate birds from otherwise suitable habitats and further isolate remaining populations. Risk of complete loss of this population is high if plans proceed to develop the entire northern study area because their non-migratory status and behavioral avoidance of CBNG will leave these birds with no other options."	WY	Both	emc0343GB
18.	Doherty et al. (2008) found that sage grouse in the Powder River Basin selected sagebrush stands that were large and unfragmented by development, on gentle topography. Additionally, sage grouse use stands of taller sagebrush, as sagebrush that protrudes above the snow is the key winter food source. Such stands of taller sagebrush are often viewed as "decadent" by range managers and targeted for sagebrush "control" projects. Doherty et al. (2008) concluded, "As remaining winter habitats are developed, and sage-grouse can no longer avoid CBNG, it is unclear whether birds will be able to adapt to a disturbance of this magnitude."	WY	Both	emc0343GB
19.	In winter, sage grouse select large expanses of sagebrush with gentle topography and avoided conifer, riparian, and energy development (Doherty 2008). Well density had an additional effect in this study (id.). Sage grouse were 30% more likely to use winter habitat if CBM development was not present (id.). There was a landscape-scale effect of habitat selection, with areas with greater sagebrush at a 4 km2 scale receiving greater winter use (id.). Carpenter et al. (2010) found a similar	WY	Both	emc0343GB

Table C-4.D
Comments Related to Sage-Grouse Winter Range

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	relationship in Alberta, and found that grouse avoided oil and gas wells by 1.9 km and also showed some avoidance of jeep trails. Bruce et al. (2011) found that sage grouse moved widely across winter habitats, using an area of 1,480 km2, and recommended setting aside large reserves for winter habitats. According to Doherty (2008:22), "Identifying and setting aside areas of undeveloped, high-quality habitat within the project area should be top priority." Doherty (2008:22) asserted, "My spatially explicit winter habitat model can be used to identify areas in the PRB that provide the best remaining habitat for sage-grouse in winter." BLM should apply this model to the Powder River Basin and place areas predicted to be the best remaining sage grouse winter habitat off-limits to future oil and gas leasing, in addition to placing strong restrictions on the level of development that is allowed on existing leases. Similar protocols should be developed and followed throughout the remainder of the sage grouse range.			

Table C-4.E
Comments Related to Sage-Grouse Brood Rearing

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	Dear Sir or Mam; What if we could rasie the grouse and release them free I would love to raise them on my own land to free roam with no hunting but to let them roam free and build up the population as right now we have quail running around here. I already have a brooder to raise chicks and stuff all we would need is some chicks. Please think about it and let me know...Don Mooney	All	Both	emc0010GB
2.	Livestock grazing is compatible with sage-grouse where the habitat characteristics needed for breeding and wintering can be consistently maintained. It is paramount that only light grazing be permitted on important sage grouse wintering areas, because during winter, sage grouse often use tall, dense stands of sagebrush which remain relatively exposed through deep snow. Light grazing produces mosaics in vegetation and an increase in herbage production that are favorable for Sage-Grouse nesting and brood-rearing habitat. Riparian areas and wet meadows used for brood rearing are especially sensitive to grazing by livestock. Protecting sage grouse nesting and brood-rearing habitat from livestock use also encourages climax vegetative conditions. If this is not feasible, limit grazing to the month of July. Defer grazing until after the peak of the growing season with the intent of providing herbaceous cover and forage for the majority of the nesting, hatching, and early brood-rearing. Cessation of grazing by 1 August is designed to minimize livestock concentrations in wet meadows and riparian areas with open water by avoiding "hot season" use and to allow a 30-day regrowth period before the first killing frost. Additionally, late summer-early fall regrowth is important for carbohydrate storage in roots and stem bases of cool season grasses. This enhances plant vigor while allowing residual vegetation to accumulate cover for nesting and early brood-rearing the following spring.	All	Both	rmc0024GB
3.	It has also been shown that increased use of meadows and riparian areas in mid-to late summer is common as herbaceous vegetation in upland habitat becomes desiccated. Potential for competition with Sage-Grouse young may be in proportion to the extent to which cattle select mesic/moist sites that are preferred foraging areas. Young birds seek out insects and succulent forbs in these habitats. Although the adult diet switches to forbs and insects in addition to sagebrush, developing young depend heavily upon insects for food. These habitats are critical brood-rearing and summer use areas in regions with low annual rainfall and during drought years.	All	Both	rmc0024GB
4.	Also, during times of drought, cattle are attracted to moist areas. Failure to adequately manage for these periods may result in greater impact in the form of reduced vegetative cover. Brood-rearing habitats for sage-grouse are typically mosaics of upland sagebrush and other habitats (e.g., wet meadows, riparian areas) that together provide abundant insects and forbs for hens and chicks. Although the adult diet switches to forbs and insects in addition to sagebrush, developing young depend heavily upon insects for food.	All	Both	rmc0024GB
5.	A national team of sage grouse experts recommended restoration of sage grouse priority areas, where sage grouse breed and rear their broods, that no new oil and gas permits be issued in core sage grouse areas until a long term plan is developed and that BLM land managers modify or maintain grazing strategies to meet sage grouse habitat requirements. Yet this guidance is apparently missing so far from the BLM's new plan. We infer this from others' posted comments as we could not find the new BLM plan on the BLM website.	All	Both	rmc0039GB

Table C-4.E
Comments Related to Sage-Grouse Brood Rearing

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
6.	Another requirement may be to move the cattle into that pasture before the sage grouse start to nest. That way the introduction of cattle to the pasture wouldn't disturb nesting birds, but the birds could choose not to nest in that pasture if the cattle were bothering them	All	Both	emc0172GB
7.	By consuming or trampling native grasses, livestock may reduce canopy cover considered necessary for successful nesting and brood-rearing of sage-grouse. Similarly, several authors have noted that livestock grazing can reduce the suitability of habitat for breeding, nesting, and brood-rearing. If breeding is successful, livestock has the potential to trample nests, thus negatively affecting sage-grouse populations. Although the effect of trampling at a population level is unknown, outright nest destruction has been documented and the presence of livestock can cause sage-grouse to abandon their nests, exposing eggs to an increased risk of predation.	All	Both	emc0276GB
8.	How does this benefit Sage Grouse? Small chicks need a succulent understory that contains lots of juicy bugs for survival. When first hatched they probably can't even reach Sage Brush leaves. With cattle on each area for only about two weeks out of the entire year it leaves the rest to the birds and other wildlife. As the cattle are moved any rain that falls during the summer benefits regrowth as cattle are not there to eat off the young shoots. The clue to rotation grazing is to not return to the same pasture until the grass has recovered. In our arid climate we do not return to regraze an area in the same year thus leaving a great deal of cover. We also rotate the cattle through the pastures in a different sequence each year. This allows plants to flower and seed undisturbed every few years no matter what time of the summer they bloom.	All	Both	rmc0003RM
9.	24) Published sage grouse habitat guidelines are based on studies of the small fractions of landscapes that ~age grome select for nesting arld brood rearing. It is inappropriate to extrapolate J1"ODl these very small areas to entire landscapes.	All	BLM	fxc0011gb
10.	There are also spring and wet meadow brood rearing complexes that are likely to be impacted by geothermal development.	All	Both	emc0411GB
11.	At minimum, the NEPA analysis should address the following: • Identifying key early and late brood-rearing habitats and placing them off-limits to industrial use, with a biologically adequate buffer.	All	Both	emc0343GB
12.	Sage-grouse Late Brood-Rearing and Summer Habitats -Potential suitable sagegrouse late brood-rearing habitats exist within all of BLM split estate parcels. Important sage-grouse brooding habitat generally includes wet areas such as meadows, springs, ponds and streams plus a 200-m zone around these water features. The mesic cover classes from the Colorado Vegetation Classification Project support a professional conclusion that the parcels include potential late brood-rearing habitat. Female sage-grouse breeding or nesting near oil and gas development have decreased summer survival. Brood-rearing female sage-grouse avoid areas with high densities of visible wells within 1 km. Chick survival also decreases. Id. at 2.	CO	BLM	emc0057RM

Table C-4.F
Comments Related to Sage-Grouse Summer Range

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	Another important objective should be treating sage brush to a lower growth form, not killing it but encouraging branches that are horizontal and low enough to the ground to actually hide sage grouse nests and chicks.	All	Both	cfc0006RM
2.	Greater sage-grouse are attracted to grazed meadows; research shows that peak attendance of greater sagegrouse in grazed meadows (especially hens with chicks, starting in late July) is significantly higher than in ungrazed meadows. Grazing, even at moderate levels, affects forb phenology by changing the maturation process. Ungrazed plants mature, seed and weather after dispersion of the seeds, whereas grazed plants continue to grow new leaves throughout the summer, providing food forbs for greater sage-grouse (Evans 1986).	All	Both	emc0140RM, emc0382GB, emc0075RM
3.	Sage-grouse Late Brood-Rearing and Summer Habitats -Potential suitable sagegrouse late brood-rearing habitats exist within all of BLM split estate parcels. Important sage-grouse brooding habitat generally includes wet areas such as meadows, springs, ponds and streams plus a 200-m zone around these water features. The mesic cover classes from the Colorado Vegetation Classification Project support a professional conclusion that the parcels include potential late brood-rearing habitat. Female sage-grouse breeding or nesting near oil and gas development have decreased summer survival. Brood-rearing female sage-grouse avoid areas with high densities of visible wells within 1 km. Chick survival also decreases. Id. at 2.	CO	BLM	emc0057RM
4.	Production agriculture is also important in maintaining some of the late summer habitat found in irrigated hay meadows and other moist areas. The agricultural producers in North Park are effectively maintaining sage-grouse habitat by keeping the vast majority of North Park undeveloped. We would request thorough analysis of the impacts of removing production agriculture on the overall quantity and quality of sage-grouse habitat.	CO	BLM	emc0060RM
5.	Public lands, and BLM-managed lands in particular, are key to sage grouse conservation and recovery. The BLM and Forest Service manage 58% of sage grouse habitat in Wyoming, while private landowners manage 38% (Connelly et al. 2004). Rowland et al (2006:2-9) observed, "The BLM has management authority for nearly 47% of the sagebrush in the [Wyoming Basins Ecoregion] study area (12.1 million acres), comparable to the 52% of sagebrush managed by BLM nationwide (Knick et al. 2003; Table 2.6; Fig. 2.7)." Indeed, according to Knick et al. (2003:627), "Responsibility for maintaining sagebrush habitats and bird populations rests squarely on public land management agencies because most species' summer ranges are owned publicly and managed by state or federal agencies." Rowland et al (2006:1-2) echoed this conclusion: "Due to the preponderance of sagebrush on public lands, the future of this ecosystem will be shaped in large part by public lands management." Yet over the past decade it has been the BLM that has been among the most recalcitrant opponents of changing land-use strategies.	WY	Both	emc0343GB

Table C-5.A
Comments Related to Oil and Gas Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	A national team of sage grouse experts recommended restoration of sage grouse priority areas, where sage grouse breed and rear their broods, that no new oil and gas permits be issued in core sage grouse areas until a long term plan is developed and that BLM land managers modify or maintain grazing strategies to meet sage grouse habitat requirements. Yet this guidance is apparently missing so far from the BLM's new plan. We infer this from others' posted comments as we could not find the new BLM plan on the BLM website.	All	Both	rmc0039GB
2.	One commenter noted that over the last decade of explosive growth in gas fields, already compromised sage grouse populations have been in "a population free fall," and that "unrestricted self-regulated industrialization is a dagger to the heart of the West." Such warnings need to be taken seriously.	All	Both	rmc0039GB
3.	Science informs us that sage grouse need a minimum of a three mile circle buffer zone around leks to be viable, yet these limits are not respected. The free ride the oil and gas industry has been getting at the expense of public lands, ecological integrity, and imperiled species, including the sage grouse, can't continue.	All	Both	rmc0039GB
4.	In an assessment, the Western Association of Fish and Wildlife Agencies said that sage grouse populations have "tended to stabilize" after a period of sharp decline from the 1960s to mid- 1980s. With the development of oil and gas that has taken place since the 1980's how can environmentalist blame oil and gas as a need to list the species.	All	Both	cfc0017GB
5.	In the heart of the nation's natural gas territory, a bird most Americans have never heard of, is being portrayed as threatening a piece of the multibillion-dollar energy industry. Federal scientists are weighing whether to put the sage grouse on the endangered species list. If that happens, it's likely to mean significant restrictions on energy development across a huge swath of the West. Much of the bird's habitat overlaps with the nation's prime gas drilling territory, in Wyoming, Montana, Colorado and Utah.	All	Both	cfc0017GB
6.	Hundreds of natural gas wells have been drilled around the west in recent years, and thousands more are on the way. Much of the drilling would grind to a halt if the grouse's habitat came under federal protection. It is obvious to many of us that this effort is an attempt to STOP oil and gas and has little to do with sage grouse populations.	All	Both	cfc0017GB
7.	Do not let this bird become a political battle to stop oil and gas much like the resent attempt by this administration with BLM's Wilderness Study Area.	All	Both	cfc0017GB
8.	Millions of acres were set aside for the owls, and thousands of jobs were lost in the woods and in sawmills as the timber industry adjusted to downsizing. I want jobs to be created and not as this administration has done to decrease job opportunities i.e. Keystone pipeline. Once again, it is obvious that listing of this species is directed toward stopping oil and gas. DON'T stop self reliant efforts to become energy independent.	All	Both	cfc0017GB
9.	The lesson isn't forgotten. Stakes are high enough that energy development supporters have begun a major effort to block the sage grouse from making it on the endangered species list. The campaign is being waged by a non-profit organization called Partnership for the West. Based in Golden, Colo., the group represents oil, gas, mining and ranching interests. I would ask that the BLM get back to basics and work for those that are paying their wages and tell the environmentalist to get a real job.	All	Both	cfc0017GB
10.	At this time when gas and oil developement seem to be the most salient and important issue that we face. It is the responsibility of BLM to insure the remaining habitat of the sage grouse receive appropriate protective measures.	All	Both	emc0073GB

Table C-5.A
Comments Related to Oil and Gas Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
11.	Exclude oil and gas leasing and development from critical sage-grouse habitat.	All	Both	emc0085GB, emc0029rm
12.	We have in western Colorado Roan Plateau sage grouse habitat that is being developed for natural gas too rapidly for the grouse to have anywhere to persist (hide out) during the road building, well drilling, workover phase.	All	Both	emc0092GB
13.	My primary concern is the loss and degradation of habitat caused by incompatible uses. This includes extraction of energy sources and the grazing by livestock. Recent increases in the amount of federal lands that have been opened to oil and gas drilling has lead to loss of large patches of grouse habitat. Degradation from over-grazing and grazing in an appropriate areas has destroyed thousands (millions??) more acres. Both of these activities need to be better managed and monitored, or better yet, not even allowed in Greater Sage-grouse habitat.	All	Both	emc0102GB
14.	I also urge you to include all Sage-grouse habitat in your conservation planning. Millions of acres are managed by other federal and state agencies and need to be considered to ensure the protection of these birds. While protecting BLM and USFS lands would be a great start there are millions of acres owned by other agencies that also need to be protected. Please work to get these agencies involved in your efforts.	All	Both	emc0102GB
15.	If traffic and too many wells are a problem, maybe there could be a limit of wells per quarter section. I live near the oldest oil field in MT and I can't see where it affects the sage grouse at all.	All	Both	cfc0005RM
16.	Also, please closely look at each oil and gas proposed well site to have proper set-backs (much large than being used currently) from core habitat areas.	All	Both	emc0010RM
17.	The BLM has an interim policy to protect the Greater Sage-Grouse in 10 western states "until it can implement long-term policies to preserve habitat" for the species. "Allowing for more detailed reviews of oil and gas leasing to ensure sufficient protection of habitat" is a MUST...not just a suggestion.	All	Both	emc0012RM
18.	Jason Naugl's research shows there were fewer than 300 grouse in Canada in 2010, a 13% chick survival rate, and negative impacts out to 4 miles from deep gas wells. A 2 - 10 year time-lag on energy development affects was noted.	All	Both	emc0012RM
19.	The National Technical Team, in "A Report on National Greater Sage-Grouse Conservation Measures", cites BLM impacts of oil and gas drilling in Wyoming to justify withdrawal of sage grouse habitat to mining and mineral exploration activities. This assumes impacts of oil and gas exploration are directly comparable to mineral exploration and mining and fails to take into account differences in size and temporal scope of disturbance vis-0-vis these two activities	All	Both	emc0168GB
20.	New Gas and Oil permits need to cease almost entirely. I performed an informal temporal change analysis of rangeland in Wyoming, Colorado, and Utah comparing satellite and aerial imagery of the 10 years and the lost of habitat is significant and very alarming. The BLM appears to be ignoring this as significant habitat loss by continued allowance of more oil and gas permits.	All	Both	emc0164GB
21.	While the team members appear to have expertise in sage-grouse habitat, there seems to be little expertise in oil and gas exploration, development and operation practices. Prior to implementing additional conditions and stipulations BLM should engage in good faith discussion with industry representatives on such measures. BLM's analysis should also include the economic effect of any new stipulations as they will limit access to precious oil and gas reserves	All	Both	emc0228GB, emc0093rm
22.	Also, new oil and gas drilling should be limited to directional drilling from existing pads.	All	Both	emc0219GB

Table C-5.A
Comments Related to Oil and Gas Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
23.	The BLM must also consider the effects of its decisions upon the ability to produce oil and gas, and to create a viable oil shale industry, and upon the tourism industry and recreational pursuits of those who live in Utah.	All	Both	emc0337GB
24.	Recent greater sage-grouse studies also demonstrate that energy development and viable sage-grouse populations can successfully co-exist when reasonable mitigation measures are utilized during exploration, development, and production activities. Suggestions that oil and gas activities are extremely harmful to populations and habitat are overstated. Given that the energy industry is committed not only to studying ways to ameliorate impacts but to utilizing identified measures, we urge the BLM to recognize the protections already in place.	All	Both	emc0166GB
25.	The exploration and development of oil and gas resources from public lands is a critical part ofthe BLM's responsibilities. See, e.g., 43 U.S.C. § 1702(1) (defining mineral exploration and development as a principal or major use of public lands). Under FLPMA, the BLM is required to manage the public lands on the basis of multiple use and sustained yield. 43 U.S.C. § 1701(a)(7) (2006). " 'Multiple use management' is a deceptively simple term that describes the enormously complicated task of striking a balance among the many competing uses to which land can be put, 'including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and [uses serving] natural scenic, scientific and historical values.' " Norton v. Southern Utah Wilderness Alliance, 542 U.S. 55, 58 (2004) (quoting 43 U.S.C. § 1702(c)). "Of course not all uses are compatible." !d. EOG recognizes the difficult task the BLM faces to manage public lands for multiple use, but encourages the BLM to remember that oil and gas development is a crucial part of the BLM's multiple use mandate. The BLM must ensure that oil and gas development is not unreasonably limited in the revision to the RMPs in the Western United States. Oil and gas operators have demonstrated over the years that oil and gas development can take place on the public lands without significantly impacting the environment.	All	Both	emc0166GB
26.	When revising the existing RMPs, the BLM must also acknowledge valid existing rights, including oil and gas lease rights. Once the BLM has issued a federal oil and gas lease without surface occupancy stipulations, and in the absence of a nondiscretionary statutory prohibition against development, the BLM cannot completely deny development on the leasehold. See, e.g., National Wildlife Federation, eta/., 150 IBLA 385, 403 (1999). Only Congress has the right to completely prohibit development once a lease has been issued. Western Colorado Congress, 130 IBLA 244, 248 (1994). Further, the BLM cannot adjust EOG's valid and existing rights. Congress made it clear when it enacted FLPMA that nothing therein, or in the land use plans developed thereunder, was intended to terminate, modify, or alter any valid or existing property rights. See 43 U.S.C. § 1701 (2006). In order to effectuate this purpose, the BLM promulgatedpolicies regarding the contractual rights granted in an oil and gas lease. BLM Instruction Memorandum 92-67 states that "[t]he lease contract conveys certain rights which must be honored through its term, regardless of the age of the lease, a change in surface management conditions, or the availability of new data or information. The contract was validly entered based upon the environmental standards and information current at the time of the lease issuance." As noted in the BLM's Instruction Memorandum, which is binding upon the agency, the lease constitutes a contract between the federal government and the lessee which cannot be unilaterally altered or modified by the BLM.	All	BLM	emc0166GB
27.	Because, the authority conferred in FLPMA is expressly made subject to valid existing rights, 43 U.S.C. § 1701, an RMP prepared pursuant to FLPMA, after lease execution and after drilling and production has commenced, is likewise subject to existing rights. See Colorado Environmental Coal, eta/., 165 ffiLA 221, 228 (2005). The RMPs, when revised, cannot defeat	All	BLM	emc0166GB

Table C-5.A
Comments Related to Oil and Gas Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	or materially restrain BOG's valid and existing rights to develop its leases through conditions of approval or other means. See Colorado Environmental Coal, et a/., 165 IBLA 221, 228 (2005) (citing Colorado Environmental Coal., 135 ffiLA 356, 360 (1996) aff'd, Colorado Environmental Coal. v. Bureau of Land Management, 932 F.Supp. 1247 (D.Colo. 1996).			
28.	In the revised RMPs and accompanying EIS the BLM should discuss the fact that an oil and gas lease is a contract between the federal government and the lessee, and that the lessee has certain rights thereunder which cannot be unilaterally modified by the BLM. See Mobil Oil Exploration & Producing Southeast, Inc. v. United States, 530 U.S. 604, 620 (2000) (recognizing that lease contracts under the Outer Continental Shelf Lands Act give lessees the right to explore for and develop oil and gas); Oxy USA, Inc. v. Babbitt, 268 F.3d 1001, 1006-7 (lOth Cir. 2001) (noting that the Tenth Circuit has long held that federal oil and gas leases are contracts) rev'd on other grounds, BP America Production Co. v. Burton, 549 U.S. 84 (2006). Although the BLM may be altering the existing RMPs, the BLM-and the public-should be reminded that the BLM cannot alter or modify the terms of existing leases.	All	Both	emc0166GB
29.	It is well established that NEP A only requires an agency to consider "reasonable alternatives." 40 C.P.R. § 1502.14 (2008). The BLM's obligation to consider alternatives is not without limitations. Courts and the Interior Board of Land Appeals ("IBLA") have long held that "[a]lternatives that do not accomplish the purpose of an action are not reasonable and need not be studied in detail by the agency." Citizens' Comm. to Save Our Canyons v. United States Forest Serv., 297 F.3d 1012, 1030 (lOth Cir. 2002) (citations and internal punctuation omitted); Northern Ala. Envtl. Ctr., eta/., 153 ffiLA 253, 263 (2004). "NEPA does not require agencies to analyze the environmental consequences of alternatives it has in good faith rejected as too remote, speculative, or impractical or ineffective." Citizens' Comm. to Save Our Canyons, 297F.3d at 1030-31 (internal punctuation omitted). When developing alternatives for the RMP amendments and accompanying EIS, the BLM must ensure that the alternatives analyzed are both feasible and economic. The Council on Environmental Quality ("CEQ") has described reasonable alternatives as "those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable." CEQ's Forty Most Asked Questions, Question 2a, 46 Fed. Reg. 18028, 18027 (Mar. 23, 1981) (emphasis added). BLM need not analyze speculative, impractical, or uneconomic alternatives. Citizens' Comm. to Save Our Canyons, 297 F.3d at 1030-31. For example, overly stringent restrictions or conditions of approval (COA) may render development uneconomic and need not be analyzed. Further, given the fact the public lands must be managed for multiple use including oil and gas development and given the fact that much of the public land in the Western United States is currently .leased for oil and gas development, alternatives that prohibit or eliminate all oil and gas development on public lands are neither practical nor reasonable and need not be studied in detail by the agency.	All	BLM	emc0166GB
30.	The BLM should explain to the public during scoping meetings and in the EIS for the revised RMP amendments that oil and gas development activities are not prohibited during the resource management plan process. The position that the BLM must suspend all management decisions while an RMP is being revised has been rejected by numerous federal courts and the IBLA. See ORNC Action v. Bureau of Land Management, 150 F.3d 1132, 1139 41 (9th Cir. 1998) (holding that neither FLPMA nor the applicable regulations require the BLM to institute a moratorium on activities pending completion of an EIS for an updated or revised RMP); Western Land Energy Project v. Dombeck, 47 F.Supp.2d 1196, 1213 (D. Ore. 1999) (same); Southern Utah Wilderness Alliance, 163 IDLA 14,28 (2004); Wyoming Outdoor Council, eta/., 156 IDLA 377, 384 (2002); Sierra Club Legal Defense Fund, Inc., 124 IDLA 130, 140 (1992). The Washington Office of the BLM has issued	All	Both	emc0166GB

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	specific guidance noting that the BLM is authorized to approve and analyze oil and gas projects on a site-specific basis while an RMP amendment is underway. "When an RMP is being amended or revised, BLM will continue to process sitespecific permits, sundry notices, and related authorizations on existing leases in an expeditious manner while ensuring compliance with NEP A and other laws, regulations, and policies." Washington Office Instruction Memorandum 2001-191, pg. 1 (August 6, 2001). "Actions that may appear to reduce a lessee's right to reasonably develop a lease should be cleared through the State Director and Regional Solicitor's Office." !d. The BLM should not limit or restrict oil and gas development during the amendment process.			
31.	The BLM should also utilize existing data developed in Wyoming regarding sage-grouse populations and energy development. Four studies were prepared by Hayden-Wing Associates and Taylor Environmental Consulting LLC and were conducted using the most current publicly available data on lek attendance in developed oil and gas fields maintained by Wyoming Game and Fish Department and Wyoming Oil and Gas Conservation Commission. These studies, identified below, have been subjected to formal peer review by highly respected wildlife journals; and, we urge they be utilized as an integral part of the agency's analysis processes. 1. Human Impacts And Multilevel Processes In Greater Sage-Grouse Population Dynamics - Harju, Dzialak, Taylor, Clark, Hayden-Wing, and Winstead. 2. Factors Affecting Lek Occupancy Dynamics In Greater Sage-Grouse- Clark, Taylor, Dzialak, Hayden-Wing, Harju, Sutter, and Winstead. 3. Thresholds Of Energy Development And Greater Sage-Grouse Populations - Harju, Taylor, Dzialak, Clark, Hayden-Wing, and Winstead. 4. Identifying And Prioritizing Greater Sag-Grouse Nesting And Brood Rearing Habitat For Conservation In Human-Modified Landscapes - Dzialak, Olsen, Harju, Webb, Mudd, Winstead, and Hayden-Wing. Contrary to the conclusions reached in other studies, findings contained in these studies clearly demonstrate that energy development and viable sage-grouse populations can successfully co-exist when reasonable mitigation measures are utilized during exploration, development and producing activities.	All	Both	emc0166GB
32.	The BLM must analyze the potential impacts that additional restrictions on oil and gas operations, and other uses of the public lands, will have upon local and regional economics. Such an analysis must be prepared on a local, planning level, not a single national or regional level. Only with site-specific economic impact analysis will public lands users and local governments understand the potential economic consequences of additional restrictions. Such an economic analysis is specifically required by the BLM Planning Regulations and the BLM Land Use Planning Handbook. 43 C.P.R. §§ 1610.4-4(g), 1610.4-6; BLM Manual H-1601-1, Land Use Planning Handbook, Appendix D (Rel. 1-1693 03/11/05).	All	BLM	emc0166GB
33.	As indicated by the number of decisions cited above, the purpose of the RFD Scenario continues to be a source of confusion and litigation. Even now appeals are pending before the ffiLA and federal courts across the nation in which groups opposed to continued energy development are attempting to argue the RFD Scenario as a cap to preclude further domestic energy development. Thus, the BLM must carefully explain to the public that the RFD Scenario is not a cap or limitation on future development. In the most recent published decision from the IBLA regarding the RFD Scenario, the IBLA unequivocally determined that the RFD Scenario is not, and cannot be used as, a limitation on future oil and gas development. "While an important tool in the land use planning process, RFD scenarios do not constitute fixed or maximum limits on development under FLPMA such that exceeding them constitutes a violation of that statute." Biodiversity Conservation Alliance, eta/., 174 IBLA 1, 11 (2008).	All	Both	emc0166GB

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34.	In order to prevent future litigation and appeals, the BLM must include language in the revised RMPs describing the purpose of the RFD Scenario and the fact that the RFD Scenario is not a planning decision or limitation on future oil and gas development. Instruction Memorandum 2004-089, Policy for Reasonably Foreseeable Development (RFD) Scenario for Oil and Gas (Jan. 16, 2004). For example, the BLM could expressly adopt and incorporate the position the Secretary of the Interior, through the IBLA, has expressed regarding the RFD Scenario in a recent published opinion: Noting that an RFD scenario is an analytical tool, we expressly rejected both the idea that it establishes a point past which further exploration and development is prohibited, and the assumption that the underlying environmental analysis has no validity beyond the RFD scenario. In rejecting that assertion, we implicitly agreed with BLM that an RFD scenario is neither a planning decision nor the No Action Alternative in the NEP A document. National Wildlife Federation, 170 IBLA 240, 249 (2006) (internal quotations and citations omitted).	All	BLM	emc0166GB
35.	When revising the RMPs the BLM should ensure that stipulations developed for future oil and gas leasing are the least restrictive necessary to adequately protect other resource values. As the BLM is aware, Section 363 of the Energy Policy Act of 2005 required the Secretary of the Interior and the Secretary of Agriculture to enter into a Memorandum of Understanding regarding oil and gas leasing and to ensure that lease stipulations are applied consistently, coordinated between agencies, and "only as restrictive as necessary to protect the resources for which the stipulations are applied." Energy Policy Act of 2005, Pub. L. No. 109-58, § 363(b)(3), 119 Stat. 594, 722 (2005). The Memorandum of Understanding required by § 363 of the Energy Policy Act of 2005 was finalized in April of 2006 as BLM MOU W0300-2006-07. The stipulations for oil and gas leases within the revised RMPs should not be onerous or more restrictive than necessary.	All	Both	emc0166GB
36.	EOG encourages the BLM to comply with all of the procedural requirements of the National Environmental Policy Act of 1969 as well as the procedural requirements of the Federal Land Policy and Management Act of 1976, while limiting its discussion of alternatives to only those that are reasonable and practicable. For example, the BLM should not impose or develop mitigation measures that are inconsistent with existing rights nor should the agency analyze alternatives that unreasonably restrict multiple use of the public lands. The BLM should also ensure that it does not impose overly stringent or unreasonable limitations on oil and gas development. The BLM should also ensure that it prepare accurate economic analysis and does not attempt to utilize the RFD Scenario as a limit on oil and gas development.	All	Both	emc0166GB
37.	The BLM must ensure that sage grouse conservation measures can be enacted in a manner that will not adversely impact the energy industry, which is so vital to local, state and national economic well-being. If sage grouse conservation hampers the energy industry's ability to produce domestic natural resources, such as oil and gas, prices will increase as demand increases and the country resorts to importing more energy from foreign sources. Energy price increases will hurt the fragile national economic recovery.	All	Both	emc0242GB
38.	The success of lek and nesting locations near existing - oil and gas development should be analyzed in the RMP amendments.	All	Both	emc0242GB
39.	The continued exploration and production of OiL Gas and other resources is an important factor in keeping the social and economic infrastructure on our local area and of this country intact. But further, we firmly believe their partnerships with other entities in the private sector and with govermnent agencies are crucial to the success of this endeavor. The funding these companies have provided will assist in funding research and direct on-the-ground Sage Grouse habitat improvements.	All	Both	emc0410GB

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	The research can increase better understanding of the bini's habits and traits in and around the areas that these projects are located. Cooperative actions such as just described will detinitely help to keep funds available which is very important to sustain longterm projects to increase the sustainability of sage grouse habitat.			
40.	Oil and gas leasing (or geothermal leasing) has no impact to the Sage Grouse population in Nevada. If it is determined that the Sage grouse populations in Nevada are declining then leases could be issued with stipulations regarding the preservation of Sage grouse populations and or habitats.	All	Both	emc0245GB, emc0099RM
41.	Oil and gas development was to be monitored. This industry directly impacts the G.S. grouse.	All	Both	cfc0008RM
42.	Oil and gas industries must be made to help with the preservation of these birds!	All	Both	cfc0008RM
43.	I believe that there are several factors involved in the decrease of their population. Industry such as oil and gas drilling and wind generators that are located in their habitat areas have a great influence on the nesting and strutting leks.	All	Both	cfc0014RM
44.	With these new regulations you are going to really hurt the oil and gas industry, people that work there, the states that rely on that income, our country with lack of revenue and having to import more foreign oil. In a time of world unrest in the Middle East, we don't need more restrictions at home for oil & gas exploration. A lot of common sense is needed in this matter, not more regulations.	All	Both	cfc0022RM
45.	Mineral Development. #1 NTR - ok. #2 ok #3 Maintainence may be crucial (usually is) on existing producing wells. Guidance should be case by case.	All	Both	cfc0025RM
46.	"Close priority sage grouse habitats to fluid mineral leasing." No! That is taking. May put in timing guidelines and stay back from lek. Who would enforce this?	All	Both	cfc0025RM
47.	6. BLM should proactively address management of oil and gas development in sagegrouse habitat. Oil and gas development has already had significant impacts on sage-grouse habitat. Through both this process and other ongoing efforts, the BLM has the opportunity to set the stage for responsible oil and gas development to proceed while ensuring protection of greater sage-grouse habitat.	All	Both	emc0234GB
48.	BLM should use master leasing plans to create detailed plans for oil and gas development that protect sage-grouse habitat.	All	BLM	emc0234GB
49.	BLM is currently preparing master leasing plans (MLPs) pursuant to IM 2010-117 to "strategically plan" for leasing and development in areas with important resource values, such as critical wildlife habitat, in order to resolve potential resource conflicts and environmental impacts. There are three primary steps that BLM must complete as part of preparing MLPs: • First, the BLM must fully identify the "important national and local resource/sl" located in MLP areas. IM 2010-117 at II.A; • Second, the BLM must identify and evaluate "potential conflicts" between oil and gas activity and the protection of those resources. IM 2010-117 at II.A; and • Third, the BLM must identify and evaluate "planning decisions" to address resource conflicts. IM 2010-117 at II.B. By taking these steps, BLM can create MLPs that address both protection of sage-grouse habitat from oil and gas development (including closures to leasing and releasing, and stringent protections from drilling where appropriate) and conducting responsible oil and gas development in a manner that will not adversely affect sage-grouse habitat. In fact, there is sage-grouse habitat in many of the MLPs already under consideration or proposed (such as those being evaluated in the Lander (WY), Rock Springs (WY), White River (CO), and Kremmling (CO) RMPs).	All	BLM	emc0234GB

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50.	b. BLM should address deferred leasing in these EISs. In accordance with BLM's interim guidance on managing oil and gas leasing in sage-grouse habitat (see, IM 2012-043) and other consideration of sage-grouse habitat, BLM has been deferring parcels from lease sales based on potential impacts to sage-grouse and the expected outcome of this process. As a result, even with conservation measures adopted through this process, there may well be a substantial amount of nominated parcels to be addressed once this EIS process is completed. BLM should plan for how this acreage will be considered for leasing and avoid a large-scale, unplanned leasing of habitat.	All	Both	emc0234GB
51.	Recommendation: BLM should incorporate a strategic leasing plan for deferred leases that may be available for leasing after completion of these EISs	All	BLM	emc0234GB
52.	The Multiple Use Sustained Act Yield Act requires BLM to manage its lands for "multiple uses," including livestock grazing and oil/gas exploration and recovery. Resource Management Plans (RMP) should recognize that sage grouse management can be compatible with livestock grazing and oil development. Furthermore, normal activities of multiple uses should be allowed to continue until the plan revisions have been made. No activities, such as livestock grazing, should be stopped in the interim. Any change in use should follow existing legal procedures for changing such use.	All	Both	emc0024RM
53.	We also believe the impact of the pipeline on migratory corridors has been overlooked. While alternative B bisects only a small portion of Montana sage-grouse core area 1, it bisects key migratory pathways for sage-grouse coming from and moving to Canada. Because sage-grouse from core areas 1 and 2 provide 'source' populations for sage-grouse that are federally listed as endangered in Canada, it is imperative that we not disrupt their migration in this region. All pump stations and other permanent structures should be placed a minimum of 2 miles (3.2 km) from the nearest lek, with a preferred distance of >4 miles (6.4 km) from active leks, based upon the best-available data from Naugle et al. (2011). Power lines should be buried whenever possible to decrease impacts from aerial predators. These recommendations hold for all types of oil and gas development within the range of greater sage-grouse and should be applied to the Keystone XL pipeline on BLM lands without exception.	All	Both	emc0034RM
54.	Sage-grouse Nesting and Early Brood-Rearing Habitats ··- There is potential nesting and early brood-rearing habitat within 8 km of known lek as identified through the Colorado Vegetation Classification Project data. CDOW documented sage-grouse use of all parcels, supporting the conclusion that suitable habitat exists in the parcels. Sagebrush dominant habitats within 5.5 km of a lek have a higher probability of use for nesting and early brood-rearing. Female sage-grouse avoid nesting within 1 km of oil and gas infrastructure and have a lower annual survival. Chick survival decreases within 1 km of visible wells. !d. at 2.	All	BLM	emc0057RM
55.	Please do not allow new oil or gas drilling in priority sage grouse habitat. Please may we use directional drilling from existing drilling pads	All	Both	emc0264GB
56.	The County further questions the viability of restricting access to leased or unleased federal fluid mineral estate by helicopter-portable drilling methods in priority habitat areas without the ability to transport the gas to market. This is especially challenging when there may already be seasonal timing restrictions are already in place. "Alternative B" on Page 22 ofthe National SGS Report appears to be more reasonable as it provides an opportunity for energy development to occur so long appropriate mitigation measures are also being pursued. The County recommends that the EIS contain an alternative that is consistent with this approach rather than a complete NSO alternative with very limited (3%) disturbance	All	Both	emc0058RM

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	rules.			
57.	Some times it appears there is a double standard when you consider how many birds are killed each day, even endagered species, by wind tubines then stop all drilling because sage grouse habitat is near by.	All	Both	emc0081RM
58.	With regards to linkages between priority and priority habitats, these linkages should be given a priority status, therefore adding to and extending the coverage and classification of priority habitat. This is given due to an acknowledgement that priority habitats are currently classified due to known lek sites. However, currently considered areas of high priority are also areas in which oil and gas development is taking place on both public and private lands. Therefore, continual and arguably permanent disturbance has already taken. Since the BLM has the only potential to guarantee saved habitat for the Greater Sage Grouse, I argue that more extensive measures need to be taken to define GSG habitat for the next twenty year plan. The current NTT goals and objectives do not address this important consideration, and fall short in the agency's responsibility to protect the Greater Sage Grouse and its habitat.	All	Both	emc0074RM
59.	When considering disturbance density of oil and gas development, with development including but not limited to drilling, well creation, road creation and or usage, and maintenance, the BLM should allow no more than five drill sites within a 5.5 mile radius of each lek site. In this notation and further notations, I am considering drill sites to include sites that have a production value as well as those which do not. In this notation as well as further notations, I am considering disturbance density to include already existing oil and gas development as well as potential oil and gas development. Therefore, preexisting and potential oil and or gas sites will come to a cumulative total of five, not five of one and not five of another.	All	BLM	emc0074RM
60.	When considering the necessity for habitat preservation, all priority sites will be designated high priority and mandatorily set aside from any new or further oil and gas development, as well as road and other leasing development.	All	BLM	emc0074RM
61.	When considering the necessity for habitat preservation, all linkages between any site and a priority site will also be designated high priority and mandatorily set aside from any new or further oil and gas development, as well as road and other leasing development.	All	Both	emc0074RM
62.	When considering the necessity for habitat preservation, all general habitat sites will be designated medium priority sites, with a mandatory evaluation of their protection from oil and gas development, and road development, and other leasing development. It will be mandatory for the BLM to act upon new information provided regarding lek locations, regardless of their activity status, and to install protective measures in the middle of the finalized land usage plan. These measures will follow the regulations of all high priority, priority and general habitats, as well as mandatory exemptions from oil and gas development, road and other leasing developments as other Greater Sage Grouse habitats have undergone.	All	BLM	emc0074RM
63.	Another disturbance not specifically identified or addressed in existing or draft RMPs is the impact that natural gas flaring poses to greater sage-grouse. Flaring is believed to pose a threat from several standpoints. Noise associated with flaring may cause disturbance and increased predator effectiveness. Sound may directly interfere with lek display vocalizations and harmonics. Light from flaring can extend far beyond the immediate pad area, and this increased availability of light may provide increased opportunity for predation at times when natural light is normally not available. Light may also directly preclude grouse from using lek sites or other seasonal habitats.	All	Both	emc0072RM
64.	CPW also expects that BLM will consider and analyze a wide range of cumulative impacts of developments on greater	All	Both	emc0072RM

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	sage-grouse, including projects that are in the planning or development phase (e.g., interstate transmission lines, interstate pipelines, and adjacent state greater sage-grouse RMP revisions). It is unclear to CPW how cumulative impacts will be addressed in circumstances where impacts occur across state boundaries, such as is the case with the Hiawatha Environmental Impact Statement (EIS). Many questions also remain regarding oil shale energy development. For example, how will the potential cumulative impacts of the programmatic oil shale leasing EIS fit into this RMP? Other energy development EISs have also been completed and it is unknown how they may integrate with the greater sage-grouse PRMP. Will previously analyzed coal mining EIS findings be integrated into this PRMP as well?			
65.	We also have an interest in the other uses of Forest Service lands. In general, activities which have low impact do not appear to disturb species such as sage grouse. In regards to oil and gas development, the country needs energy. Such development does appear to be an activity which disturbs these highly sensitive birds. It should be allowed when it does not negatively impact grouse. I note that the document addresses split estate. Energy companies which develop minerals on split estate lands need to be made aware of sage grouse concerns. Recently, a company contacted us about leasing minerals in an area where they hold the lease, and both private and federal minerals lie underneath our private surface. When I mentioned that the area has a lot of grouse, and that it is contiguous to critical habitat, the person I was talking to was mystified, and in fact asked me to spell "Sage Grouse".	All	Both	emc0088RM
66.	We also have an interest in the other uses of Forest Service lands. In general, activities which have low impact do not appear to disturb species such as sage grouse. In regards to oil and gas development, the country needs energy. Such development does appear to be an activity which disturbs these highly sensitive birds. It should be allowed when it does not negatively impact grouse. I note that the document addresses split estate. Energy companies which develop minerals on split estate lands need to be made aware of sage grouse concerns. Recently, a company contacted us about leasing minerals in an area where they hold the lease, and both private and federal minerals lie underneath our private surface. When I mentioned that the area has a lot of grouse, and that it is contiguous to critical habitat, the person I was talking to was mystified, and in fact asked me to spell “Sage Grouse	All	Both	emc0088RM
67.	A recommendation about a relevant recent publication to consider in development of a National Sage Grouse Strategy We would like to take this opportunity to remind the BLM that an advance online copy of a peer-reviewed paper titled Oil and Gas Development and Greater Sage Grouse (Centrocercus urophasianus): A Review of Threats and Mitigation Measures was personally handed to the BLM’s Director and Assistant Director on September 16, 2011, three months in advance of the release of the December 27, 2011 Instructional Memorandum and 2011 Report On National Greater Sage-Grouse Conservation Measures (hereafter, referred to as the 2011 NTT Report). This paper is an open access publication available at http://iceed.org/. It is a thorough scientific and technical review that is highly relevant to development of the BLM’s National Strategy. This paper should be considered in the revised or amended RMPs.	All	BLM	emc0346GB
68.	There is at present no systematic cataloging and quantitative evaluation of the type, extent, and effectiveness of mitigation measures previously required of the oil and gas industry by the BLM. Because of their monitoring and adaptive management function, BLM’s Resource Management Plans (RMPs), need the support of a database on mitigation measures required of oil and gas operations on BLM-managed lands. Without this information, we are concerned that the BLM will expend a great deal of time reinventing the wheel in applying and testing new mitigation and conservations measures, when some of these	All	BLM	emc0346GB

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	adaptive management experiments have already been undertaken, in multiple locations. The oil and gas industry has participated in many ways to the conservation of sage grouse, from implementing mitigation measures on individual projects, to partnering on land conservation easements and land preservation efforts. Industry's efforts have been paralleled by those of the local working groups to develop voluntary measures for conservation of the sage grouse and its habitat. However, we see no acknowledgement of these efforts in the National Strategy or NTT Report. In the spirit of cooperative conservation, and to further the scientific basis of future efforts, we urge the BLM to develop the database described above to capture the lessons learned from the various efforts pursued by agencies, industry, private landowners and conservation organizations for the benefit of this species.			
69.	The NTT appears to be unfamiliar with technologies developed and currently in use by the oil and gas industry that are designed to increase efficiency and safety of operations, while simultaneously reducing environmental impacts. A contributing factor to this lack of familiarity is the fact that the majority of studies on oil and gas industry impacts are based upon decades old technology in intensively developed areas. As noted in a recent paper on the subject, "Current stipulations and regulations for oil and gas development in sage grouse habitat are largely based on studies from the Jonah Gas Field and Pinedale anticline. These and other intensive developments were permitted decades ago, using older, more invasive technologies and methods. The density of wells is high, largely due to the previous practice of drilling many vertical wells to tap the resource (before the use of directional and horizontal drilling of multiple wells from a single surface location became widespread), and prior to concerns over sage grouse conservation. This type of intensive development set people's perceptions of what future oil and gas development would look like and what its impact to sage grouse would be. These fields, and their effect on sage grouse, are not necessarily representative of sage grouse responses to less intensive energy development. Recent environmental regulations and newer technologies have lessened the threats to sage grouse." (Ramey, Brown & Blackgoat 2011). The strategy and subsequent revisions or amendments to RMPs should incorporate information and knowledge not only from experts in wildlife biology but also engineers and other industry specialists who develop and implement the types of technological innovations that improve the efficiency of oil and gas operations and reduce their environmental impacts.	All	BLM	emc0346GB
70.	Two narrow alternatives are presented, Alternative A: closing priority sage grouse habitat areas to fluid mineral leasing, and Alternative B: allowing leasing when there is checkerboard ownership and a mitigation plan developed that will bring long-term population increases. Alternative B, does not acknowledge that it may not be possible to meet the condition that the sage grouse population in the proposed lease area be increased through mitigation above its current number (i.e. because it is already high, prior to leasing). A more reasonable set of alternatives would include a range of population level responses that take into account natural population fluctuations (e.g. an expected percentage of change over current number over the life of the field). Also, alternatives are needed that address not only population and habitat variables but also the socioeconomic impacts associated with reduced oil and natural gas production from the federal mineral estate.	All	BLM	emc0346GB
71.	The development of oil and gas resources from public lands is a critical part of the BLM's responsibilities. See, e.g., 43 U.S.C. § 1702(l) (defining mineral exploration and development as a principal or major use of public lands). Under FLPMA, the BLM is required to manage the public lands on the basis of multiple use and sustained yield. 43 U.S.C. § 1701 (a)(7) (2006). "'Multiple use managemene is a deceptively simple term that describes the enormously complicated task of striking a	All	BLM	emc0116GB, emc0033RM

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	balance among the many competing uses to which land can be put, 'including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and [uses serving] natural scenic, scientific and historical values.' " Norton v. Southern Utah Wilderness Alliance, 542 U.S. 55, 58 (2004) (quoting 43 U.S.C. § 1702(c)). "Of course not all uses are compatible." {d. Devon recognizes the difficult task the BLM faces to manage public lands for multiple use but reiterates that oil and gas development is a crucial part of the BLM's multiple use mandate. The BLM must ensure that oil and gas development is not unreasonably limited in the revision to the RMPs in the Western United States. Oil and gas operators have consistently demonstrated that oil and gas development and environmental stewardship can co-exist on federal lands.			
72.	When revising the existing RMPs, the BLM must also acknowledge existing rights, including oil and gas lease rights. Once the BLM has issued a federal oil and gas lease without no surface occupancy stipulations, and in the absence of a nondiscretionary statutory prohibition against development, the BLM cannot completely deny development on the leasehold. See, e.g., National Wildlife Federation, et al., 150 IBLA 385, 403 (1999). Only Congress has the right to completely prohibit development once a lease has been issued. Western Colorado Congress, 130 IBLA 244, 248 (1994). Further, the BLM cannot adjust Devon's valid and existing rights. Congress made it dear when it enacted FLPMA that nothing therein, or in the land use plans developed thereunder, was intended to terminate, modify, or alter any valid or existing property rights. See 43 U.S.C. § 1701 (2006). In order to effectuate this purpose, the BLM promulgated policies regarding the contractual rights granted in an oil and gas lease. BLM Instruction Memorandum 92-67 states that U[t]he lease contract conveys certain rights which must be honored through its term, regardless of the age of the lease, a change in surface management conditions, or the availability of new data or information. The contract was validly entered based upon the environmental standards and information current at the time of the lease issuance." As noted in the BLM's Instruction Memorandum, which is binding upon the agency, the lease constitutes a contract between the federal government and the lessee which cannot be unilaterally altered or modified by the BLM.	All	BLM	emc0116GB, emc0033RM
73.	In the revised RMPs and accompanying EIS, the BLM should discuss the fact that an oil and gas lease is a binding contract between the federal government and the lessee, and that the lessee has certain rights thereunder. See Mobil Oil Exploration ft Producing Southeast, Inc. v. United States, 530 U.S. 604, 620 (2000) (recognizing that lease contracts under the Outer Continental Shelf lands Act gives lessees the right to explore for and develop oil and gas); Oxy USA, Inc. v. Babbitt, 268 F.3d 1001,1006-7 (10th Cir. 2001) (noting that the Tenth Circuit has long held that federal oil and gas leases are contracts) rev'd on other grounds, BP America Production Co. v. Burton, 549 U.S. 84 (2006). Although the BLM may alter the existing RMPs, the BLM-and the pUblic-must be reminded that the BLM cannot alter or modify the terms of existing leases.	All	BLM	emc0116GB, emc0033RM
74.	When revising the RMPs the BLM should ensure that stipulations developed for future oil and gas leasing are the least restrictive necessary to adequately protect other resource values. As the BLM is aware, Section 363 of the Energy Policy Act of 2005 required the Secretary of the Interior and the Secretary of Agriculture to enter into a Memorandum of Understanding regarding oil and gas leasing and to ensure that lease stipulations are applied consistently, coordinated between agencies, and "only as restrictive as necessary to protect the resources for which the stipulations are applied." Energy Policy Act of 2005, pub. l. no. 109-58, § 363(b)(3), 119 Stat. 594, 722 (2005). The Memorandum of Understanding required by § 363 of the Energy Policy Act of 2005 was finalized in April of 2006 as BLM MOU W0300- 2006-07. The	All	BLM	emc0116GB, emc0033RM

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	stipulations for oil and gas leases within the revised RMPs should not be onerous or more restrictive than necessary.			
75.	Reduce the potential for West Nile Virus by eliminating surface discharge of produced water for oil and gas. BLM should implement policies that reduce and eliminate the discharge of produced water on the surface in order to reduce the breeding environment for the culex mosquito which is the carrier of West Nile Virus.	All	BLM	emc0129RM
76.	The intent is "to maintain, enhance, or restore conditions that meet Greater Sage-Grouse life historic needs." Since federal agencies manage wildlife habitat resources in cooperation with States and partners in an effort to restore habitat for big game and improving habitat quality for a large variety of wildlife species, it is important for the agencies to recognize that the oil and gas industry has been an active participant in a number of such efforts. Industry has gone to great lengths to document the effectiveness of mitigation and conservation measures it has implemented in Colorado, Montana, Utah and Wyoming in order to minimize potential impacts to the Sage-grouse. In comments submitted in 2008 to the US Fish and Wildlife Service, IPAMS (now Western Energy Alliance) and the American Petroleum Institute provided examples of conservation and mitigation measures utilized by the industry around the Greater Sage-Grouse range. PAW submitted similar comments through the Wyoming Governor's office, which in turn were submitted to the U.S. Fish and Wildlife Service. Sets of both these comments will be submitted as a supplement to these comments due to their size and will be labeled Attachments A and B, respectively. We caution, however, that such	All	Both	emc0340GB
77.	We urge acknowledgement and consideration of all studies and programs that have been undertaken regarding oil and gas activities and Sage-grouse viability along with other stakeholders. For example, studies have been conducted in Wyoming to determine the actual impacts of energy development on the Greater sage-grouse which can be extrapolated to other areas. A published study prepared by Hayden-Wing Associates and Taylor Environmental Consulting LLC was conducted using the most current publicly available data on lek attendance in developed oil and gas fields maintained by Wyoming Game and Fish Department and Wyoming Oil and Gas Conservation Commission. Identified below, the study has been subjected to formal peer review by a highly respected wildlife journal; and, we urge that it be utilized as an integral part of the agency's analysis processes. In addition, we refer BLM to another published study, Oil and Gas Development and Greater Sage Grouse: A review of Threats and Mitigation. Copies of these studies and their findings will be forwarded to you under separate cover and are incorporated by reference into these comments as Attachments C and D, respectively. These scientific documents must be accounted for in land management planning decisions. BLM must not cherry pick its scientific evidence. - Thresholds Of Energy Development and Greater Sage-Grouse Populations - Harju, Taylor, Dzialak, Clark, Hayden-Wing, and Winstead 2010 - Oil And Gas Development and Greater Sage Grouse (Centrocercus Urophasianus): A Review Of Threats and Mitigation Measures, Ramey, Brown, and Blackgoat 2011 Contrary to the conclusions reached in other studies, findings contained in these studies clearly demonstrate that energy development and viable sage-grouse populations can successfully coexist when reasonable mitigation measures are utilized during exploration, development and producing activities. As such, claims that oil and gas activities result in significant sage-grouse population decline and habitat are completely unfounded. Given that the energy industry has plainly demonstrated its long-term commitment to finding ways to diminish impacts from its operations on Sage-grouse through BLM-approved best management practices and to utilize effective mitigation measures, we urge that all analyses to focus upon management	All	Both	emc0340GB

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	options that provide flexibility that would not be available if the species were listed under the Endanger Species Act.			
78.	Additionally, in order to implement a truly effective management strategy, a comprehensive database is essential to maintaining a record of the type, extent, and effectiveness of mitigation measures already in use by the oil and gas industry. It would also incorporate all new measures as they are developed to ascertain their effectiveness. Such a database would provide an overview of which measures are useful and which should be discarded as ineffective. Without this information, the application of adaptive management would be fallacy.	All	Both	emc0340GB
79.	Additionally, in recognition of the time and money that has been expended to ensure economic viability of such projects, we urge the agencies to adopt a similar approach to Wyoming's when identifying reasonable conservation and mitigation measures in all habitat areas. The validity of recognizing current uses in developing a reasonable management strategy has been upheld by a variety of federal courts and the Department of Interior's own Interior Board of Land Appeals (IBLA). As such, we would oppose the suspension or delay of any existing projects or project proposals that occur on existing leases during preparation of the EISs. Should the agencies decide to eliminate certain existing uses, they must provide strong scientific evidence that the State's population management goals for Greater Sage-grouse cannot be met.	All	Both	emc0340GB
80.	According to IM 2012-043, under the Fluid Minerals Section, FOs are instructed to "issue Written Orders of the Authorized Officer (43 CFR 3161.2) requiring reasonable protective measures consistent with the lease terms where necessary to avoid or minimize effects to Greater Sage-Grouse populations and its habitat." We support BLM's commitment to protecting valid existing rights. However, we recommend that this instruction be clarified to specify that once a lease has been issued, the lessee is entitled to access on the lease when it does not involve a species listed under the Endangered Species Act. In such cases it is crucial for BLM to retain on-the-ground flexibility when identifying such protective measures. It is outside BLM's authority to attempt to impose conservation measures that would provide the same or greater restrictions on activities as would be applied under the Endangered Species Act at the expense of valid existing lease rights. If listed, management under the ESA would seek to "restore" habitat and populations with delisting as a goal. The agencies cannot unilaterally manage any state-owned species for recovery. Population management goals are the purview of the state and federal land management agencies must manage their lands accordingly. For example, the NTT Conservation report includes the recommendation not to allow new surface occupancy on federal leases within priority habitats; this includes winter concentration areas during any time of the year. Clearly, this is but one example of where BLM's approach fails to recognize valid existing rights and must be eliminated. The recognition of valid and existing leases in the analysis for each RMP is a critical aspect that cannot be ignored.	All	BLM	emc0340GB
81.	Predation is a significant factor in managing Sage-grouse habitat. A paper, based upon 3 years of research, was recently published in Ecological Processes, a SpringerOpen Journal, titled Landscape Features and Weather Influence Nest Survival of a Ground-Nesting Bird of Conservation Concern, the Greater Sage-Grouse, in Human-altered Environments (Attachment E) has identified several methods for conserving Sage-grouse but points out that there is a specific lack of understanding of the relationship between energy development and nest and brood failure. Consequently, more research is needed before determining what mitigation measures would be most effective. Another recent paper, Identifying and Prioritizing Greater Sage-Grouse Nesting and Brood-Rearing Habitat for Conservation in Human-Modified Landscapes	All	Both	emc0340GB

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	(Attachment E), published in the journal PLoS ONE (Attachment F) recommended that constraints on human activity be focused in specific areas rather than applied on a regional scale. Importantly, mitigation measures should be utilized primarily in areas of high habitat value. As such, mitigation should aim for a specific percent reduction in the risk of nest failure by contemplating constraints on infrastructure or water management activity within a given distance of a high probability of occurrence of nesting habitat. It is critical for a distinction to be made between low-performance habitat for nesting and brood rearing and high-performing habitat. Nevertheless, we recognize that measures to avoid or minimize the creation of new anthropogenic risk factors in high-performance habitat are needed along with steps to reduce existing risk factors that render a habitat low-performance such as burying utility lines, removing utility poles, and discouraging the use of facilities by avian predators would reduce predator density and effectiveness. In all, we strongly recommend that the agencies work closely with the oil and gas industry in developing site-specific measures that achieve the desired result of lowering predation risk in developed areas.			
82.	Specifically, management prescriptions for this proposed ACEC should implement the conservation measures recommended by the Sage-Grouse National Technical Team in December, 2011 (SGNTT, 2011). Recent publications have exhaustively documented the special conservation actions needed to sustain Greater Sage-Grouse in the American West (SAB 2011). Because this proposed ACEC includes priority/core sage grouse habitat, we recommend the following special management to address activities that will fragment the sage-steppe habitats upon which the greater sage-grouse depends: 1. Fluid Minerals/ Oil and gas: The Sage-Grouse National Technical Team recommends that unleased federal fluid minerals be closed to leasing in priority sage grouse habitat. Upon expiration or termination of existing leases no new nominations/ expressions of interest should be accepted. The lands within the proposed Dillon Resource Area ACEC are almost entirely unleased (see attached map: "Beaverhead Headwaters/ Centennial Valley Sage Grouse Core Areas"). Management prescriptions for this ACEC should implement the Technical Team's recommendation, closing these lands to future leasing. This would include all of the federal mineral estate within the boundaries of the ACEC, regardless of surface land ownership. The current Dillon Resource Management Plan requires only a Xmile NSO stipulation around sage grouse leks. More recent research reflected in the National Technical Team's report indicates that "applying NSO or other buffers around leks at any distance is unlikely to be effective. Even if this approach were to be continued, it should be noted that protecting even 75 to >80% of nesting hens would require a 4-mile buffer." SGNTT, 2011, pp 20-21). Given the current lack of interest in oil and gas within the boundaries of the proposed ACEC, special management provisions should be put in place now to protect Sage-Grouse habitat and provide for enhanced and resilient populations in southwest Montana.	All	Both	emc0248GB
83.	I support development of new energy sources in the United States, including the oil and gas reserves in Wyoming and Montana. But, I think we need to come up with some type of development fees in exchange for development rights, that could be imposed on property owners selling or leasing their lands for energy development, and imposed on the energy companies themselves that profit from this development. The money collected from these fees could be used to purchase other land to be set aside in perpetuity as habitat for species such as the sage grouse. (Also, these fees could be used to mitigate groundwater pollution that appears to be a result of the fracking process). If imposition of these development fees would require listing the sage grouse as an endangered species, I would be in favor of that too. The bottom line here is, we need new energy sources, and we need businesses to profit to maintain the economy and create jobs, but we also need to	All	Both	emc0001GB

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	protect the environment. In exchange for profit, business and land owners must be held responsible for the costs of mitigation for harm to the environment.			
84.	BLM must recognize that oil and gas operators can develop resources across the range of the GSG in an environmentally sound manner by protecting local populations and habitat while providing the nation with an abundant source of clean, affordable, domestic energy	All	BLM	emc0246GB
85.	We are particularly concerned that BLM may choose to incorporate one or all of the conservation measures outlined in the Report into the RMP's via this amendment process. Recommendations of particular concern are the four mile no surface occupancy (NSO) buffer around leks and the 3% surface disturbance limitation for leases entirely within core sage grouse habitat. These restrictions are not supported by science and are much more onerous than even the most restrictive management strategies used across the range of the species. Applying an NSO timing stipulation restriction four miles around leks on leases will prevent new 011 and gas development and may ultimately result in the infringement of valid lease existing rights (see 'Valid Existing Lease Rights' section below).	All	Both	emc0246GB
86.	We request that BLM acknowledge and incorporate recent studies regarding the impact of oil and gas activities or GSG viability into the EISs and SEISs. A report entitled "Thresholds of Energy Development and Greater SageGrouse Populations," by Taylor, Dzlalak and Clark et al. in 2010 was performed In Wyoming to show the actual impacts of energy development on GSG and was conducted using the most current publicly available data on lek attendance in areas with full-field development. Contrary to the conclusions reached in other studies, findings contained in this study clearly demonstrate that energy development and viable sage-grouse populations can successfully coexist when reasonable mitigation measures are utilized during exploration, development and producing activities. The 2011 report entitled "Oil and Gas Development and Greater Sage Grouse (Centrocercus urophasianus): A Review of Threats and Mitigation Measures," by Ramey, Brown and Blackgoat is a detailed technical review of previous research regarding general threats of oil and gas development to sage grouse and examination of the reliability of various mitigation measures.	All	BLM	emc0246GB
87.	Based on language in the Report, we are concerned that BLM may require oil and natural gas activities to be sited at the greatest distance on a lease from a lek. Such a restriction could prevent operators from maximizing oil and natural gas recovery across their leasehold despite today's drilling technology and compromise their ability to exercise their valid existing rights. The Report also recommends that BLM may suspend non-producing leases without regard for preliminary exploratory work and Investment made by operators, which could also compromise valid lease rights.	All	BLM	emc0246GB
88.	The oil and gas industry contributes significantly to the local, state, and national economy, providing billions of dollars each year in royalties, bonuses, and severance taxes, besides other benefits of direct capital investment to local economies and high paying Jobs. Accordingly, BLM needs to analyze the effect on the local, state and national governments from the loss revenue that will arise from the Implementation of the new sage-grouse policies. The analysis should also include but not be limited to the loss of jobs and the increase of unemployment compensation.	All	BLM	emc0246GB
89.	The comments presented here are aimed at conserving the Greater Sage-Grouse (sage-grouse) while allowing El Paso's and others' necessary natural gas development projects to be permitted and implemented in an efficient and cost-effective manner.	All	Both	emc0278GB, emc0113rm

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90.	Natural gas has a prominent role in our nation's energy suppl y, and interstate natural gas pipelines are an integral part of tile nation 's energy infrastructure. Natural gas constitutes nearly 25 percent of energy consumption in the United States and domestic natural gas demand is expected to grow substantially over the next 20 yea rs.	All	Both	emc0278GB
91.	El Paso is regulated by the Department of Transportation (DOT) and the Pipe line and Hazardo us Materials Safety Admin istration (PHMSA) for the conveya nce of natural gas. As a result, safely regul ations stipulate that EII>aso maintain various safety faci lities (i.e. block va lves) and have access to our facilities on a regular basis. The spacing of these faci lities is mandated by the DOT and may on occasion fall within a mapped Pre liminary Priority Habitat (" I>PH") or Pre liminary General Habitat ("PGH") sage-grouse area. Any new conse rvation measures must allow for the location of these f<lcil itics within habitat areas. In addition, some fac il ities such as compressor stations and meter stat ions have to be located at certain points along an existing or new right-of-way (:'ROW"). The locations of these fac ilities are, at limes, restricted due to engineering constra ints and safety issues. Any conservation measures should allow the placement of operations and maintenance fac ilities within sage-grouse PPH and PGH habitat.	All	Both	emc0278GB
92.	Construction and permitting delays can be cost ly to El I>aso and its customers. Beyond economic costs, such delays underm ine the ind ustry's abi lity to provide safe, secure and rel iable energy supplies needed to support economic growth while protect ing both human health and environmental concerns. As wi th other regulatory approval processes, compliance with the BLM Resource Management Pl ans is a key factor in accomplishing effic ient perm itting and implementation of natural gas projects.	All	Both	emc0278GB
93.	In addition to adhering to its long-standing multiple-use policy, the BLM must also analyze the economic impacts of the restriction of energy development and infrastructure as wel l as traditional uses such as grazing through the implementation of sage-grouse conservation measures. Many local and regional economics are dependent upon the multiple IIses of the public lands and as such deserve a comprehensive economic evaluation of the economic impact of any large-scale, range-wide conservation measures.	All	Both	emc0278GB
94.	El Paso maintains and operates numerous facilities within sage-grouse habitat; our operations staff need to access portions of our right-of-ways to conduct emergency repairs, address safety concerns and perform routine maintenance activities. On page 11 of the NIT Conservat ion Measures document, the second bullet of the Travel and Transportation section indicates that "Travel managemen/ should evalua/e the need for permanent or seasonal road area closures." Provisions must to be made in the conservation measures to allow year- round access to the ROW for both safety and maintenance issues. In the event roads arc sched uled for closu re, the BLM/FS must be required to coordinate any road or area closures with the public and all affected parties such as El Paso prior to any permanent or seasonal closures to see how thcse closures would impact pipeline safety.	All	Both	emc0278GB
95.	While routine maintenance activities can sometimes be scheduled to minimize impacts, emergency and other un scheduled activities cannot. The EIS needs to analyze routine pipeline maintenance activities wi thin PPH and PGH habitat and just as importantly, allow access into these areas to complete emergency and safety activities. For our facilities located outside of identified sage-grouse habitat, our operations staff may need to use exist ing roads thro ugh identified habitat to access these facilities. Any proposed conservatio n measures must address this issue.	All	Both	emc0278GB

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96.	On page 13 of 74, thc first bullet states "Make priority sage ·grollse habitat areas exclusion areas for new ROWs permits. Consider the following exceptions. Within designated ROW corridors encumbered by existing ROW authorizations: new ROWs may be co ·localed only if the entire footprint of the proposed project (including construction and staging), can be compleled within the existing disturbance associated wilh the authorized ROWs." Compliance with this conservation measure is unrealistic due to safety concerns. When constructing new facilities, El Paso's strives to maintain a safe working distance from existing natural gas pipelines, powerlines and other infrastructure to prevent unintentional incidents involving contact with our lines. This offset combined with the amount of construction ROW that is required to safely construct new projects might effectively prohibit collocation with existing natural gas pipelines. This measure further eliminates the potential for placement of any new ROW corridors within identified grousc habitats and virtually climinates the potential for any new energy infrastructure throughout the range of the sage ·grouse. El Paso would agree that through the use of seasonal timing restrictions and careful route selection, disturbances to these areas could be reduced or eliminated. However, a complete eliminat ion of new rights ·of ·way does not adhere to the BLM pol icy of multiple ·use of the public lands.	All	Both	emc0278GB
97.	Throughout the West the sage-grouse plays a significant ro le in interstate pipel ine permitting. Addressing sage-grouse related issues can be a significant factor in the timely and cost-effective permitting and implementation of natural gas projects. Delay and inconsistency resulting from permitting requirements for sage-grouse can be costly to pipeline companies like El Paso and to their customers. As stated previously, El Paso recognizes the enormity of the scope of this project and the short duration of time in which the BLM and Forest Service have to complete this task. El Paso would request that the BLM and Forest Service develop a consistent management policy across the range of the sage-grouse and identify conservation measures that will allow much needed energy projects to move forward in a manner that is consistent with sage-grouse protections.	All	Both	emc0278GB
98.	Authorities have identified some of the specific impacts resulting from oil and gas development. Habitat fragmentation may be one of the worst effects from such activities, resulting from infrastructure associated with the development, including access roads. Some authors have speculated that road construction is one of the worst activities associated with energy development for sage-grouse survival. The Fish and Wildlife Service has noted that these habitat fragmentation impacts may have effects on sage-grouse greater than the associated direct habitat losses.	All	Both	emc0276GB
99.	Fragmentation of sagebrush habitats has been cited as a primary cause of the decline of sagegrouse populations because the species requires large expanses of contiguous sagebrush. More recently, several studies have documented negative effects of fragmentation as a result of oil and gas development and its associated infrastructure on lek persistence, lek attendance, winter habitat use, recruitment, yearling annual survival rate, and female nest site choice. “Avoidance of energy development at the scale of entire oil and gas fields should not be considered a simple shift in habitat use but rather a reduction in the distribution of sage-grouse	All	Both	emc0276GB
100.	Additionally, an increase in human presence near oil and gas development activities can lead to negative impacts on sage-grouse, as they seek to avoid the area. Human presence may also lead to a disruption of breeding activities, and is sometimes associated with increased hunting and poaching pressure. Additionally, an introduction or increase in traffic may lead to collisions and thus result in direct mortalities to sage-grouse. As the Technical Team Report points out, a recently	All	Both	emc0276GB

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	completed research study in Wyoming revealed that noise from natural gas drilling and roads resulted in a 29% and 73% decline respectively in male peak attendance at leks relative to paired controls, and that declines were immediate and sustained throughout the experiment with low statistical support for a cumulative effect of noise over time.9 Similarly, another study showed that sage-grouse in the Powder River Basin were 1.3 times more likely to occupy winter habitats that had not been developed for energy, and avoidance of developed areas was most pronounced when it occurred in high-quality winter habitat with abundant sagebrush.			
101.	The Technical Team Report also offers insight into a revealing study in southwest Wyoming that clearly shows avoidance by birds of energy development. It repeats the findings of the study as follows: Long-term studies in the Pinedale Anticline Project Area in southwest Wyoming present the most complete picture of cumulative impacts and provide a mechanistic explanation for declines in populations. Early in development, nest sites were farther from disturbed than undisturbed leks, the rate of next initiations form disturbed leks was 24 percent lower than for birds breeding on undisturbed leks, and 26 percent fewer females from disturbed leks initiated nests in consecutive years. As development progressed, adult females remained in traditional nesting areas regardless of increasing levels of development, but yearlings that had not yet imprinted on habitats inside the gas field avoided development by nesting father from roads. The most recent study confirmed that yearling females avoid infrastructure when selecting nest sites, and yearling males avoided leks inside of development and were displaced to the periphery of the gas field. Recruitment of males to leks also declined as distance within the external limit of development increased, indicating a high likelihood of lek loss near the center of developed oil and gas fields. The most important finding from studies in Pinedale was that sage-grouse declines are explained in part by lower annual survival of female sagegrouse and that the impact on survival resulted in a population-level decline. High site fidelity but low survival of adult sage-grouse combined with lek avoidance by younger birds resulted in a time lag of 3-4 years between the onset of development activities and lek loss. The time lag observed . . . in the Anticline matched that for leks that became inactive 3-4 years after natural gas development in the Powder River Basin. Analysis of seven oil and gas fields across Wyoming showed time lags of 2-10 years between activities associated with energy development and its measurable effects on sage-grouse populations. Due to these profound effects on sage-grouse from energy development, it is concerning that it affects some of the best remaining habitat for sage-grouse. Oil and gas development, with associated infrastructure, is thus a serious concern for protecting sage-grouse in this area and must be analyzed fully and dealt with extensively in this EIS process.	All	Both	emc0276GB
102.	Prohibit new oil and gas drilling in priority sage grouse habitat.	All	Both	emc0297GB
103.	BLM must recognize that oil and gas operators can develop resources across the range of the GSG in an environmentally friendly manner by protecting local populations and habitat while providing the nation with an abundant source of clean affordable energy. Over the last several years, Western Energy Alliance members have taken a unique and comprehensive approach to working cooperatively with BLM, state wildlife agencies, conservation groups, local working-groups and others to develop sophisticated mitigation measures and reclamation techniques to protect local populations of GSG and their habitat in areas with oil and gas development. Western Energy Alliance members have significantly invested time and resources to partner with the BLM on habitat mitigation due to BLM's limited staffing and funding.	All	BLM	emc0312GB
104.	In response to the latest GSG status review conducted by the U.S. Fish & Wildlife Service (USFWS) in 2008, Western	All	BLM	emc0312GB

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	Energy Alliance (then IPAMS) and the American Petroleum Institute submitted a detailed list of conservation and mitigation measures implemented by oil and gas operators in GSG range, submitted as Attachment A. BLM must recognize these efforts as it develops management policies. Otherwise, BLM will continue to overestimate the impact of oil and natural gas development on GSG.			
105.	We are particularly concerned that BLM may incorporate into the RMPs certain conservation measures outlined in the Report, including a four-mile NSO buffer around leks and 3% surface disturbance limitation for leases entirely within priority habitat. These restrictions are not supported by science and are much more onerous than even the most restrictive management strategies used across the range of the species. Applying a NSO restriction of four miles around leks will prevent new oil and gas development and may ultimately result in the infringement of valid existing rights (see 'Valid Existing Lease Rights' below).	All	BLM	emc0312GB
106.	Based on language in the Report, we are concerned that BLM may require oil and natural gas activities to be sited at the greatest distance on a lease from a lek. Such a restriction could prevent operators from maximizing oil and natural gas recovery across their leasehold and compromise their ability to exercise their valid existing rights. Despite significant advances in directional and horizontal drilling technologies, geology and topography still dictates where these technologies can be effectively used. Language in the Report also indicates BLM's intention to suspend non-producing leases without regard to preliminary exploratory work and capital investment, which would also compromise valid lease rights.	All	BLM	emc0312GB
107.	Balancing the development of natural gas and oil resources with the protection of local populations of greater sage-grouse and their habitat in the planning areas will provide significant benefits to local communities, the state, and the nation. Western Energy Alliance and its members look forward to continue working cooperatively with the BLM and other stakeholders in this planning effort to ensure the balanced use of the resources across the West.	All	BLM	emc0312GB
108.	That subsequent actions made by BLM under the IM could prevent oil & gas operators from developing their valid existing lease rights	All	Both	emc0319GB
109.	We request that BLM acknowledge and incorporate recent studies regarding the impact of oil and gas activities on GSG viability into the EISs and SEISs. These studies were performed in Wyoming to show the actual impacts of energy development on GSG and can be extrapolated to other areas. Contrary to the conclusions reached in other studies, findings contained in these studies clearly demonstrate that energy development and viable sage-grouse populations can successfully coexist when reasonable mitigation measures are utilized during exploration, development and producing activities.	All	Both	emc0319GB
110.	The success of lek and nesting locations near existing oil and gas development should be analyzed in the RMP amendments.	All	Both	emc0376GB
111.	In addition to the comments submitted by PLA, it is important to note for your serious consideration that the operations of the geophysical industry are of such low impact and so temporary in nature, any restrictions such as stand-off radii around Sage-Grouse leks should not even be applied to geophysical operations. Further, in the event that such radii are applied, those restrictions should only be in force in the morning window when Sage-Grouse mating activity occurs. Outside of that window, operations should not be restricted.	All	Both	rmc0027RM
112.	We wish to draw your attention to the Final Report8 titled "Viability Analyses for Conservation of Sage-Grouse	All	Both	rmc0034rm

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	Populations" dated 27 February 2012 prepared for BLM's Buffalo Field Office. This recent report deals extensively with the Coal Bed Methane Production in the Powder River Basin in NE Wyoming and the outbreak of the West Nile Virus in The Sage-Grouse populations in this area. Coal Bed Methane (CBM) Production is definitely a factor in the decline and destruction of sage-grouse habitat in this area, not livestock grazing. Neither is livestock grazing a factor or the cause of the West Nile Virus outbreak.			
113.	The TRCP values our fish & wildlife resources and encourages you and your staff to establish options that ensure responsible energy development in a way that sustains sage grouse. The TRCP's recommendations and priorities regarding management of fish and wildlife during energy development are organized under the five fundamental areas of Funding, Accountability, Coordination, Transparency and Science (FACTS). The IM's issued must take these areas into account for the national planning strategy to be successful. In 2006, the TRCP released the "FACTS for Fish and Wildlife," specific recommendations for balancing fish and wildlife needs with the development of energy resources. Revised in 2011, the current FACTS document updates those recommendations, expands their applicability to broader geographic regions, and addresses forms of energy development beyond traditional oil and gas. The FACTS revision will allow for fish and wildlife stewardship through better policy and management during energy development. The FACTS recommendations are applicable, with a few exceptions, to land and water, traditional or renewable energy, public or private lands, and infrastructure associated with development. They can increase our ability to responsibly manage fish and wildlife during energy development, balance competing values, become conservation stewards and ensure a future for our fish and wildlife populations. These practices – driven by the FACTS – will sustain and uphold our nation's shared natural resources and unique outdoor legacy.	All	Both	emc0380GB
114.	The Organizations have to question the basic accuracy of the 2010 Charter's summary as only two specific areas under BLM regulatory authority were identified as issues possibly impacting the sage grouse. Reviewing the 2010 Conservation Charter without reviewing the FWS listing decision could easily lead to the conclusion that all BLM planning was found to be equally insufficient in the listing decision. This simply is not the case. The inaccuracy of the Charter will create further confusion of priority regulatory issues and allow targeting of low priority management issues, as the 2010 Conservation Measures are applied at the field office level. The FWS listing decision specifically states: "However, a regulatory mechanism that requires BLM staff to target the protection of key sage-grouse habitats during fire suppression or appropriate fuels management activities could help address the threat of wildfire in some situations ..... however, a long-term mechanism is necessary given the scale of the wildfire threat and its likelihood to persist on the landscape in the foreseeable future," The 2010 FWS listing decision further states: "However, BLM's current application of those authorities in some areas falls short of meeting the conservation needs of the species. This is particularly evident in the regulation of oil, gas, and other energy development activities, both on BLM administered lands and on split-estate lands."	All	Both	rmc0033GB
115.	Rowland et al. (2006:1-6) encapsulated the level of threat to sage grouse habitats from oil and gas development as follows: A recently compiled inventory of onshore oil and natural gas reserves on federal lands focused on 5 geologic basins that contain the vast majority of these reserves in the 48 contiguous United States (U.S. Departments of the Interior, Agriculture, and Energy 2003). Four of the basins are centered in the Rocky Mountain region and extend across much of Wyoming, as well as parts of Colorado, Montana, and Utah (Fig. 1.3). These 4 basins also encompass 5 of the 7 "focus	All	Both	emc0343GB

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	areas" that were given highest national priority for inventory related to the Energy Policy and Conservation Act, due to the exceptional concentrations of oil and gas reserves found there (U.S. Departments of the Interior, Agriculture, and Energy 2003). Overlying these basins is one of the largest remaining expanses of sagebrush in western North America; the Wyoming Basins Ecoregion alone contains 18.3 million acres of sagebrush (Fig. 1.2), or 17% of all sagebrush in the United States (Knick et al. 2003). The extensive landscapes dominated by sagebrush in this area in turn support some of the largest extant populations of sagebrush obligates, such as greater sagegrouse and pronghorn (Antilocapra americana), in the United States (Clark and Stromberg 1987, Connelly et al. 2004)." P. 1-6. In effect, displacement of sage grouse from preferred habitats due to energy development is virtually as bad as outright direct mortality. According to Naugle et al. (2006:11), "Avoidance [of industrial zones] is typically detrimental to populations because individuals are forced into sub-optimal habitats where vital rates decline (i.e., survival and reproduction), which in turn negatively influences population growth rate, size, and persistence, and generally leaves populations with little capacity to respond to new stressors (e.g., West Nile virus)."			
116.	When the State of Wyoming embarked upon its groundbreaking sage grouse Core Area policy, it started with the right idea, identifying core habitats that supported the most abundant populations of sage grouse, and prioritizing these areas for protection. However, because a consensus-based collaborative group (the Sage-Grouse Implementation Team or "Team") was appointed by Governor Freudenthal to identify Core Areas and prescribe the conservation measures that applied there, representatives from the oil industry appointed to the Team were able to extract biologically inappropriate concessions, both in terms of removing key habitats from Core Areas and in creating loopholes and lowering protection levels that apply both within and outside the Core Areas. As a result, some Core Areas excluded key sage grouse habitats, and other lands that should have been Core Areas by virtue of having the highest densities of sage grouse were excluded entirely from the designations, especially in the Powder River Basin (Buffalo Field Office) and along the Atlantic Rim in the Rawlins Field office. As a result, the Core Areas designated in the Powder River Basin likely are inadequate to prevent the extirpation of the species in this key linkage between populations in Montana and the Dakotas and the heart of the sage grouse range. A Population Viability Analysis recently commissioned by BLM for the Powder River Basin indicates that as well densities increase to 8 wells per square mile, a single West Nile virus outbreak is predicted to cause the functional extinction of this population across the Basin. See Attachment 2. This is an unacceptable state of affairs, and the Sage Grouse Plan Amendments should address this problem directly by increasing the number of Core Areas to include the remaining high-density sage grouse lek complexes and expanding existing Core Areas. Populations elsewhere within Core Areas are likely to decline or even disappear if industrial development proceeds there under current guidelines. These crippling weaknesses in the Wyoming plan render it unlikely to survive judicial scrutiny as an adequate conservation measure. The federal government can and should do better for federal lands.	All	Both	emc0343GB
117.	In winter, sage grouse select large expanses of sagebrush with gentle topography and avoided conifer, riparian, and energy development (Doherty 2008). Well density had an additional effect in this study (id.). Sage grouse were 30% more likely to use winter habitat if CBM development was not present (id.). There was a landscape-scale effect of habitat selection, with areas with greater sagebrush at a 4 km2 scale receiving greater winter use (id.). Carpenter et al. (2010) found a similar relationship in Alberta, and found that grouse avoided oil and gas wells by 1.9 km and also showed some avoidance of jeep	All	Both	emc0343GB

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	trails. Bruce et al. (2011) found that sage grouse moved widely across winter habitats, using an area of 1,480 km2, and recommended setting aside large reserves for winter habitats. According to Doherty (2008:22), "Identifying and setting aside areas of undeveloped, high-quality habitat within the project area should be top priority." Doherty (2008:22) asserted, "My spatially explicit winter habitat model can be used to identify areas in the PRB that provide the best remaining habitat for sage-grouse in winter." BLM should apply this model to the Powder River Basin and place areas predicted to be the best remaining sage grouse winter habitat off-limits to future oil and gas leasing, in addition to placing strong restrictions on the level of development that is allowed on existing leases. Similar protocols should be developed and followed throughout the remainder of the sage grouse range.			
118.	Oil and gas development poses perhaps the greatest single threat to sage grouse persistence across the eastern half of its range. Taylor et al. (2010) found that in Montana, oil and gas development eclipsed agricultural tillage and West Nile virus as the most destructive factor facing sage grouse populations there. Walker et al. (2007) found that sage grouse habitat within 4 miles of a lek site was important to the persistence of the lek. Conversely, Walker et al. (2007) concluded that leks heavily impacted by oil and gas development "typically became inactive within 3-4 years." Harju et al. (2008) found a time lag of 2-10 years post-development, at which point negative effects became evident. The same is true for winter habitats. Indeed, Naugle et al. (2006) found that a model using habitat variables and coalbed methane development provided a near perfect fit for grouse distribution data. In the Powder River Basin, CBM well density within a 4 km2 area provided the best fit for modeling sage grouse habitat use (Doherty et al. 2008). Taylor et al. (2012) found the strongest relationship between sage grouse population persistence and density of producing wells was at a 12.4-mile radius. In addition to the impacts from direct disturbance, oil and gas development is correlated with elevated predator activity, which in turn depresses reproductive success (Bui et a. 2010, Dzialek et al. 2011).	All	Both	emc0343GB
119.	The area closest to a sage grouse lek is crucial to both the breeding activities and nesting success of local sage grouse populations. One scientist described the lek site as "the hub from which nesting occurs" (Autenreith 1985). Grouse exhibit strong fidelity to individual lek sites from year to year (Dunn and Braun 1986). During the spring period, male habitat use is concentrated within 2 km of lek site (Benson et al. 1991). A Montana study found that no male sage grouse traveled farther than 1.8 km from a lek during the breeding season (Wallestad and Schladweiler 1974). Other researchers found that 10 of 13 hens nested within 1.9 miles of the lek site during the first year of their southern Idaho study, with an average distance of 1.7 miles from the lek site; 100% of hens nested within 2 miles of the lek site during the second year of this study, with an average distance from lek of 0.5 mile (Hulet et al. 1986). In Montana, Wallestad and Pyrah (1974) found that 73% of nests were built within 2 miles of the lek, but only one nest occurred within 0.5 mile of the lek site. Holloran (2005) found that 64% of sage grouse nested within 3.1 miles of a lek in western Wyoming, and Walker et al. (2007) found that sage grouse habitat within 4 miles of a lek site was important to the persistence of the lek. Doherty (2008) found that 97% of sage grouse nests were within 10 km (6.21 miles) of a lek. Aldridge and Boyce (2007) found a curvilinear relationship in which 90% of nests were predicted within 10 km of a lek. This is significant because Dzialek et al. (2011) found that nests closer to wells were at greater risk of nest failure, likely due to increased predation associated with anthropomorphic disturbance, and recommended that new oil and gas well be sited at least 1.6 km from the nearest nesting habitat.	All	Both	emc0343GB
120.	According to Doherty (2008:51-52), "Impacts of energy development to sage-grouse populations are well documented	All	Both	emc0343GB

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	(Naugle et al. in press) but nesting response to full development could not be thoroughly investigated here because severity of CBNG development to leks in the PRB (Walker et al. 2007:52) left too few birds to monitor inside gas fields. The best energy development predictor for birds that nested on the edge or within low levels of CBNG development increased model fit (-16.72 units) of my AIC best habitat model (Table 4). This finding is equivocal because an independent test of this model did not support inclusion of distance to road to the AIC best habitat model. My inability to validate findings or capture large samples of sage-grouse in fully developed fields is not surprising because Holloran et al. (2007) reported high female nest site fidelity, but lower survival of nesting adult sage-grouse in gas fields combined with avoidance of infrastructure by yearlings resulted in a time lag of 3-4 years between the onset of development activities and lek loss (Holloran 2005). The time lag observed by Holloran (2005) in the Pinedale Anticline in southwest Wyoming matched that for leks that became inactive 3-4 years following CBNG development in the PRB (Walker et al. 2007)." It is therefore critical to protect not just the lek itself, but a substantial amount of the nesting habitat surrounding the lek, through No Surface Occupancy buffers. We recommend, based on the findings of Holloran, NSO buffers of 2 miles around the lek with additional Timing Limitation Stipulations extending 3 miles from the lek during the breeding and nesting season.			
121.	Nesting activities can also be impacted. In a study near Pinedale, sage grouse from disturbed leks where gas development occurred within 3 km of the lek site showed lower nesting rates (and hence lower reproduction), traveled farther to nest, and selected greater shrub cover than grouse from undisturbed leks (Lyon 2000). According to this study, impacts of oil and gas development to sage grouse include (1) direct habitat loss from new construction, (2) increased human activity and pumping noise causing displacement, (3) increased legal and illegal harvest, (4) direct mortality associated with reserve pits, and (5) lowered water tables resulting in herbaceous vegetation loss. Pump and compressor noise from oil and gas development may reduce the effective range of grouse vocalizations; low-frequency noise from wind turbines could have a similar effect. A consortium of eminent sage grouse biologists recommended, "Energy-related facilities should be located >3.2 km from active leks" (Connelly et al. 2000). And Dr. Clait Braun, one of the world's most eminent experts on sage grouse, has recommended even larger NSO buffers of 3 miles from lek sites, based on the uncertainty of protecting sage grouse nesting habitat with smaller buffers. Holloran (2005) found that active drilling of a well within 3.1 miles of a lek had a negative impact on lek attendance, while the presence of a producing well (absent construction/drilling activity) within 1.9 miles of a lek had a significant negative effect on lek attendance. Walker et al. (2007) found that sage grouse habitat within 4 miles of a lek site was important to the persistence of the lek. Conversely, Walker et al. (2007) concluded that leks heavily impacted by oil and gas development typically became inactive within 3-4 years." Harju et al. (2010) examined effect of distance from well(s) on lek attendance and found variable results in different study areas. According to Harju et al. (2010), in the Moxa area, significant negative impacts extended out to Xmile from leks; in the Wamsutter area, negative impacts of wells extended out to Umile from leks; in the Pinedale area, negative impacts extended out to 1 mile; in the Bighorn Basin and Powder River areas, significant effects extended all the way out to 2Umiles, which was the maximum distance studied. Meanwhile, in the Sage Hen (Wind River Basin) and Shirley (Basin) sites, no significant effects were found, with no leks within Xmile of development for Sage Hen or within Umile of leks for Shirley. Holloran et al. (2010) found that yearling females avoided nesting within 950m of wells, while yearling males avoided leks near energy infrastructure, and those that did lek near oil and gas wells had a higher mortality rate and lower probability of establishing a breeding territory. We	All	Both	emc0343GB

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	recommend a 4-mile NSO with well density limitations of 1 pad per square mile inside Core Areas.			
122.	Leks must be buffered from wellfield roads Road construction related to energy development is a primary impact on sage grouse habitat from habitat fragmentation and direct disturbance perspectives. Rowland et al. (2006: 5-10) modeled sage grouse distribution, and reached the following conclusions: "The secondary road network is a highly significant factor influencing processes in this landscape and is being developed and expanded rapidly across much of the WBEA. Secondary roads are being built as part of the infrastructure to support non-renewable energy extraction. For example, within the Jonah Field in the Upper Green River Valley, >95% of the area had road densities >2 i/mi2." (Internal citations omitted). Furthermore, "The dominant feature affecting output of the sage-grouse disturbance model was secondary roads, which occupy nearly 8% of the study area (Table 5.2) and are presumed to negatively influence an even larger extent." Pp. 6-15 through 16. Holloran (2005) found significant impacts of road traffic on sage grouse habitat use in the Pinedale Anticline gas field, concluding that habitat effectiveness declined in areas adjacent to roads with increasing vehicle traffic, documenting the secondary effect referenced by Rowland et al (2006). Roads should be restricted from being built within 2 miles of leks. For already-existing roads, a seasonal "lock-out/gate-out" policy should be enforced between March and July. There is precedent for the in the Bill Barrett Big Porcupine CBM Field on the Thunder Basin National Grassland, in which by Settlement Agreement roads within 2 miles of leks are closed each spring, and operator access during this period is via bicycle. The Lander Resource Management Plan Draft EIS has similar restrictions in the agency's Preferred Alternative, under which Timing Limitation Stipulations apply not only to drilling and construction activities but also to all disruptive activities throughout the life of the field.	All	Both	emc0343GB
123.	Well density limits should be imposed to supplement NSO buffers Holloran (2005) found that when wellfields reached densities greater than one well per 699 acres reduced the breeding populations of males at lek sites. Doherty (2008) determined that there was a significant decline in lek populations statewide once wells exceeded 1 well per square mile, but was unable to detect a statistically significant difference at well densities below 1 per square mile. Specifically, the analysis showed a 17% increase in lek inactivity at the 4-year time lag state, but this increase was statistically insignificant when the data from Zones I and II were pooled. Notably, when the analysis was restricted to Zone II (southwestern Wyoming), a statistically significant 14% increase in lek inactivity with the 4-year time lag was detected at low densities of wells (1-12 wells per 32 km2). It is notable that when leks that switched from low-welldensity (1-12/30 ha) to medium or higher (13+), there was no longer a statistically significant difference. Doherty acknowledged (at p. 77) that low sample sizes in all categories other than control lead to a higher likelihood of a Type II error, in which differences exist but are not identified as statistically significant. This analysis did not test the impact of distance to wells or distance to roads at all, and thus no conclusions can be inferred about the impacts of wells and roads sited close to leks at low densities of wells. These findings were later published as Doherty et al. (2010). Harju et al. (2010) found that lek population declines ranged from 13% to 79% at 4 to 8 wellpads per square mile, depending on locale.	All	Both	emc0343GB
124.	These measures are minimal, and ineffective. We note that BLM did not even bother to include BMPs for industrial wind, solar development, or transmission in the NTT, and its previous 2010 IM and other policies for these are completely inadequate. However, we use examples from some recent renewable energy project proposals to illustrate the inadequacies of these BMPs for all kinds of development in sagebrush habitats. Industrial renewable energy projects sited on	All	BLM	emc0411GB

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	public land often have colossal impacts and a huge disturbance Footprint similar to oil and gas and industrial geothermal development. The guidance is limited, loose and uncertain. It cannot be considered effective. Example: Design roads to an "appropriate" standard no higher than necessary to accommodate their intended purpose. This means a freeway could be built "to appropriate standards" if the developer said they needed a freeway. Do not issue rights-of-way ..unless.. BLM uses words like "unless" - always giving itself and pliant managers facing political pressures to approve projects the ability to do so. Exceptions should not be granted. The word "shall"must be used. Under "operations", BLM would "cluster disturbances". Yet the core and priority schemes allow large-scale linear disturbances 3%-5% of additional habitat with an immense footprint to slice through "priority" habitats, and uncontrolled sacrifice of general habitats.			
125.	How does directional and horizontal drilling affect aquifers and the spring and riparian areas whose surface expression is linked to them? How will water tables be impacted? Will waters essential for wildlife or human uses be polluted? How does punching pond after pond into areas with shallow water tables or aquifers, as described in the previous Appendix disrupt hydrological systems?	All	BLM	emc0411GB
126.	Why not require noise shields at all times of the year, not just when drilling and during some periods? Why is BLM allowing drilling during nesting, and wintering periods for any reason? This means not just noise intrusion, but also flushing birds from human activity - thus making them more vulnerable to predation, and displacing them. Here is an example of where older land use plans are typically better than the newer ones - and amending them, for example, to put in place such a toothless noise provision would eliminate the more protective standard old LUP seasonal avoidance of intrusion into breeding and wintering habitats. We have frequently seen that wildlife protection language in some MFPs and older RMPs is actually stronger than the recent weak, ineffective RMP measures - which this NTT list largely parrots. Time after time, in energy development EAs (wind, transmission) BLM is using these laundry lists of uncertain BMPs to avoid stopping all disturbances during sensitive periods. The Forest's grazing EIS's overflow with similar loose, uncertain BMP lists.	All	BLM	emc0411GB
127.	Appropriate No Surface Occupancy buffers for leks are needed Walker et al. (2007) found that coalbed methane development within 2 miles of a sagegrouse lek had a negative effect on lek attendance. Holloran (2005) found that active drilling within 3.1 miles of a lek reduced breeding populations, while wells already constructed and drilled within 1.9 miles of the lek reduced breeding populations. In Canada, Carpenter et al. (2010) found that sage grouse strongly avoided oil and gas infrastructure to a distance of 1.9 km, and avoided two-track vehicle trails more weakly to a distance of 1.5 km; the closest that a grouse was located to a coalbed methane well in this study was 1,293m. Harju et al (2008) found that negative impacts of development on lek populations extended 4.8 km (3 miles) from the development. Both Holloran (2005) and Walker et al. (2007) documented the extirpation of breeding populations at active leks as a result of oil and gas development in the Upper Green River Valley and Powder River Basin, respectively. Rowland et al. (2006: A4-3 through A4-7) provide a useful literature review of the distance that impacts spread beyond the edge of disturbed areas into adjacent habitats. Males use shrubs <1 km (0.6 mi) from a lek for foraging, loafing, and shelter (Rothenmaier 1979, Emmons and Braun 1984, Autenrieth 1981). In Wyoming, State and BLM policies erroneously use this as a basis for an 0.6-mile No Surface Occupancy buffer around leks. However, there is no science to indicate that preventing wells within 0.6 mile of a lek will eliminate negative population impacts on sage grouse. In fact, the 1.9-mile buffer is the minimum amount found to be needed to avoid negative impacts to breeding grouse by Holloran (2005), and indeed, to protect the nesting hens that	All	Both	emc0343GB

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	site their nests within 5 miles of a lek, an even larger buffer may be needed.			
128.	A number of researchers have noted a time lag between initiation of mineral development and sage grouse population declines. Holloran et al. (2010) noted that yearling males avoided lekking near oil and gas infrastructure, and that yearling females avoided nesting within 950m of oil and gas infrastructure. Thus, the time lag in populations appears to be driven by the exodus of yearlings from affected areas, while older birds persist close to development until they die off. These researchers stated, "Our results…suggest to land managers that current stipulations on development ay not provide management solutions."	All	Both	emc0343GB
129.	As a rule, breeding and nesting activity are concentrated in the habitats surrounding the lek site. In a Montana study, Wallestad and Schladweiler (1974) found that no male sage grouse traveled farther than 1.8 km from a lek during the breeding season. But following breeding, males may make long migrations to distant summer ranges (Connelly et al. 1988). Hulet et al. (1986) found that 10 of 13 hens nested within 1.9 miles of the lek site during the first year of their southern Idaho study, with an average distance of 1.7 miles from the lek site; 100% of hens nested within 2 miles of the lek site during the second year of this study, with an average distance from lek of 0.5 mile. In Montana, Wallestad and Pyrah (1974) found that 73% of nests were built within 2 miles of the lek, but only one nest occurred within 0.5 mile of the lek site. But in Bates Hole, Wyoming, Holloran (1999) found that average nesting distance from lek site was 3.25 km for adults and 5.27 km for yearlings. Wakkinen et al. (1992) cautioned that leks were poor predictors of sage grouse nest sites; although 92% of sage grouse nested within 3.2 km of a lek in this study, sage grouse did not necessarily nest near the same lek where breeding took place. Lyon (2000) pointed out that quarter-mile lek buffers were insufficient to maintain the viability of grouse populations. Several years ago, a multi-state group of fish and game biologists evaluated the standard BLM mitigation measures for grouse (at the time, quarter-mile No Surface Occupance around leks with a two-mile Timing Limitation Stipulation for leks that prevented drilling and construction activity during breeding and nesting periods, but permitted production-related activity), and found them wholly inadequate (Christiansen and Bohne 2007). Connelly et al. (2000) recommended that sage grouse habitat should be protected within 3.2 km of lek sites under ideal habitat conditions, within 5 km when habitat conditions are not ideal, and within 18 km where sage grouse populations are migratory. Furthermore, these researchers stated that in areas where 40% or more of the original breeding habitat has been lost, all remaining habitat should be protected. Holloran (2005) provided a critical test of BLM's lek buffers' effectiveness in the Jonah and Pinedale Anticline fields, and found that in the face of fullfield gas development, finding that extirpation was expected for sage grouse in both fields within 19 years if conditions remained the same (and, of course, conditions have become much worse for grouse under the continued intensification of drilling and road construction in these two fields).	All	Both	emc0343GB
130.	(Walker 2008:181). At present, radio-marking of sage grouse is not widespread in the Powder River Basin, and even the current level of radio-marking bird may not continue as current studies are reaching (or have reached) their conclusions. Given the cyclical nature of sage grouse population trends, West Nile presents the archetypal example of a stochastic event that could spell extirpation for fragmented populations: "The impact of WNv during a string of low-survival or low-productivity years may be severe" (Walker 2008:182). With this in mind, the Sage Grouse Plan Amendments should include strong measures to prevent an increase in Culex habitat in and near Core Areas. Walker et al. (2010) recommended reducing man-man water sources as a means of reducing the threat of West Nile virus. Specifically, we	All	Both	emc0343GB

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	recommend that surface disposal of produced water from coalbed methane or other oil and gas operations should be prohibited within 20 miles of designated Priority Habitats, and CBM-related water storage reservoirs need to be drained and breached to avoid creating habitat for the Culex mosquito, which carries West Nile virus. This is eminently feasible, as there are several other disposal options. First, the water could be injected underground, into aquifers of equal or lower quality to protect groundwater supplies and comply with state laws. Second, the water could be treated and piped to municipal water facilities, without ever collecting on the surface. For low-volume water producing wells, holding all water in condensate tanks and trucking it to municipal treatment facilities may be an option. These are measures which do not appear to have been considered in the Wyoming sage grouse strategy to date, yet are crucially important because a population of grouse that is able to persist due to limitations on direct habitat destruction does not contribute to the overall survival of the species if it is then wiped out by an outbreak of West Nile virus.			
131.	Sage grouse standards for wind and transmission lines Wind power generation represents a clean, renewable alternative to fossil fuels, but construction of wind farms in key habitats is likely to lead to unacceptable levels of impact. Although there is little published science directly addressing the impact of wind turbines or transmission lines on sage grouse, there is a broad consensus among biologists that sage grouse avoid tall structures (such as wind turbines and transmission towers) and abandon adjacent habitats. One unpublished study found that sage grouse habitat use increased with distance (up to 600 meters) from transmission lines. It is notable that modern perch inhibitors emplaced on transmission lines result in a major decrease, but not elimination, of raptor perching (Slater and Smith 2010). Molvar (2008) compiled BLM data from a wind power project on Cotterel Mountain, Idaho and was able to determine that the erection of seven meteorological towers led to drastic declines in sage grouse populations across nine sage grouse leks, while populations in the surrounding area remained stable. See Attachment 5. There has been abundant scientific information that other types of energy development, particularly oil and gas, has a major impact on sage grouse populations, and oil and gas development has some similar features such as habitat fragmentation and tall structures (in the form of drilling rigs).	All	Both	emc0343GB
132.	Sage grouse do not use cheatgrass. Invasive species was identified as a threat to sage grouse by three expert panels and in recent reviews (Connelly et al. 2011, Table 1). One panel listed cheatgrass as the most important threat to sage grouse in the western portion of its range (70 Fed. Reg. 2267), where it has invaded much of the lower elevation, xeric sagebrush habitat (Miller et al. 2011). Land uses such as livestock grazing (Reisner 2010), off-road vehicle use, and coalbed methane development (Bergquist et al. 2007), can facilitate cheatgrass incursion in sagebrush steppe.	All	Both	emc0343GB
133.	Adaptive Management is a poor management tool for sage grouse When energy development moves in, the sage grouse move out, but not always immediately. Holloran (2005) was the first to document time lags in sage grouse declines following energy development, finding a four-year post-development decline tied to emigration of yearlings and lower survival of the older females who stayed in developed areas, showing strong nest-area fidelity. Kaiser (2006) also found that yearlings tend to abandon developed oil and gas fields. Doherty et al. (2010) corroborated this 4-year time lag with statewide data. Harju et al. (2010) found that the time lag of maximum decline ranged from 2 to 9 years depending on locale, and in two study areas no time lag (effectively, instantaneous decline) was found. In addition, it can be very difficult to remove heavy industrial equipment if negative wildlife trends are shown; usually it is too late to undo a gas field or wind farm at a later date. The BLM should be wary of relying heavily on adaptive management, as declines that trigger	All	BLM	emc0343GB

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	management corrections may occur years after conditions have changed irreversibly, and thus the opportunity for corrective action may be missed for lack of immediate population response.			
134.	We recommend that all sage grouse ACECs be withdrawn from oil and gas leasing and recommended for withdrawal of all leasable and locatable surface minerals from mining.	All	BLM	emc0343GB
135.	Oil and Gas Inside Core Areas • Maximum density of 1 wellpad or other surface disturbance per square mile in core habitats • For future leasing, either no future leasing in core habitats or No Surface Occupancy leases with no opportunity for exceptions or waivers. • For existing leases, no surface occupancy within 2 miles of the lek or winter habitat and no drilling within 3 miles of the lek or winter habitats during the season of use. • Recommend withdrawal from mineral entry; no surface mining or in situ uranium recovery allowed. • Total surface disturbance not to exceed 1 to 3 percent of surface area. Outside Core Areas • Year-round No Surface Occupancy within 2 miles of the lek or winter habitat, and no drilling within 3 miles of the lek or winter habitat during the season of use.	All	Both	emc0343GB
136.	At minimum, the NEPA analysis should address the following: • Requiring underground injection of produced water to prevent the construction of reserve pits that serve as breeding grounds for Culex spp. mosquitoes that are carriers of West Nile virus.	All	Both	emc0343GB
137.	At minimum, the NEPA analysis should address the following: • Requiring mandatory use of closed-loop (pitless) drilling to reduce wellpad size and habitat loss.	All	Both	emc0343GB
138.	1) Policy changes are needed in areas of high biological value and high risk of energy development, to manage leasing and permitting of oil and gas development on federal lands and to proactively site future wind developments (2) rapid implementation of conservation is needed to enhance populations in high-value biological areas without energy potential, and (3) restoration of fringe habitats and low density areas with limited risk is needed to promote connectivity. This model also promotes rapid sacrifice of intact occupied sage-grouse habitats under its segregation scheme. Just how is risk determined? Is it determined by letting industries get areas they want – and writing those areas off? And for the small populations – what are the criteria used to sacrifice/doom one, but not another? In the study area: 44% of the lands that the federal government has authority to control for oil and gas development (seven of 16,000,000 ha) has been authorized for exploration and development (Naugle et al., this volume).	All	Both	emc0411GB
139.	I am very concerned about the impact on sage-grouse of the rapid growth of gas and oil development in the West. The scientific report prepared for the BLM last year, 'Report on National Greater Sage- Grouse Conservation Measures', made it clear that many changes in current practices need to be made. These include protecting sage-grouse habitat from large scale disturbances, limiting disturbance to one per section with less than 3% of the section's surface area, reducing road density, only permitting transmission lines away from the critical habitat, etc.	All	Both	emc0185rm
140.	Don't allow new oil & gas drilling in priority sage grouse habitat. Use directional drilling from existing drill pads.	All	Both	flf0000gb flf0000rm
141.	I urge you to consider coordinated plan ammendments that will : prohibit new oil and gas drilling in priority sage grouse habitat;	All	Both	flg0000gb, flg0000rm
142.	We are already seeing this conflict arise in Routt County, as a permit hearing is scheduled for tomorrow in which an	All	Both	flm00009rm

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	exemption has been granted for a company to drill during the mating season in order to fulfill their contract. This is a deplorable action and it is inexcusable to put corporate needs ahead of environmental integrity. We need tougher standards and more importantly, enforcement in order to preserve this critical species.			
143.	The proposed Sage Grouse EIS is unfair to the people on this land. Approxamately 80% at the Little Snake Resource Area is already leased for Oil & Gas development with very minimal Sage Grouse stipulations. Those leases are valid existing rights and cannot be altered.	CO	Both	cfc0006RM
144.	Where as Grazing Permits are defined as a privelege and will be altered. The Grazing Permittes and surface owner will bear the brunt of protecting the sage grouse and be sacrificed for the benefit of oil & gas and other users.	CO	Both	cfc0006RM
145.	On February 2, 2010, we submitted written comments to BLM on the nomination and potential oil and gas development of federal mineral parcels identified in the August 20 II Colorado Competitive Oil and Gas Lease Sale (Parcels 5904, 5934, 5935 and 5936) that underlie the Ranch (Stolz February Comments). The Kremmling Field Office (KFO) recommended that all of Parcels 5934 and 5936 and portions of Parcels 5904 and 5935 be withdrawn or deferred in recognition of Greater Sage-Grouse (sage-grouse) concerns. On March 24, 2011, as part of the lease sale Environmental Assessment (EA) process, we submitted detailed comments, supported by expert reports, on the remaining acres in Parcel 5904 (T2N, R81W, Section 6, Lots 8-19, approximately 240 acres) and Parcel 5935 (T3N, R81 W, Section 31, Lots 1-4 and SESW, approximately 212 acres) demonstrating that these parcels also provide critical sage-grouse habitat and have other resource values that make them unsuitable for oil and gas development. See Stolz eta! "Comments on August 2011 Competitive O&G Lease Sale Environmental Assessment: DOI-BLM-LLCON02000-20ll-0016-EA" (Stolz EA Comments). The Stolz February Comments and Stolz EA Comments are incorporated by reference.	CO	BLM	emc0057RM
146.	Sage-grouse Breeding (Lek) Habitat - All BLM split estate federal parcels are located within approximately 6.4 km of an active sage-grouse lek and negative impacts of energy development to male lck attendance have been documented out to 18 km from lek. Negative impacts of energy development have been documented out to 6.4 km from a lek. Exhibit 1, Ex. B. at 2 to R. Watson's Comment Letter. Female sage-grouse breeding on leks disturbed by access roads nest farther from the lek, have lower nest initiation rates and lower annual survival. !d. at l.	CO	BLM	emc0057RM
147.	Sage-grouse Late Brood-Rearing and Summer Habitats -Potential suitable sagegrouse late brood-rearing habitats exist within all of BLM split estate parcels. Important sage-grouse brooding habitat generally includes wet areas such as meadows, springs, ponds and streams plus a 200-m zone around these water features. The mesic cover classes from the Colorado Vegetation Classification Project support a professional conclusion that the parcels include potential late brood-rearing habitat. Female sage-grouse breeding or nesting near oil and gas development have decreased summer survival. Brood-rearing female sage-grouse avoid areas with high densities of visible wells within 1 km. Chick survival also decreases. Id. at 2.	CO	BLM	emc0057RM
148.	Dr. Holloran concludes that, "research suggests that oil or gas development within sagebmsh habitats on or near [Proposed Tyler Mountain ACEC) would fall within the spatial scale where persistence of sage-grouse populations residing on the [Proposed Tyler Mountain ACEC] would likely be jeopardized." Exhibit 11, Cover Memo at 1-2 to R. Watson's Comment Letter. Oil and gas development on one of only two areas in the State that host sage-grouse populations not influenced by oil and gas makes no sense given BLM 's policy to treat the sage-grouse as listed and to maintain and improve habitat.	CO	BLM	emc0057RM

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149.	We are very concerned about the lack of scientific validity for the parameters and conditions currently proposed by the BLM in the DRMP/DEIS. It is clear that the approach that is currently practiced and proposed has not done anything to stem the steep downward trajectory of the sage grouse population. Accordingly, we implore the BLM to place NSO restrictions on all areas designated as sage grouse priority (or core) habitat. It is imperative that there is no leasing activity within these critical areas and significant protections should be afforded to undisturbed continuous unfragmented habitat given that its scarcity. Furthermore, in areas designated as sage grouse occupied habitat, there should be minimal disturbance allowed - not more than 1% within 4 miles in any direction of a lek. All human disturbances (roads, ditches, buildings, hay meadows, and any other disturbance that deviates from the native sage bmsh vegetation) should count toward the percentage of disturbed area. Split estate parcels should be given at least the same protections as BLM owned fee parcels. It is illogical to afford them any less protections.	CO	BLM	emc0057RM
150.	Because of constantly improving technology utilized by the oil and gas companies, the language of 20 or 40 acre spacing is quickly becoming archaic. With directional drilling and dependent on depth and subsurface geology, producers can and do approach or exceed effective 20 acre spacing off of one pad in a section. It is not uncommon to see well pads with 24 individual wells and even some with up to 32. Horizontal drilling and sequential fracing techniques are game changers, the impact of which we are just beginning to appreciate. Any discussion of restrictions of surface occupancy or development thresholds should include the new reality of being able to continue to extract the oil and gas resource from the areas being developed through new technology. This may take a portion of the economic sting out of NSO restrictions.	CO	Both	emc0061RM
151.	Lastly, any study of impacts to grouse in Rio Blanco and Garfield counties must include a thorough discussion of the anticipated impacts of Oil Shale development. These two counties are ground zero for oil shale development with 5 of the 6 national RDD leases being located in the PPR area and two more to come in the near future. Even with just the development of those RDD leases, without further commercial development, there are potentially significant impacts to grouse in this area from oil shale related activities.	CO	Both	emc0061RM
152.	Wexpro supports the BLM and the Colorado Parks and Wildlife' s efforts to protect Sage Grouse, and certainly understands the importance of conserving, maintaining and enhancing Sage Grouse habitat. We believe that, with proper planning, continued oil and gas development can co-exist with the conversation of wildlife and wildlife habitat.	CO	BLM	emc0073RM
153.	Wexpro and its predecessor operating companies have operated and developed oil and gas leases in the Hiawatha and Powder Wash areas since the late 1920's. During this time we have been able to work in cooperation with both federal and state agencies to further development while protecting wildlife habitat and preserving archeological finds during site construction. Recently, the Little Snake Field Office and the Colorado Parks and Wildlife department consulted with Wexpro in adjusting some proposed staked sites for future drilling. Habitat will be preserved in this instance through the cooperation of Wexpro and these agencies. Specifically, of four staked locations, one was moved closer to a county road, two will be accessed from a reasonable expansion of existing locations, and only one site was left as proposed. With the new Sage Grouse proposed EIS, and specifically the Priority Habitat mapping in our existing fields, Wexpro is concerned that we may lose the flexibility to work with these same agencies where ground-level decisions are more in the public interest and are generally more effective in protecting Sage Grouse habitat. Wexpro will always be willing to adjust its development and take any mitigation measures necessary to protect wildlife and the environment in general, through	CO	Both	emc0073RM

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	location changes, wildlife timing stipulations, and proactive reclamation.			
154.	We hope that the BLM and Colorado State agencies will continue to see the importance of cooperation with oil and gas operators, with attendant on-site review, reasonable conditions of approval, and continuous monitoring of actual disturbance and reclamation.	CO	BLM	emc0073RM
155.	Major concerns about the proposed LSFO plan include the following: 1. The plan does not set any high-priority habitat aside from development. 2. The plan does not adequately protect greater sage-grouse from the impacts of oil and gas development. a. The plan relies on voluntary measures to protect habitat on existing oil and gas leases. b. The surface disturbance caps and other measures proposed to limit the impacts of oil and gas development are inadequate. 3. The plan does not include measures to protect greater sage-grouse from impacts of activities other than oil and gas development. 4. Provisions for monitoring and adaptive management are insufficient.	CO	BLM	emc0051RM
156.	The plan does not set any high-priority habitat aside from development. The U.S. Fish and Wildlife Service (FWS) and Colorado Parks and Wildlife (CPW)2 have both recommended that high priority habitat in the Little Snake Field Office be set-aside from development and managed as protected core areas. FWS comments on the proposed plan state that, "For high priority habitats, we recommend avoiding energy development and similar activities, and instead, managing them as protected core areas."3 CPW further emphasizes this, stating that, "…establishment of large greater sage-grouse refuges …may ultimately prove to be the only effective means of conserving greater sage-grouse populations in areas of extensive oil and gas development." CPW goes on to recommend that the LSFO preserve options for establishment of future refuges by retaining unleased minerals, and avoiding the re-leasing of minerals in high priority habitats.4 The final LSFO plan fails to set-aside high priority sagegrouse habitat from development, or preserve options to set-aside core areas in the future.	CO	BLM	emc0051RM
157.	The plan does not adequately protect greater sage-grouse from the impacts of oil and gas development. The final RMP proposes to protect large blocks of unfragmented sage-grouse habitat from the impacts of oil and gas development through application of Controlled Surface Use stipulations (CSUs) in high and medium priority sage-grouse habitats.5 These CSUs limit oil and gas surface disturbance to 1% in high priority habitat on new leases, 5% in high priority habitat on existing leases, and 5% in medium priority habitat on both new and existing leases. This will be mandatory on new leases and voluntary on existing leases. Operators on existing leases will be offered exceptions to big game and sage-grouse timing stipulations as an incentive to agree to the voluntary surface disturbance limits. Operators will also be required to submit a Plan of Development with a strategy to keep large blocks of sage-brush undisturbed. Finally, surface occupancy associated with oil and gas activities is prohibited within 0.6 miles of sage-grouse leks on both new and existing leases.6 This proposal is unlikely to prevent unacceptable impacts to greater sage-grouse for the reasons outlined below, increasing the likelihood that the species will require the protection of the ESA in 2015.	CO	BLM	emc0051RM
158.	a. The plan relies on voluntary measures to protect habitat on existing oil and gas leases. Roughly 56% of the high priority habitat and 46% of the medium priority habitat on BLM lands in the LSFO is under existing leases, which are protected only by voluntary 5% surface disturbance caps (See Map 1). 7,8 There is a risk of unacceptable harm to greater sage-grouse if operators choose not to opt-in to the voluntary 5% surface disturbance caps, particularly in high priority habitat.9 There is substantial uncertainty regarding whether operators will opt-in, and the FWS typically does not consider voluntary	CO	Both	emc0051RM

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	measures to be adequate regulatory mechanisms that would be sufficient to prevent listing under the Endangered Species Act.			
159.	Based on the management guidelines outlined in the proposed RMP, The Wilderness Society's Center for Landscape Analysis (CLA) used GIS spatial technology to model the potential distribution of oil and gas development under the proposed plan, assuming industry would not opt into voluntary surface disturbance restrictions.10,11 The findings of this analysis demonstrate the inadequacy of the voluntary sage-grouse conservation measures in the LSFO RMP. CLA found that the densest areas of oil and gas development will include the highest priority sagegrouse habitat in the LSFO. In addition, the CLA analysis projects that, under BLM's RMP, if developers do not comply with the voluntary surface disturbance limits, there will be 28 active leks with more than 12 well pads within 2 miles, a threshold of development above which the rate of inactivity of leks has been demonstrated to double.12 Thus, if operators do not opt-in to the voluntary disturbance caps, oil and gas development allowed under the final RMP could result in extirpation or decline of 28 of the roughly 129 active leks within the LSFO, including leks in areas that support some of the highest densities of breeding birds in northwest Colorado (See Map 2).13	CO	BLM	emc0051RM
160.	BLM's rational for making the disturbance caps voluntary on existing leases, is that a valid existing lease conveys rights of development to the lease holder that prohibit BLM from adding a stipulation to an existing lease after the lease is issued.14 However, BLM has broad authority and responsibility to add mitigation measures as conditions of approval on existing leases (when supported by scientific analysis), even when such measures are more stringent than the stipulations on the lease.15 Thus, protections on existing leases should be mandatory.	CO	BLM	emc0051RM
161.	Finally, FWS is concerned that granting oil and gas operators exceptions from Seasonal Timing Limitations, in exchange for adhering to the surface disturbance caps, may put greater sagegrouse populations at risk.	CO	BLM	emc0051RM
162.	b. The surface disturbance caps and other measures proposed to limit the impacts of oil and gas development are inadequate. Surface disturbance will be limited to 1% in high priority habitat on new leases, 5% in high priority habitat on existing leases, and 5% in medium priority habitat on both new and existing leases. The surface disturbance caps are mandatory on new leases. However, even if made mandatory on both new and existing leases, 5% surface disturbance caps are inadequate. Both FWS and CPW are concerned that the application of 5% surface disturbance caps is unlikely to prevent declines. FWS firmly states that, "…the Service believes that the 1 and 5 percent surface disturbance factors may be too high to provide a high likelihood of long-term conservation of these sage-grouse populations. We recommend a disturbance factor closer to 1 percent for medium priority habitats for sage-grouse. For high priority habitats, we recommend avoiding energy development and similar activities and, instead, managing them as protected core areas." CPW warns that "…5% surface disturbance limitations will be inadequate to protect greater sage-grouse core areas from the effects of oil and gas development."17 Instead, CPW recommends that BLM be more conservative and limit surface disturbance to 1% in high priority habitat. The stated intent of the 5% surface disturbance cap is to average no more than one oil and gas well per 160 acres within a project area.19 This translates to roughly 50 wells per 32.2 square kilometers (or 4 wells per square mile), a threshold at which the rate of inactivity of leks was demonstrated to jump by greater than five times in Wyoming oil and gas fields.20 Application of the 5% surface disturbance cap will not prevent well densities from exceeding a threshold that has been demonstrated to compromise sage-grouse populations.	CO	BLM	emc0051RM

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163.	Further, both the 1% and 5% disturbance caps are likely to be ineffective, because they do not apply to all surface disturbances. Oil and gas related ROWs owned by a third party, central facilities, and existing and new disturbance from non-oil and gas related activities do not count towards the surface disturbance limits. In addition, the surface disturbance limits are applied to individual oil and gas leases, many of which are very small, rather than to biologically meaningful units of sage-grouse habitat (e.g. sage-grouse core areas).21 This is likely to allow a level of cumulative surface disturbance and energy structure density in high priority sage-grouse habitat that exceeds documented thresholds of tolerance for the species. FWS recommends that disturbance factor threshold approach consider the environmental baseline, existing disturbance, and all other direct, indirect and cumulative impacts, including rights-of-way and other non-oil and gas activities	CO	BLM	emc0051RM
164.	The plan prohibits surface occupancy within 0.6 miles of leks.23 While this is an improvement from the 0.25 mile buffer around leks in the original LSFO RMP, which has been repeatedly shown to be inadequate, research suggests that oil and gas development can have significant negative impacts, even when wells are not placed within 0.6 miles of a lek.24 The 0.6 mile buffer will not limit the impacts of oil and gas facilities on leks and nesting habitat, to a level that is compatible with maintaining and increasing the greater sage-grouse population in the LSFO.	CO	BLM	emc0051RM
165.	The Eagle-South Routt population is in north-central Colorado and is separated from nearby populations by distance and mountainous terrain. This population has undergone long-term declines. Population persistence for this population could not be modeled because of data limitations. However, based on current habitat impacts and management prescriptions, this population is unlikely to persist for more than 20 years.10 100 percent of the breeding habitat is affected by energy development.11 Research suggests that declines in lek attendance were strongly, negatively affected with the presence of wells in these areas, once the total number of wells in this Management Zone exceeded 250.12 Wells in the Northern Eagle/Southern Routt population currently exceed this threshold.	CO	BLM	emc0070RM
166.	The following recommendations must be analyzed as a starting point for effective conservation: Increase the amount of protected priority habitat by aggressively pursuing available tools, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts.	CO	BLM	emc0070RM
167.	We recognize the challenge inherent in full implementation of the NTT's recommendations, given social, political and legal factors associated with the need to maximize greater sage-grouse conservation efforts while providing for an appropriate level of continued energy development and other activities on our public lands. We are committed to working closely with the BLM and to achieve this balance. However, given the sage-grouse's current precarious position, it is critical for BLM to be proactive in its protection efforts. We strongly encourage BLM to avoid making proposed modifications to the NTT recommendations and to keep any such adjustments within the narrowest possible range. Any proposed deviations from the NTT's recommendations should be clearly outlined by the BLM, and resulting management prescriptions should be consistent with the best available science and the goal of maintaining and increasing greater sage-grouse populations. For instance, in areas with relatively small surviving sage-grouse populations and high levels of ongoing energy development, fully protecting remaining birds and remnant habitat should be the management priority.	CO	BLM	emc0070RM
168.	i. The plan does not set aside any high-priority habitat aside from development. The U.S. Fish and Wildlife Service (FWS) and Colorado Parks and Wildlife (CPW)36 have both recommended that high priority habitat in the Little Snake Field	CO	BLM	emc0070RM

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	Office be set-aside from development and managed as protected core areas. FWS comments on the proposed plan state that, "For high priority habitats, we recommend avoiding energy development and similar activities, and instead, managing them as protected core areas."37 CPW further emphasizes this, stating that, "...establishment of large greater sage-grouse refuges...may ultimately prove to be the only effective means of conserving greater sage-grouse populations in areas of extensive oil and gas development." CPW goes on to recommend that the LSFO preserve options for establishment of future refuges by retaining unleased minerals, and avoiding the re-leasing of minerals in high priority habitats.38 The final LSFO plan fails to set-aside high priority sage-grouse habitat from development or preserve options to set-aside core areas in the future.			
169.	a. Little Snake Field Office Resource Management Plan. Ii. The plan does not adequately protect greater sage-grouse from the impacts of oil and gas development. The final RMP proposes to protect large blocks of unfragmented sage-grouse habitat from the impacts of oil and gas development through application of Controlled Surface Use stipulations (CSUs) in high and medium priority sage-grouse habitats.39 These CSUs limit oil and gas surface disturbance to 1% in high priority habitat on new leases, 5% in high priority habitat on existing leases, and 5% in medium priority habitat on both new and existing leases. This will be mandatory on new leases and voluntary on existing leases. Operators on existing leases will be offered exceptions to big game and sage-grouse timing stipulations as an incentive to agree to the voluntary surface disturbance limits. Operators will also be required to submit a Plan of Development with a strategy to keep large blocks of sage-brush undisturbed. Finally, surface occupancy associated with oil and gas activities is prohibited within 0.6 miles of sage-grouse leks on both new and existing leases.40 This proposal is unlikely to prevent unacceptable impacts to greater sage-grouse for the reasons outlined below, increasing the likelihood that the species will require the protection of the ESA in 2015.	CO	BLM	emc0070RM
170.	a. The plan relies on voluntary measures to protect habitat on existing oil and gas leases and grants exceptions to seasonal timing limitations as an incentive. Roughly 56%f the high priority habitat and 46% of the medium priority habitat on BLM lands in the LSFO is under existing leases, which are protected only by voluntary 5% surface disturbance caps. 41,42 There is a risk of unacceptable harm to greater sage-grouse if operators choose not to opt-in to the voluntary 5% surface disturbance caps, particularly in high priority habitat.43 There is substantial uncertainty regarding whether operators will opt-in, and the FWS typically does not consider voluntary measures to be adequate regulatory mechanisms that would be sufficient to prevent listing under the Endangered Species Act.	CO	BLM	emc0070RM
171.	Based on the management guidelines outlined in the proposed RMP, The Wilderness Society's Center for Landscape Analysis (CLA) used GIS spatial technology to model the potential distribution of oil and gas development under the proposed plan, assuming industry would not opt into voluntary surface disturbance restrictions.44,45 The findings of this analysis demonstrate the inadequacy of the voluntary sage-grouse conservation measures in the LSFO RMP. CLA found that the densest areas of oil and gas development will include the highest priority sage-grouse habitat in the LSFO. In addition, the CLA analysis projects that, under BLM's RMP, if developers do not comply with the voluntary surface disturbance limits, there will be 28 active leks with more than 12 well pads within 2 miles, a threshold of development above which the rate of inactivity of leks has been demonstrated to double.46 Thus, if operators do not opt-in to the voluntary disturbance caps, oil and gas development allowed under the final RMP could result in extirpation or decline in	CO	BLM	emc0070RM

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	use of 28 of the roughly 129 active leks within the LSFO, including leks in areas that support some of the highest densities of breeding birds in northwest Colorado (See Map 2).47 (Coder's note: No map was attached with this comment. This appears to be left over from another submission they sent.)			
172.	BLM's rationale for making the disturbance caps voluntary on existing leases, is that a valid existing lease conveys rights of development to the lease holder that prohibit BLM from adding a stipulation to an existing lease after the lease is issued.48 However, BLM has broad authority and responsibility to add mitigation measures as conditions of approval on existing leases (when supported by scientific analysis), even when such measures are more stringent than the stipulations on the lease.49 Thus, protections on existing leases should be mandatory.	CO	BLM	emc0070RM
173.	Finally, FWS is concerned that granting oil and gas operators exceptions from Seasonal Timing Limitations, in exchange for adhering to the surface disturbance caps, may put greater sage-grouse populations at risk.50	CO	BLM	emc0070RM
174.	b. The surface disturbance caps and other measures proposed to limit the impacts of oil and gas development are inadequate. Surface disturbance will be limited to 1% in high priority habitat on new leases, 5% in high priority habitat on existing leases, and 5% in medium priority habitat on both new and existing leases. The surface disturbance caps are mandatory on new leases. However, even if made mandatory on both new and existing leases, 5% surface disturbance caps are inadequate. Both FWS and CPW are concerned that the application of 5% surface disturbance caps is unlikely to prevent declines. FWS firmly states that, "...the Service believes that the 1 and 5 percent surface disturbance factors may be too high to provide a high likelihood of long-term conservation of these sage-grouse populations. We recommend a disturbance factor closer to 1 percent for medium priority habitats for sage-grouse. For high priority habitats, we recommend avoiding energy development and similar activities and, instead, managing them as protected core areas." CPW warns that "...5% surface disturbance limitations will be inadequate to protect greater sage-grouse core areas from the effects of oil and gas development."51 Instead, CPW recommends that BLM be more conservative and limit surface disturbance to 1% in high priority habitat.52 The stated intent of the 5% surface disturbance cap is to average no more than one oil and gas well per 160 acres within a project area.53 This translates to roughly 50 wells per 32.2 square kilometers (or 4 wells per square mile), a threshold at which the rate of inactivity of leks was demonstrated to jump by greater than five times in Wyoming oil and gas fields.54 Application of the 5% surface disturbance cap will not prevent well densities from exceeding a threshold that has been demonstrated to compromise sage-grouse populations.	CO	BLM	emc0070RM
175.	Further, both the 1% and 5% disturbance caps are likely to be ineffective, because they do not apply to all surface disturbances. Oil and gas related ROWs owned by a third party, central facilities, and existing and new disturbance from non-oil and gas related activities do not count towards the surface disturbance limits. In addition, the surface disturbance limits are applied to individual oil and gas leases, many of which are very small, rather than to biologically meaningful units of sage-grouse habitat (e.g. sage-grouse core areas).55 This is likely to allow a level of cumulative surface disturbance and energy structure density in high priority sage-grouse habitat that exceeds documented thresholds of tolerance for the species. FWS recommends that the disturbance factor threshold approach consider the environmental baseline, existing disturbance, and all other direct, indirect and cumulative impacts, including rights-of-way and other non-oil and gas activities.56	CO	BLM	emc0070RM

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176.	The [LSFO] plan prohibits surface occupancy within 0.6 miles of leks.57 While this is an improvement from the 0.25 mile buffer around leks in the original LSFO RMP, which has been repeatedly shown to be inadequate, research suggests that oil and gas development can have significant negative impacts, even when wells are not placed within 0.6 miles of a lek.58 The 0.6 mile buffer will not limit the impacts of oil and gas facilities on leks and nesting habitat, to a level that is compatible with maintaining and increasing the greater sage-grouse population in the LSFO.	CO	BLM	emc0070RM
177.	While existing or draft RMPs in NW Colorado discuss a number of traditional sources of direct and indirect impacts of anthropogenic developments on greater sage-grouse, CPW has noticed a lack of information and discussion of how and when noise from oil and gas development impacts greater sage-grouse. There is a developing body of literature suggesting that limiting anthropogenic sources of noise is necessary to minimize human impacts on greater sage-grouse (as well as other grouse species in the family Tetraonidae). There are a number of mechanisms by which anthropogenic sources of noise can negatively impact grouse, including the following: • Industrial noise masks the sounds of strutting males and may disrupt female choice of males on the lek (leading to reduced productivity)and cause females (and consequently males) to abandon leks; • Industrial noise masks sounds made by approaching predators and may lead to increased predation and reduced survival for all age and sex classes in all seasonal habitats, not just at leks. Over time, this may result in reduced survival of birds inhabiting areas near noise sources and ultimately, fewer birds in developed areas. Sage-grouse may also avoid areas with industrial noise, which would result in the same pattern; • Industrial noise in brood-rearing habitats may mask the predator-warning vocalizations given by females to chicks or the contact calls of lost chicks, either of which could lead to reduced brood survival; • Sage-grouse of all age and sex classes in all seasonal habitats may respond to increased ambient noise by increasing time spent being vigilant, thereby increasing energetic costs and decreasing time available for foraging and self-maintenance, leading to poorer body condition and reduced productivity; and • Industrial noise could cause chronic physiological stress that leads to poorer body condition and reduced survival or productivity	CO	Both	emc0072RM
178.	CPW believes that BLM and the Colorado Oil and Gas Conservation Commission (COGCC) should closely coordinate the final adopted PRMP outcomes, especially the PPH and GPH maps and habitat designations. Coordination is important so that the COGCC oil and gas Rules, as amended by House Bill 1298 and the July 2009 agreement entitled Memorandum of Understanding Among Bureau of Land Management, Colorado State Office, U.S. Forest Service, Rocky Mountain Region, and Colorado Oil and Gas Conservation Commission Concerning Oil and Gas Permitting on BLM and NFS Lands in Colorado are consistent. Concurrent habitat designations can provide a fluid avenue for BLM and COGCC to commit to consistent protective measures within these habitat designations that would result in greater certainty for oil and gas operators working with federal and state regulatory agencies and enhanced conservation of greater sage-grouse.	CO	BLM	emc0072RM
179.	In the Draft RMP for the Kremmling (CO) Field Office31, Alternative C would commit the BLM to: ...proactively identify, protect, and improve wildlife habitat, including treatments for the benefit of sagebrush-dependent species, especially in areas identified as historical habitats. Alternative C would include establishing reference areas that would be used as control groups for evaluating management activities in sagebrush habitat. In sage-grouse core areas within the Planning Area, BLM-managed public lands would be closed to oil and gas leasing. Draft RMP32 at 2-24. Alternative B (preferred alternative) would prohibit surface occupancy or use in core habitat. Draft RMP at 2-55 – 2-56. Alternative C would prohibit oil and gas leasing in core sage-grouse habitat. Draft RMP at 2-55. Alternative C would also limit surface	CO	Both	emc0089RM

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	disturbance in core habitat to one percent at any one time, while Alternative B would limit surface disturbance to three percent at any one time. Draft RMP at 2-74.			
180.	V. AMEND THE ROUTT PLAN VIA MECHANISMS THAT WILL BEST HELP CONSERVE GSG. The current Forest Plan direction potentially applicable to GSG conservation (SRC at 5-6) is inadequate to ensure survival and recovery of the species. None of the measures are specifically geared toward protecting GSG, and none of the oil-gas lease stipulations apply year-round. In order to ensure the highest likelihood of conserving GSG, the Forest Service will have to limit human uses of GSG habitat and surrounding areas. It will be especially important that no oil-gas leasing or mineral development be allowed on any GSG habitat and some adjacent land. No road construction can be allowed in GSG habitat, subject to valid existing rights. Livestock grazing may have to be adjusted. Also, as is discussed in part 3 below, the current management prescription assigned to the draft core areas is not appropriate for ensuring the protection of GSG. Thus new Forest Plan direction is needed to incorporate the recommendations outlined by the National Technical Team and ensure the best chances for recovery of GSG populations. The agency should amend the Routt Land and Resource Management Plan via the following methods, using point 1 alone, or preferably, in combination with points 2 and/or 3:	CO	USFS	emc0175RM
181.	1. Adopt strong new forest-wide standards. It is most important to have standards applying to GSG habitat wherever it is found, regardless of whether the other two mechanisms discussed below are used. As discussed in section IV above, we recommend that the Forest Service adopt the recommendations of the National Technical Team, with some additional measures. Most or all of the NTT's recommendations should be adopted as forest-wide standards, whose application is mandatory: Standards are actions that must be followed or are required limits to activities in order to achieve forest goals. Deviations from standards must be analyzed and documented in a forest plan amendment. Routt Forest Plan at 1-4. Few if any of the NTT's recommendations should be guidelines, whose application is discretionary: Guidelines are advisable courses of actions that should be followed to achieve forest goals but are optional. Deviations form guidelines must be analyzed and documented in a project decision document but do not require a forest plan amendment. Forest Plan, ibid. At a minimum, all occupied sage grouse habitat must be unavailable for oil and gas leasing. Allowing leasing with no surface occupancy is not sufficient because that could allow tall structures, like drill rigs, and unacceptable levels of noise, in areas adjacent to the habitat. That would make the habitat unusable by GSG, since they naturally avoid such structures in order to avoid predation, and the noise would seriously interfere with reproduction.	CO	USFS	emc0175RM
182.	Critical on-the-ground look at the relationship of the grouse and oil and gas development. It is our understanding that there are some significant development areas with significant numbers of grouse and grouse populations are doing just fine. There are other areas of marginal grouse habitat where leks have been abandoned for no apparent reason other than their current location had always been marginal habitat. Therefore, the EIS needs to closely examine these situations to determine the respective causes.	CO	Both	emc0178RM
183.	BLM cannot lawfully adopt, as part of an approved RMP or otherwise, the types of recommendations in the Technical Report because the Technical Report fails to recognize valid existing rights as required by law. The Sage-Grouse NOI states that "[t}the RMP and LMP amendments/revisions will recognize existing rights." 76 Fed. Reg. at 77011. Oxy agrees that any RMP amendments/revisions legally must recognize and uphold valid existing rights. Despite the affirmative statement in the SageGrouse NOI, the Technical Report fails to recognize valid existing rights as required by law. With respect to mineral	CO	Both	rmc0021RM

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	development, the Technical Report states that "where va lid existing rig hts exist, minimize those impacts [from energy development} by keeping disturbances to 1 per section with direct surface disturbance impacts held to 3% of the area or less." NTI at 21. The Technical Report then continues, providing two pages of recommendations with respect to "[lleased federal fluid mineral estate[s}." NTI at 22-24. The recommendations with respect to leased federal fluid mineral estates include, among others and with limited exceptions: • No new surface occupancy on federal leases within priority habitat during any time of the year. • Applying seasonal restrictions on exploratory drilling prohibiting surface-disturbing activities during the nesting and early-brood -rearing season in all priority sage-grouse habitat during this period. • Limiting surface disturbance on existing leases that are not yet developed to 3% of the leased area. BLM cannot lawfully adopt, as part of any approved RMP or otherwise, the types of recommendations contained in the Technical Report. Under BLM's regulations: [a] lessee shall have the right to use so much of the leased lands as is necessary to explore for, drill for, mine, extract, remove and dispose of all the leased resource in a leasehold subject to: (i) stipulations attached to the lease; (ii) restrictions deriving from specific, nondiscretionary statutes; and (iii) such reasonable measures as may be required by the authorized officer to minimize adverse im pacts to other resource values, land uses or users not addressed in the lease stipulations at the time operations are proposed ... [t]o the extent consistent with lease rights granted. 43 C.F.R. § 3101.1-2. First, Oxy's existing leases within the areas identified as PPH and PGH on the Colorado SageGrouse Maps do not contain express stipulations prohibiting or limiting development where sage-grouse are found or expected to be found. Second, the Endangered Species Act ("ESA") does not act as a specific, nondiscretionary statute that can alter, or in this case, eliminate valid existing rights. The United States Fish and Wildlife Service ("USFWS") has not listed, and may never list, the greater sage-grouse as an endangered or threatened species. In fact, though the greater sage-grouse is designated a candidate species (and a sensitive species by BLM), and has received a "warranted but precluded" decision, the USFWS assigned the greater sage-grouse a Listing Priority Number of 8 out of 12 (with 1 being the highest priority and 12 being the lowest priority). 75 Fed Reg. 13910, 14008 (March 23, 2010). In contrast to threatened and endangered species, the ESA does not direct federal and state agencies to implement programs and authorities to protect candidate species. See 16 U.S.c. § 1S31(c)(l) (Directing state and federal agencies only to "seek to conserve endangered species and threatened species"). Accordingly, in this instance, the ESA does not support the types of restrictions contemplated by BLM or Justify an infringement on valid existing rights.			
184.	Additionally, an amendment to an RMP under FLPMA to impose new management strategies to conserve sage-grouse habitat does not reflect a specific, non-discretionary statutory provision authorizing implementation of previously unanticipated conditions on existing oil and gas leases. In fact, BLM's own regulations reflect that upon amendment of an RMP, BLM must step cautiously and maysubject to valid existing rights-take appropriate measures to make operations and activities under eXisting permits or other instruments for occupancy and use, conform to the amended RMP, only if otherwise authorized by law, regulation, contract, permit, cooperative agreement or other instrument of occupancy and use. 43 C.F.R. § 161O.S-3(b)(emphasis added). Here, there is no other law, regulation, contract, permit, cooperative agreement or instrument that would authorize the conservation measures or restrictions on development contemplated by the Technical Report	CO	Both	rmc0021RM
185.	Third, BLM's regulations specifically require that any reasonable measures required by BLM to minimize adverse impacts to	CO	Both	rmc0021RM

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	other resource values, land uses or users not addressed in the lease stipulations be consistent with the lease rights granted. 43 C.F.R. § 3101.1-2. The regulations indicatethat reasonable measures may include: modification to siting or design of facilities, timing of operations, and specification of interim and final reclamation measures. & Nowhere do the regulations support the types of restrictions recommended by the Technical Report (i.e. either no surface disturbance or disturbance of only 3% of the lease area) as reasonable. Such restrictions could be so onerous that an operator could be precluded from economically or technologically exercising its rights under its existing leases. The restrictions proposed by the Technical Report are not reasonable and thus not authorized under FLPMA or its implementing regulations. See Biodiversity Conservation Alliance. et al., 174 IBLA 1, S (March 3, 2008) (Citations omitted) ("FLPMA coexists with mineral leasing statutes and recognizes the need for multiple use management, which includes taking into account the nation's need for nonrenewable resources such as minerals, and domestic sources of minerals .. from the public lands."). Accordingly, BLM may not prevent lessees with valid existing rights, including Oxy, from using so much of the leased lands as is necessary to explore for oil and gas beneath existing federal leases, based upon a Singular desire to conserve the sage-grouse			
186.	5. The BLM should put mandatory standards in place to safeguard sage-grouse. Because inappropriately located oil and gas development has been formally recognized by U.S. Fish & Wildlife Service as being a major threat to sage-grouse in Colorado (and throughout the eastern range), the Resource Management Plans cannot rely on voluntary standards to minimize the negative impacts of oil and gas drilling. BLM should require companies to act responsibly to protect greater sage-grouse. I respectfully ask that the BLM put important safeguards in place in its long-term management plans, to save the sage-grouse and conserve our land, water and wildlife for future generations to enjoy. Thanks for your consideration.	CO	Both	fln0000RM
187.	Scientists agree that Colorado's current land management plans fail to protect greater sage-grouse from threats like inappropriately located oil and gas drilling. Updating standards the BLM's Little Snake Resource Management Plan, for example, will protect Colorado's largest and most important population of greater sage-grouse. Updating standards to protect natural areas and ensure responsible oil and gas drilling, will not only conserve sage-grouse, but also help secure the future of our West Slope, wildlife, water, and communities.	CO	Both	flm0000RM
188.	The BLM should put mandatory standards in place to safeguard sage-grouse. Because inappropriately located oil and gas development has been formally recognized by U.S. Fish & Wildlife Service as being a major threat to sage-grouse in Colorado (and throughout the eastern range), the Resource Management Plans cannot rely on voluntary standards to minimize the negative impacts of oil and gas drilling. BLM should require companies to act responsibly to protect greater sage-grouse. I ask that the BLM put important safeguards in place in its long-term management plans, to save the sage-grouse and conserve our land, water and wildlife for future generations to enjoy. Thank you for your time.	CO	Both	flm0000RM
189.	Scientists agree that Colorado’s current land management plans fail to protect greater sage-grouse from threats like inappropriately located oil and gas drilling. Updating standards the BLM’s Little Snake Resource Management Plan, for example, will protect Colorado’s largest and most important population of greater sage-grouse. Updating standards to protect natural areas and ensure responsible oil and gas drilling, will not only conserve sage-grouse, but also help secure the future of our West Slope, wildlife, water, and communities.	CO	BLM	fll0000RM
190.	The BLM should put mandatory standards in place to safeguard sage-grouse. Because inappropriately located oil and gas development has been formally recognized by U.S. Fish & Wildlife Service as being a major threat to sage-grouse in	CO	BLM	fll0000RM

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	Colorado (and throughout the eastern range), the Resource Management Plans cannot rely on voluntary standards to minimize the negative impacts of oil and gas drilling. BLM should require companies to act responsibly to protect greater sage-grouse. I ask that the BLM put important safeguards in place in its long-term management plans, to save the sage-grouse and conserve our land, water and wildlife for future generations to enjoy. Thank you for your time.			
191.	Updating standards the BLM's Grizzly Ridge area of the Gunnison Gorge NCA Natural Resource Management Plan, for example, will protect Colorado's largest and most important population of greater sage-grouse	CO	Both	flm0003RM
192.	with the oil and gas development in wyoming, north dakota, montana, etc. it is important to get the ball rolling to speak before its too late.	East	Both	emc0006RM
193.	The following recommendations must be analyzed as a starting point for effective conservation: Increase the amount of protected priority habitat by aggressively pursuing available tools, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts.	East	Both	emc0089RM
194.	We recognize the challenge inherent in full implementation of the NTT's recommendations, given social, political and legal factors associated with the need to maximize greater sage-grouse conservation efforts while providing for an appropriate level of continued energy development and other activities on our public lands. We are committed to working closely with the BLM and FS to achieve this balance. However, given the sage-grouse's current precarious position, the BLM and FS have an opportunity to be proactive in their protection efforts. We strongly encourage BLM and FS to avoid making proposed modifications to the NTT recommendations and to keep any such adjustments within the narrowest possible range. Any proposed deviations from the NTT's recommendations should be clearly outlined by the agencies, and resulting management prescriptions should be consistent with the best available science and the goal of maintaining and increasing greater sage-grouse populations. For instance, in areas with relatively small surviving sage-grouse populations and high levels of ongoing energy development, fully protecting remaining birds and remnant habitat should be the management priority.	East	Both	emc0089RM
195.	i. Lander, WY RMP The identification of Designated Development Areas (DDA) in Alternative D, established for the purpose of facilitating intensive oil and gas exploration, development, and production, allows for clear future management. However, reclamation standards must be strong to limit the spread of invasive species and allow for the functionality of the habitat to be restored as quickly as possible post-development.	East	Both	emc0089RM
196.	In the Draft RMP for the Kremmling (CO) Field Office31, Alternative C would commit the BLM to: ...proactively identify, protect, and improve wildlife habitat, including treatments for the benefit of sagebrush-dependent species, especially in areas identified as historical habitats. Alternative C would include establishing reference areas that would be used as control groups for evaluating management activities in sagebrush habitat. In sage-grouse core areas within the Planning Area, BLM-managed public lands would be closed to oil and gas leasing. Draft RMP32 at 2-24. Alternative B (preferred alternative) would prohibit surface occupancy or use in core habitat. Draft RMP at 2-55 – 2-56. Alternative C would prohibit oil and gas leasing in core sage-grouse habitat. Draft RMP at 2-55. Alternative C would also limit surface disturbance in core habitat to one percent at any one time, while Alternative B would limit surface disturbance to three percent at any one time. Draft RMP at 2-74.	East	Both	emc0089RM

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197.	Habitat fragmentation may be one of the worst effects from such activities, resulting from infrastructure associated with the development, including access roads. The Fish and Wildlife Service has noted that these habitat fragmentation impacts may have greater effects on sage-grouse greater than the associated direct habitat losses. In detail, the NTT states that fragmentation of sagebrush habitats has been cited as a primary cause of the decline of sage-grouse populations because the species requires large expanses of contiguous sagebrush. (p. 20) Specifically, the NTT points out studies that have documented negative effects of fragmentation as a result of oil and gas development and its associated infrastructure on lek persistence, lek attendance, winter habitat use, recruitment, yearling annual survival rate, and female nest site choice. (p. 20) Throughout a collection of scientific studies, the documented impact on lek attendance ranges from 3.1 to as far away as 11.7 miles from a lek. Negative effects of well surface occupancy were apparent out to 3.1 miles, the largest radius investigated, in 2 of 7 study areas in Wyoming (Harju et al. 2010). Curvilinear relationships show that lek counts decreased with distance to the nearest active drilling rig, producing well, or main haul road and that development within 3 to 4 miles of leks decrease counts of displaying males (Holloran 2005). All well-supported models in Walker et al. (2007) indicate a strong negative effect, estimated as proportion of development within either 0.5 miles or 2 miles, on lek persistence. A model with development at 4 miles had less support, but the regression coefficient indicated that negative impacts within 4 miles were still apparent. Two additional studies reported negative impacts apparent out to 8 miles on large lek occurrence (>25 males; Tack 2009) and out to 11.7 miles on lek trends (Johnson et al. 2011), the largest scales evaluated.	East	Both	emc0167RM
198.	The Dillon RMP should be modified to incorporate preliminary priority area maps, and to update oil and gas stipulations to be consistent with new agency guidance.	IDMT	Both	rmc0028GB
199.	With the new emphasis on gas drilling in SW Idaho, quantify and verify the impacts of construction activities and facilities associated with gas drilling (i.e. road-building, increase in traffic, well pad placement, etc.) in addition to the cumulative affect the gas drilling industry will have on sage grouse habitat and ground water. Use best management practices for sage grouse developed in other states when permitting any new gas drilling in SW Idaho.	IDMT	Both	emc0305GB
200.	WWF is most concerned about the placement of Keystone XL pump stations PS-9 and PS-10 in northern Montana and PS-15 and PS-16 in western South Dakota. WWF's Northern Great Plains Program has funded research related to greater sage-grouse migratory corridors between the southern Canadian populations (Saskatchewan and Alberta) and northern Montana. These studies show significant movements by greater sage-grouse between these areas and suggest that these areas are vital for sage-grouse annual movements. The map below shows the location of the proposed Keystone XL pipeline (alternative B in yellow) relative to two Montana sage-grouse core areas (1 and 2 shown in tan), as defined by sage-grouse researchers and federal and state land and wildlife management agencies (BLM; NRCS; MT Fish, Wildlife and Parks). *Included an attachment (map) 'Keystone XL Project'	MT-RM	Both	emc0034RM
201.	The pipeline will bisect known migratory corridors for sage-grouse, as evidenced by the map below, which show satellite tracked daily movements of sage-grouse between Montana core areas 1 and 2 (red hatched areas) based on data collected by Rebecca Smith under the supervision of Dr. Dave Naugle (University of Montana). PS-10 and the associated transmission line are located in and adjacent to this migratory corridor. The movement data collected by Rebecca Smith and sage-grouse movement data collected from across the eastern region should be considered in your planning process. Furthermore, considerations of the importance of connectivity of sage-grouse habitats including those that extend beyond national	MT-RM	Both	emc0034RM

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	borders should be a key consideration as the Canadian population of sage-grouse is unlikely to persist without the support of management actions by wildlife and land managers in the United States including the BLM. *Included an attachment (map) 'Sage-grouse migration paths Fall 2010'			
202.	We also believe the impact of the pipeline on migratory corridors has been overlooked. While alternative B bisects only a small portion of Montana sage-grouse core area 1, it bisects key migratory pathways for sage-grouse coming from and moving to Canada. Because sage-grouse from core areas 1 and 2 provide 'source' populations for sage-grouse that are federally listed as endangered in Canada, it is imperative that we not disrupt their migration in this region. All pump stations and other permanent structures should be placed a minimum of 2 miles (3.2 km) from the nearest lek, with a preferred distance of >4 miles (6.4 km) from active leks, based upon the best-available data from Naugle et al. (2011). Power lines should be buried whenever possible to decrease impacts from aerial predators. These recommendations hold for all types of oil and gas development within the range of greater sage-grouse and should be applied to the Keystone XL pipeline on BLM lands without exception.	MT-RM	Both	emc0034RM
203.	The Little Missouri Grazing Association (LMGA) has taken a pro active approach towards the sage grouse. We have two years of habitat monitoring data collected. We also have data showing historical grazing use showing that the stocking rates have not changed in many years. The land use practices have not changed. We have no oil & gas impact and no industrial encroachment.	ND	Both	emc0039RM
204.	I am writing to show my support for permanently withdrawing the remaining land parcels in Nye County that are being considered for lease options to oil and gas companies.	NVCA	Both	emc0019GB
205.	I say NO to further gas and oil leases in this area of Nevada.	NVCA	Both	emc0019GB
206.	In order to adequately assess possible impacts to exploration and mining projects the locations of these "Priority Habitat Areas" must be identified. Without this information we will not know how we might be affected.	NVCA	Both	rmc0027GB
207.	Oil and gas leasing (or geothermal leasing) has no impact to the Sage Grouse population in Nevada. If it is determined that the Sage grouse populations in Nevada are declining then leases could be issued with stipulations regarding the preservation of Sage grouse populations and or habitats	NVCA	Both	emc0245GB, emc0099RM
208.	I have not seen any documentation demonstrating that sage grouse populations are still on the decline in Nevada. At a recent BLM oil and gas lease sale, there were several representatives from the BLM that were "knowledgeable" of the Sage Grouse issue and none of them could comment on this. I think that before leases are deferred or withdrawn from any oil and gas lease sale there should be more reason than the area might have the potential to support a specific species that might become threatened or endangered.	NVCA	Both	emc0245GB, emc0099RM
209.	Restricting oil and gas leasing on public lands (BLM lands) for sage grouse habitat (or even "potential" habitat areas has already cost the state of Nevada over $1,000,000. if this policy continues, it will not only result in lost revenue to the state of Nevada but will adversely impact my profession (and all other geologists) working in the state of Nevada	NVCA	Both	emc0245GB, emc0099RM
210.	Considering that Sage Grouse are not at risk in the state of Nevada, has the BLM contemplated any impact of potential lawsuits relevant to loss of income from the State of Nevada or other professionals (geologists) as a result of the BLM restricting leasing and or exploration under false assumptions that leasing (or exploration) adversely impacts the Sage	NVCA	Both	emc0245GB, emc0099RM

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	Grouse population in Nevada.			
211.	In reviewing the Bureau's Greater Sage-Grouse Interim Management Policies and Procedures contained in IM 2012-043, the basic principals governing the management of the species and habitat would suggest a direct correlation with the restrictions identified above such as protection of un-fragmented habitats, minimization of habitat loss and fragmentation and management of habitats to maintain, enhance, or restore conditions that meet Greater Sage-Grouse life history needs. More specifically, the following actions would further result in a direct adverse impact in the ability to develop the potential reserves of our lands: - Fluid Mineral Leasing (i.e., oil, gas, and geothermal) It is BLM policy that where a field office determines that it is appropriate to authorize a proposed leasing decision, the following process must be followed: - The BLM will document the reasons for its determination and require the lessee to implement measures to minimize impacts to sage-grouse habitat. - In addition to considering opportunities for onsite mitigation, the BLM will consider whether it is appropriate to condition the lease with a requirement for offsite mitigation that the BLM, coordinating with the respective state wildlife agency, determines would avoid or minimize habitat and population-level effects (refer to WO-IM-2008-204, Off-Site Mitigation). - Unless the BLM determines, in coordination with the respective state wildlife agency, that the proposed lease and mitigation measures would cumulatively maintain or enhance Greater Sage-Grouse habitat, the proposed lease decision must be forwarded to the appropriate BLM State Director, State Wildlife Agency Director, and FWS representative for their review. Ifthis group is unable to agree on the appropriate mitigation for the proposed lease, then the proposed decision must be forwarded to the Greater Sage-Grouse National Policy Team with the addition of the State Wildlife Agency Director, when appropriate, for its review. If the National Policy Team and the State Wildlife Agency Director are unable to agree on the appropriate mitigation for the proposed lease, the ational Policy Team will coordinate with and brief the BLM Director for a final decision in absence of consensus. - Exception: Where drainage is likely or the lands are designated as No Surface Occupancy (NSO) in the existing LUP, the BLM may issue new leases with an NSO stipulation. The NSO stipulation will also have appropriate exception, waiver, and modification criteria. Note: A Controlled Surface Use stipulation is not an appropriate substitution for an NSO stipulation. Field offices retain the discretion to not move forward with a nomination or defer making a final decision on a leasing decision until the completion of the LUP process described in the National Greater Sage-Grouse Planning Strategy for the affected area.	NVCA	Both	rmc0053GB
212.	WWF is most concerned about the placement of Keystone XL pump stations PS-9 and PS-10 in northern Montana and PS-15 and PS-16 in western South Dakota. WWF's Northern Great Plains Program has funded research related to greater sage-grouse migratory corridors between the southern Canadian populations (Saskatchewan and Alberta) and northern Montana. These studies show significant movements by greater sage-grouse between these areas and suggest that these areas are vital for sage-grouse annual movements. The map below shows the location of the proposed Keystone XL pipeline (alternative B in yellow) relative to two Montana sage-grouse core areas (1 and 2 shown in tan), as defined by sage-grouse researchers and federal and state land and wildlife management agencies (BLM; NRCS; MT Fish, Wildlife and Parks). *Included an attachment (map) 'Keystone XL Project'	SD	Both	emc0034RM
213.	The continued exploration and production of Oil, Gas and other resources is an important factor in keeping the social and economic infrastructure on our local area and of this country intact. But further, we firmly believe their partnerships with other entities in the private sector and with government agencies are crucial to the success of this endeavor. The funding	UT	Both	rmc0026RM

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	these companies have provided will assist in funding research and direct on-the-ground Sage Grouse habitat improvements. The research can increase better understanding of the bird's habits and traits in and around the areas that these projects are located. Cooperative actions such as just described will definitely help to keep funds available which is very important to sustain longterm projects to increase the sustainability of sage grouse habitat.			
214.	For fluid mineral leasing options consider horizontal drilling under core areas with the pads set outside core areas. The lease holders would know from the formations if this were an option or not.	WY	Both	emc0050RM
215.	Our BLM Range Management people tell me that in Wyoming oil and gas development have destroyed sagegrouse habitat.	WY	Both	emc0028RM
216.	i. Lander, WY RMP The identification of Designated Development Areas (DDA) in Alternative D, established for the purpose of facilitating intensive oil and gas exploration, development, and production, allows for clear future management. However, reclamation standards must be strong to limit the spread of invasive species and allow for the functionality of the habitat to be restored as quickly as possible post-development.	WY	Both	emc0089RM
217.	BLM must also consider the long-term consequences of allowing CBM wells to switch to microbial conversion wells, hydraulic fracture water wells, or other uses that will prolong habitat disturbance beyond what was intended or reviewed in the 2003 PRB EIS.	WY	BLM	emc0129RM
218.	Additionally, in recognition of the time and money that has been expended to ensure economic viability of such projects, we urge the agencies to adopt a similar approach to Wyoming's when identifying reasonable conservation and mitigation measures in all habitat areas. The validity of recognizing current uses in developing a reasonable management strategy has been upheld by a variety of federal courts and the Department of Interior's own Interior Board of Land Appeals (IBLA). As such, we would oppose the suspension or delay of any existing projects or project proposals that occur on existing leases during preparation of the EISs. Should the agencies decide to eliminate certain existing uses, they must provide strong scientific evidence that the State's population management goals for Greater Sage-grouse cannot be met.	WY	Both	emc0340GB
219.	In Wyoming, threats to remaining populations of sage grouse have increased at a rapid and unprecedented rate over the past 10 years due to the unprecedented acceleration in oil and gas development in sagebrush steppe habitats. According to Knick et al. (2003:625), "The continued threats to sagebrush ecosystems are numerous, and their consequences either will require long and expensive recovery or are largely irreversible" (internal citations omitted).	WY	Both	emc0343GB
220.	The Red Desert Oil and gas development is accelerating rapidly in the Red Desert, resulting in increasing impacts to sage grouse populations found there. There is a heavy overlap between the location of moderate and high potential oil and gas deposits and active sage grouse leks in the region (see, e.g., South-Central Local Working Group 2007: 23). A major increase in oil and gas development in this area is taking place; project areas are both very large (1.2 million acres for Continental Divide – Creston, 250,000 acres for Desolation Flats, 270,000 acres for Atlantic Rim) and dense, with large numbers of new wells projected (e.g., 4,207 well in the Hiawatha Project, 8,950 wells in Continental Divide – Creston, and 2,000 wells in Atlantic Rim). At present, a threefold increase in the number of oil and gas wells is projected over the current total of about 5,000. Virtually all of the BLM lands across much of the Red Desert are currently leased for oil and gas development, which means that industry possesses a limited property right to explore and develop these leases for oil and gas. The Rawlins Resource Management Plan made 97% of the 4.5 million acres of the BLM lands and minerals in the	WY	Both	emc0343GB

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	planning area available for oil and gas leasing and development under varying stipulations.			
221.	Powder River Basin The sage grouse population in the Powder River Basin, the largest remaining occupied area in the Northern Plains ecosystem, is in especially dire straits. Even though the RMP amendments are not currently slated to apply here due to the sage grouse amendment already underway, this is an area that deserves extra attention. The Powder River Basin constitutes a significant portion of the range of the sage grouse, and its extirpation here would have important consequences for the persistence of the grouse on the High Plains as a whole. According to Naugle et al (2006:5), "An analysis of the current distribution and pace of development shows that the PRB is likely to be drilled at 32.4 ha (80 ac) spacing in less than 20 years (D. E. Naugle, unpublished data), leaving sage grouse no place else to go." Coalbed methane development (and, to a lesser extent, conventional oil and gas development) is driving the present population crash. According to Walker et al. (2007:2644), in the Powder River Basin, "Of leks active in 1997 or later, only 38% of 26 leks in CBNG [coalbed methane] fields remained active by 2004–2005, compared to 84% of 250 leks outside CBNG fields." This study found an 82% decline in sage grouse lek counts between 2001 and 2005, while Powder River Basin leks unaffected by development declined by only 12% over the same period. As of this study, 28,000 wells had been drilled on the Wyoming side of the Basin, but 50,000 additional wells had been authorized by the BLM. Id.	WY	Both	emc0343GB
222.	The problems that sage grouse are having in the Powder River Basin have been compounded by the proliferation of CBM wastewater impoundments, which serve as habitat for mosquito larvae and increase the incidence of West Nile Virus (WNv). Naugle et al. (2004) reported that WNv was a dominant cause of mortality for certain sage grouse populations between 1998 and 2002. Taylor et al. (2012) found that as well densities increase to 8 wells per square mile in the Powder River Basin of Wyoming, a single West Nile virus outbreak is predicted to reduce active sage grouse leks from 360 to 6.	WY	Both	emc0343GB
223.	Availability of winter habitat is also a major concern for this (Powder River Basin) population. According to Naugle et al. (2006:2), "Expansion of CBNG development threatens to extirpate birds from otherwise suitable habitats and further isolate remaining populations. Risk of complete loss of this population is high if plans proceed to develop the entire northern study area because their non-migratory status and behavioral avoidance of CBNG will leave these birds with no other options."	WY	Both	emc0343GB
224.	Doherty et al. (2008) found that sage grouse in the Powder River Basin selected sagebrush stands that were large and unfragmented by development, on gentle topography. Additionally, sage grouse use stands of taller sagebrush, as sagebrush that protrudes above the snow is the key winter food source. Such stands of taller sagebrush are often viewed as "decadent" by range managers and targeted for sagebrush "control" projects. Doherty et al. (2008) concluded, "As remaining winter habitats are developed, and sage-grouse can no longer avoid CBNG, it is unclear whether birds will be able to adapt to a disturbance of this magnitude."	WY	Both	emc0343GB
225.	It is important to note that while populations of sage grouse rebounded somewhat in areas not developed for coalbed methane between 2004 and 2005 (presumably due to more favorable weather patterns), this rebound failed to occur in coalbed methane fields (see Walker et al. 2007, Figure 2).	WY	Both	emc0343GB
226.	Threats posed by oil and gas development on private lands are, if anything, even more severe than those on public land. In the Powder River Basin, Walker et al (2007:2645) observed, "Most state and private minerals have been developed with	WY	Both	emc0343GB

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	few or no requirements to mitigate impacts on wildlife." Thus, while the plight of sage grouse on federal lands is dire in the Powder River Basin, their prognosis on non-federal lands is even worse.			
227.	The extent of the destruction of sage grouse habitat in the Powder River Basin is best illustrated by comparing two maps. The Northeast Wyoming LWG (2006:38) shows the distribution of sage grouse habitat by land cover as well as the distribution of sage grouse leks. Note that sage grouse distribution and habitat are clustered most heavily in the center of the basin. In preparation of a sage grouse plan amendment and interim management policy, the BLM modeled sage grouse habitat parameters using models that excluded habitats where drilling activity had reached sufficient density to impair habitat function. It is important to note that the bulk of the sage grouse habitat shown in the LWG report throughout the center of the basin has become so impaired by oil, gas, and coalbed methane activity that the BLM itself no longer considers it sage grouse habitat eligible for conservation protection on an interim basis. Given the massive number of wells that are forecast by the BLM's Powder River Basin EIS and the widespread nature of oil and gas leasing, the impacts to sage grouse in the Powder River Basin are likely to get worse rather than better. According to BLM Buffalo Field Manager Chris Hanson, "We are about 96-97% leased in the Powder River Basin at this point." Chris Hanson, Buffalo Field Office Manager, Sage Grouse Plan Amendment Land User Information Meeting, Buffalo, WY, May 28, 2008. This is a situation that must not be allowed to repeat itself in other Field Offices. Clearly, this is a population hanging on by a thread and likely to be extirpated in the absence of serious corrective action.	WY	Both	emc0343GB
228.	The BLM recently released interim management guidelines in order to maintain the decision space while it promulgates an amendment to its land-use plan. These interim management guidelines also do not constitute the serious corrective action needed. The interim management guidelines were developed in collaboration with the Petroleum Association of Wyoming (an industry lobbying group) at a closed meeting in Laramie on May 8, 2008 and presented to the public at a meeting in Buffalo on May 28, 2008. The interim management direction as presented at the meeting would halt the approval of pending and future APDs, but only in areas designated as high-quality sage grouse habitat. High-quality sage grouse habitat was defined spatially in a way which, among other criteria, excludes any area with well densities greater than 1 well per 500 acres. Thus, all areas previously affected by coalbed methane development, regardless of their previous quality as sage grouse habitat, were excluded. The only areas considered for protection were thus two strips of habitat along the eastern and western edges of the basin; sage grouse habitats in the center of the basin have essentially been written off by BLM. In addition, loopholes were provided that would permit CBM drilling in high-quality habitats if one of the following conditions is present: 1. There is existing infrastructure already in the area. It is unclear at this point whether "existing infrastructure" includes agriculture-related roads, ranch buildings, and plugged and abandoned oil and gas wells. 2. If there are existing or approved (and not yet drilled) coalbed methane wells in the area. 3. If the possibility exists that there will be drainage of coalbed methane from beneath federal lands or minerals to wells on neighboring private minerals. 4. If the land/minerals ownership pattern is fragmented with isolated parcels of federal ownership. Given the large number of loopholes, it appears that CBM development will be halted only in places not likely to be targeted for development in any case. This problematic state of affairs must not be repeated in the sage grouse plan amendments. All in all, it appears that the Powder River Basin sage grouse population is headed for extirpation without the intervention of Endangered Species listing.	WY	Both	emc0343GB

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
229.	When the State of Wyoming embarked upon its groundbreaking sage grouse Core Area policy, it started with the right idea, identifying core habitats that supported the most abundant populations of sage grouse, and prioritizing these areas for protection. However, because a consensus-based collaborative group (the Sage-Grouse Implementation Team or "Team") was appointed by Governor Freudenthal to identify Core Areas and prescribe the conservation measures that applied there, representatives from the oil industry appointed to the Team were able to extract biologically inappropriate concessions, both in terms of removing key habitats from Core Areas and in creating loopholes and lowering protection levels that apply both within and outside the Core Areas. As a result, some Core Areas excluded key sage grouse habitats, and other lands that should have been Core Areas by virtue of having the highest densities of sage grouse were excluded entirely from the designations, especially in the Powder River Basin (Buffalo Field Office) and along the Atlantic Rim in the Rawlins Field office. As a result, the Core Areas designated in the Powder River Basin likely are inadequate to prevent the extirpation of the species in this key linkage between populations in Montana and the Dakotas and the heart of the sage grouse range. A Population Viability Analysis recently commissioned by BLM for the Powder River Basin indicates that as well densities increase to 8 wells per square mile, a single West Nile virus outbreak is predicted to cause the functional extinction of this population across the Basin. See Attachment 2. This is an unacceptable state of affairs, and the Sage Grouse Plan Amendments should address this problem directly by increasing the number of Core Areas to include the remaining high-density sage grouse lek complexes and expanding existing Core Areas. Populations elsewhere within Core Areas are likely to decline or even disappear if industrial development proceeds there under current guidelines. These crippling weaknesses in the Wyoming plan render it unlikely to survive judicial scrutiny as an adequate conservation measure. The federal government can and should do better for federal lands.	WY	Both	emc0343GB
230.	There are a great many other flaws with the State of Wyoming's Core Area boundaries as the currently stand. When the Core Areas were originally laid out, portions of the Atlantic Rim Coalbed Methane Project Area were excluded from Core at industry's request despite the fact that they were pristine habitat with high-density sage grouse populations. If these lands had not been excluded, the Atlantic Rim CBM project would move forward in compliance with Core Area restrictions, resulting in a better outcome for sage grouse. In the Powder River Basin, a Core Area described in Sage Grouse Implementation team meetings as "the key-shaped Core"3 was gerrymandered to exclude potential coalbed methane deposits, and its boundary was drawn so that every sage grouse lek was right along the boundary of the Core, with lands unprotected from industrialization immediately adjacent to the leks. A great deal of unoccupied grassland non-habitat to the southwest was added to "compensate." The end result, when development reaches the eastern boundary of the Core, is that the leks therein will likely be extirpated, while the unoccupied habitat added as window dressing will remain unoccupied; this Core therefore is incapable of functioning to protect sage grouse. According to Taylor et al. (2012:7), "questions remain regarding the ability of core areas in northeast Wyoming to support viable sage-grouse populations." The cruel irony is that the Sage Grouse Implementation Team, in capitulating to the whims of the coalbed methane industry when designating the boundary for this Core, excluded lands that were at the time suitable sage grouse habitat and either undeveloped or only lightly impacted, in order to preserve the future option for drilling on lands which should by biological criteria have been designated as part of the Core Area. Today, highdensity drilling projects such as the Williams West Bear coalbed methane project have been proposed to be developed immediately on the boundary of the Core Area, within 0.6	WY	Both	emc0343GB

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	mile of leks inside the Core. Approval of this project and others like it, on lands which should be managed as Priority Habitats, should be deferred until completion of this EIS process, whereupon the appropriateness of the project and necessary mitigation measures to be added as Conditions of Approval can be determined.			
231.	In winter, sage grouse select large expanses of sagebrush with gentle topography and avoided conifer, riparian, and energy development (Doherty 2008). Well density had an additional effect in this study (id.). Sage grouse were 30% more likely to use winter habitat if CBM development was not present (id.). There was a landscape-scale effect of habitat selection, with areas with greater sagebrush at a 4 km2 scale receiving greater winter use (id.). Carpenter et al. (2010) found a similar relationship in Alberta, and found that grouse avoided oil and gas wells by 1.9 km and also showed some avoidance of jeep trails. Bruce et al. (2011) found that sage grouse moved widely across winter habitats, using an area of 1,480 km2, and recommended setting aside large reserves for winter habitats. According to Doherty (2008:22), "Identifying and setting aside areas of undeveloped, high-quality habitat within the project area should be top priority." Doherty (2008:22) asserted, "My spatially explicit winter habitat model can be used to identify areas in the PRB that provide the best remaining habitat for sage-grouse in winter." BLM should apply this model to the Powder River Basin and place areas predicted to be the best remaining sage grouse winter habitat off-limits to future oil and gas leasing, in addition to placing strong restrictions on the level of development that is allowed on existing leases. Similar protocols should be developed and followed throughout the remainder of the sage grouse range.	WY	Both	emc0343GB
232.	In his 2008 study, Doherty found that distance to roads and distance to wells were good predictors of sage grouse nesting; since distance to roads and distance to wells were moderately autocorrelated and roads were a more highly predictive modeling variable, distance to wellpads was dropped from the model. According to Doherty (2008:49), "The coefficient for distance to road (^{2} distroad = 0.0002) suggested that nesting sage-grouse may avoid CBNG roads." Model validation later caused distance from roads to be dropped from the model. Notably, in the Powder River Basin study area, CBM access roads could be either constructed roads or two-tracks. Apparently, distance from wells was not tested during model validation, despite being a predictor of nest distribution. Thus, the results of Doherty (2008) can best be characterized as inconclusive with respect to the influence of distance to well on nest site selection. Impact of distance to well on breeding male population on the lek was not tested by this study. This portion of the study also found nest site selection on larger habitat scales, indicating once more that the availability of large tracts of suitable habitat had a positive influence on nest site selection.	WY	Both	emc0343GB
233.	Holloran (2005) found that well densities greater than one well per 699 acres were correlated with lek declines. Doherty et al. (2010) did a statewide analysis in Wyoming and found that well densities greater than 1 well per square mile were correlated with sage grouse declines. Modeling by Taylor et al. (2012) determined that drilling a previously undeveloped landscape to a density of 4 to 8 wells per square mile would be predicted to cut sage grouse populations in half. Well densities can also interact with West Nile virus to accelerate sage grouse declines. Taylor et al. (2010) modeled sage grouse population dynamics and determined that increasing well densities from current levels (almost none) to 160-acre spacing in the Carter unit could result in a 97% decline of sage grouse populations and the loss of all leks with more than 10 males in the face of a West Nile virus outbreak. Notably, the increase of well density to 640 acre spacing in this area would be predicted to decrease populations by 11 percent in the absence of West Nile virus, so allowing well densities at 640-acre	WY	Both	emc0343GB

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	spacing is not harmless to sage grouse populations (id.). Similarly Taylor et al. (2012) found that as well densities increase to 8 wells per square mile in the Powder River Basin of Wyoming, a single West Nile virus outbreak is likely to reduce active sage grouse leks from 360 to 6. Importantly, Schrag et al. (2011) examined climate models and predicted increased risk of major West Nile outbreaks over current risk levels. These observations support the "no future leasing" approach to sage grouse Priority Habitats.			
234.	Holloran (2005) found that well densities greater than one well per 699 acres were correlated with lek declines. Doherty et al. (2010) did a statewide analysis in Wyoming and found that well densities greater than 1 well per square mile were correlated with sage grouse declines. Modeling by Taylor et al. (2012) determined that drilling a previously undeveloped landscape to a density of 4 to 8 wells per square mile would be predicted to cut sage grouse populations in half. Well densities can also interact with West Nile virus to accelerate sage grouse declines. Taylor et al. (2010) modeled sage grouse population dynamics and determined that increasing well densities from current levels (almost none) to 160-acre spacing in the Carter unit could result in a 97% decline of sage grouse populations and the loss of all leks with more than 10 males in the face of a West Nile virus outbreak. Notably, the increase of well density to 640 acre spacing in this area would be predicted to decrease populations by 11 percent in the absence of West Nile virus, so allowing well densities at 640-acre spacing is not harmless to sage grouse populations (id.). Similarly Taylor et al. (2012) found that as well densities increase to 8 wells per square mile in the Powder River Basin of Wyoming, a single West Nile virus outbreak is likely to reduce active sage grouse leks from 360 to 6. Importantly, Schrag et al. (2011) examined climate models and predicted increased risk of major West Nile outbreaks over current risk levels. These observations support the "no future leasing" approach to sage grouse Priority Habitats.	WY	Both	emc0343GB
235.	The proposed site density of one per square mile is the one scientifically-supported conservation measure applied in the Wyoming Core Area strategy that may be seen as an adequate conservation measure. However, under state protocols, it is applied across a broader area using a Disturbance Density Calculation Tool ("DDCT"). It is important to note that the thresholds for impact to grouse established in the science were determined on a per-square-mile basis, not based on a larger area comparable to that developed with the DDCT. The BLM should therefore set its disturbance thresholds per square-mile section, rather than employing the DDCT, which could potentially allow disturbance densities much greater than 1 site per square mile and thereby result in significant impacts to grouse populations inside Core Area/Priority Habitat lands.	WY	BLM	emc0343GB
236.	Under current state and BLM Core Area standards in Wyoming, disturbance thresholds are set at five percent of the land area, beyond which additional surface disturbance is not permitted. However, the five percent disturbance threshold corresponds with oil and gas well densities that are far beyond the point where sage grouse declines occur. For example, under the Continental Divide-Wamsutter Project, 3,000 wells were initially proposed with 22,400 acres of new surface disturbance, representing 2.1 percent of the planning area with an average well density of 4 wellsites per square mile (BLM 2000); today, sage grouse are virtually extirpated in this field, although more than 50 leks existed prior to the project. In the Atlantic Rim coalbed methane field, 2,000 wells were permitted at a density of eight wells per square mile, far above the threshold known to cause sage grouse declines. The projected surface disturbance for this project is 15,800 acres, or 5.85% of the project area (BLM 2005). Clearly, a threshold of five percent is too high to sustain sage grouse. Assuming a 10-acre	WY	BLM	emc0343GB

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	multi-well wellpad and 0.75 miles of road per square mile – a generous figure (at 9.85 acres per mile of road), the estimated surface disturbance for a wellfield at one well per square mile would be 2.7 percent. Thus, a one- to three-percent disturbance threshold is more reasonable.			
237.	A collateral impact of coalbed methane development is increased threat of West Nile virus, which is deadly to sage grouse (Naugle et al. 2004). Coalbed methane ("CBM") wastewater ponds are known to provide ideal habitat for the Culex spp. Mosquitoes which carry the WNv and infect sage grouse. Mosquito infection with WNv associated with Powder River Basin CBM wastewater ponds was demonstrated by Naugle et al. (2004). While West Nile virus has been a lesser cause of mortality for sage grouse over the last two years, this does not guarantee that a major outbreak will not sweep across the sage grouse range at some time in the near future, as illustrated by the repeated outbreaks of similarly non-native Yersinia pestis in black-tailed prairie dogs. West Nile virus is a significant threat to sage grouse, and has contributed to population declines (Naugle et al. 2004, 2005). In laboratory experiments, the demonstrated ability of sage grouse to develop immunity to this disease has been shown to be very poor (Clark et al. 2006), and resistance to the disease in wild grouse populations is very low (Walker et al. 2007). Coalbed methane development in some parts of the sage grouse range has been associated with surface disposal of produced water, which typically entails the construction of infiltration reservoirs or local flooding, or both. Coalbed methane wastewater ponds have been shown to increase habitat for the Culex spp. Mosquitoes which carry the WNv and infect sage grouse (Doherty 2007). In the Powder River Basin, the interaction of West Nile virus with standard-density coalbed methane development has been predicted to result in the "functional extirpation" of the population (Taylor et al. 2012, see Attachment 2). Indeed, according to these researchers, "if development continues, future viability of the already small sage-grouse populations in northeast Wyoming will be compromised." To add to the problem, reservoirs attract sage grouse predators, and as a result Dzialek et al. (2011) recommended siting reservoirs and other water features more than 200m from nesting habitat.	WY	Both	emc0343GB
238.	Oil shale development, uranium mining, and strip mining for coal should be excluded from lands within 5 miles of leks Oil shale and tar sands development is a principal threat to sage grouse persistence. The BLM's preferred leasing alternative would offer almost 2 million acre area of the sage grouse range for leasing for these types of development (BLM 2007:ES-4). Regardless of whether oil shale or tar sands are produced using in situ methods or are mined for surface retorting or refining, oil shale and tar sands development represents a 100% land use conversion, leaving no room for other land uses, even other types of oil and gas development (see BLM 2007: 6-36 through 6-42). Where oil shale and tar sands development occurs, these activities represent a 100% destruction of sage grouse habitat with no potential for mitigation of impacts. There is a major overlap between proposed oil shale leasing areas and key sage grouse habitats. See BLM (2007:6-49).	WY	BLM	emc0343GB

Table C-5.B
Comments Related to Minerals and Mining

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	Implementation of the proposed action and the possible consequences to an early stage exploration or mining project, or one with a large current landholding that is in the queue for future evaluation, needs to be fully identified and analyzed in the EIS. Implementation of the proposed action and possible impacts to future prospects that naturally evolve as geologic models and technology advances needs to be fully identified and analyzed in the EIS.	All	Both	rmc0027GB
2.	The Report on National Greater Sage-Grouse Conservation Measures document (December 21, 2011) recommends the withdrawal of lands from mineral entry. The potential acreage that could be withdrawn is unknown as the maps showing the "Priority" habitat statewide in Nevada are not yet available. The EIS needs to identify what acreages on a statewide basis have been identified for withdrawal and how much of that acreage is currently open to location. If these lands are withdrawn, and if sage grouse populations improve, will these lands once again become available for mineral entry? What happens to these withdrawals if the sage grouse eventually goes extinct? What happens to these withdrawals if the habitat is destroyed by fire or other means? There needs to be a mechanism to restore mineral entry to any withdrawn lands if the sage grouse issue goes away or is resolved in the future.	All	Both	rmc0027GB
3.	The Report on National Greater Sage-Grouse Conservation Measures document (December 21, 2011) recommends making existing mining claims within proposed withdrawals subject to validity exams. Validity exams are not nearly as prevalent these days because patenting has gone away. A validity exam is a field examination of an unpatented mining claim by a minerals examiner to verify or refute a discovery alleged by a mineral claimant. If there is no discovery within the boundaries of the claim, the government can contest the claim. Validity exams are commonly made to resolve conflicts between a claim and some other use of the land. Validity exams can be time consuming and expensive for both the claimant and the government mineral examiner and should not be considered or required when involving sage grouse habitat.	All	Both	rmc0027GB
4.	Mining is a temporary use on the landscape. The EIS should recognize the temporary nature of mining and recognize that the landscape will be reclaimed after mining operations cease. Special consideration should be given to temporary operations such as mining and operations that are planned to be reclaimed.	All	Both	rmc0027GB
5.	Lithium is defined as a critical mineral. WLC holds the largest known hectorite deposit in the world and mining these deposits could supply the United States with lithium for generations. As a critical mineral, it is important that this lithium deposit be reserved as a future domestic resource. Implementation of certain proposed sage grouse conservation measures could prohibit WLC from accessing these known resources and could significantly limit (if not eliminate) our ability to mine lithium in the future. Under this scenario, the deposit would not be mined, and the United States would not be a major producer of lithium. In all likelihood the United States would then be required to import lithium from and be dependent on foreign sources.	All	Both	rmc0027GB
6.	Implementation of any sage grouse conservation should not require any industry (including mining) to implement mitigation in perpetuity. If mitigation in perpetuity is required, the full details of what is considered "mitigation in perpetuity" needs to be clearly identified.	All	Both	rmc0027GB
7.	Considering seasonal restrictions in areas of sage grouse habitat is prohibitive for existing and proposed mining operations. Because of the nature of mining, use of heavy equipment and plant operations, it is not feasible, practical, or economical to operate with seasonal or hourly restrictions. Conservation measures imposing seasonal and hourly restrictions should only be placed when feasible, practical, and economical, such as for certain exploration activities (which is current BIM	All	Both	rmc0027GB

Table C-5.B
Comments Related to Minerals and Mining

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	policy in some instances where sage grouse habitat may be impacted).			
8.	All mining operations strive to implement best management practices whenever possible. It is good business sense. Best management practices and all measures identified through the EIS process need to be feasible, practical, and economical to both small and large mining operations, to exploration projects and to all types of industries (including small ranchers and local governments).	All	Both	rmc0027GB
9.	There is strong evidence from the scientific literature to support the fact that surface-disturbing energy or mineral development within sage-grouse habitats is not consistent with a goal to maintain or increase populations or distribution. None of the published science describes a positive influence of this type of development on sage-grouse populations or their habitats. Breeding populations are reduced severely at well pad densities commonly permitted by the BLM. The magnitude of losses varies from one field to another, but findings suggest that impacts are universally negative and typically severe.	All	Both	emc0074GB
10.	Recommendation #7 - We recommend that the conservation strategy most likely to meet the objective of maintaining or increasing sage-grouse distribution and abundance is to exclude energy development and other large-scale disturbances from priority sage grouse (core) habitats, and where valid existing rights exist, we recommend that impacts from these developments be minimized by keeping disturbances to 1 per section or less, with direct surface-disturbance impacts held to 3% of the area or less,	All	Both	emc0074GB
11.	Exempt mining activities on lands where the mining disturbance is below the land surface from sage grouse restrictions.	All	Both	rmc0004GB
12.	Implementation of the proposed action and the possible consequences to an early stage exploration or mining project, or one with a large current landholding that is in the queue for future evaluation, needs to be fully identified and analyzed in the EIS. Implementation of the proposed action and possible impacts to future prospects that naturally evolve as geologic models and technology advances needs to be fully identified and analyzed in the EIS.	All	Both	rmc0029GB
13.	The Report on National Greater Sage-Grouse Conservation Measures document (December 21, 2011) recommends the withdrawal of lands from mineral entry. WEDC strenuously objects to this approach unless all other public entry and access is also prohibited. The EIS process should methodically and completely examine the effects of and defend, if possible, the implementation of such a pointed and selective action which targets one use group so specifically. The EIS needs to identify what acreages on a statewide basis have been identified for withdrawal and how much of that acreage is currently open to location. In addition, the EIS should evaluate the mineral and mineral exploration potential of all identified lands to determine if acreage with high mineral potential is indeed best suited by withdrawal from mineral entry. This is not an option to be taken lightly. Also, if indeed these lands are withdrawn are they to be closed to mineral entry forever? If sage-grouse populations improve, will these lands once again become available for mineral entry? What happens to such withdrawals jf the sage grouse eventually goes extinct? What happens to withdrawn lands if the habitat is destroyed by fire or other means? There needs to be a mechanism to restore mineral entry to any withdrawn lands if the sage grouse issue goes away or is resolved in the future. Since the national BLM website states that the Sage-Grouse is probably an indicator that many	All	Both	rmc0029GB

Table C-5.B
Comments Related to Minerals and Mining

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	species are equally at risk, will the lands withdrawn become a de facto nature preserve?			
14.	The Report on National Greater Sage-Grouse Conservation Measures document (December 21, 2011) recommends making existing mining claims within proposed withdrawals subject to validity exams. Validity exams are not nearly as prevalent these days because patenting has gone away. A validity exam is a field examination of an unpatented mining claim by a minerals examiner to verify or refute a discovery alleged by a mineral claimant. If there is no discovery within the boundaries of the claim, the government can contest the claim. Validity exams are commonly made to resolve conflicts between a claim and some other use of the land. Validity exams can be time consuming and expensive for both the claimant and the government mineral examiner and should not be considered or required when involving sage grouse habitat. Unless perhaps the ultimate goal of the action is to remove the affected lands from all public entry.	All	Both	rmc0029GB
15.	The initial designation of potential sage grouse habitat appears to be very broad and general, and affect tens of millions of acres across the western U.S. The amount of land that mining actually impacts, especially in the state of Nevada, is a fraction of identified sage grouse habitat. The proposed EIS should identify the actual acreage of land that mining occupies vs. the amount of land designated as sage grouse habitat. Due to the small fraction of land occupied by mining, mining should not be prohibited or withdrawn in areas designated as sage grouse habitat (either Priority or General Habitat).	All	Both	rmc0029GB
16.	Mining and mineral exploration are temporary uses of the public lands. The EIS should recognize the temporary nature of mining and mineral exploration, recognizing that the landscape will be reclaimed after these operations cease. Special consideration should be given to temporary operations such as mining and mineral exploration, where reclamation is mandated by law, supervised by the BLM and bonded. Mining and mineral exploration (as well as the other natural resource industries) is perhaps the best and most likely - and often the most willing - partner in effecting meaningful and long lasting change to the local environment surrounding their operations. Why preclude someone who can actually help achieve the desired result?	All	Both	rmc0029GB
17.	Seasonal restrictions in areas of sage grouse habitat are prohibitive for existing and proposed mining operations. Because of the nature of mining, use of heavy equipment and plant operations, it is not feasible, practical, or economical to operate with seasonal or hourly restrictions Conservation measures imposing seasonal and hourly restrictions should only be placed when feasible, practical, and economical, such as for certain exploration activities (which is current BLM policy in some instances where sage grouse habitat may be impacted).	All	Both	rmc0029GB
18.	The BLM and USFS have anticipated sage grouse conservation efforts and highly restrictive conditions aiming at conserving sage grouse are already being written into mining permits. The current socio-economic impacts of sage grouse conservation efforts are much greater than anyone is acknowledging. I believe that many people are hesitant to acknowledge this because they fear retribution in the form of costly delays in permitting. It is difficult, if not impossible, to relax policies once they are in place, especially if those policies are included in land-use plans. The socio-economic impacts of these policies have not been studied. I request that an economic baseline study inclusive of all socio-economic impacts due to land-use restrictions for sage grouse conservation be completed and incorporated into the Final Environmental Impact Statement (FEIS). This should be a standard baseline study conducted by scientific experts in the field of economics.	All	Both	emc171GB

Table C-5.B
Comments Related to Minerals and Mining

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
19.	It would be irresponsible to modify public land-use plans to negatively affect mining through highly restrictive conservation measures without scientific indications that the measures will have a positive effect on sage grouse populations. I request that an online repository for the scientific studies used in the planning process be created and made available to the public, including data used to designate priority habitats.	All	Both	emc171GB
20.	One land-use restriction currently in place is a two mile non-disturbance buffer around known leks. If you look at the sage grouse population density map distributed by the BLM and USFS it becomes apparent that two mile buffers around leks may restrict many mining and mineral exploration activities.	All	Both	emc171GB
21.	The interim management guidance given in the BLM IM_2012-043 gives little guidance for locatable mineral mining. The guidance given is vague and could be interpreted many ways. This leaves room for inconsistent and extreme restrictions as conditions of mining permits. I request that clear, detailed and consistent sage grouse conservation measures for the locatable mineral mining industry be given in land-use plans.	All	Both	emc171GB
22.	Also where the coal mine is concerned you should replace when the area is recovered replace the area with sagebrush for habitat.	All	Both	cfc0039GB
23.	Mining and mineral exploration can be a very valuable tool in the re-establishment of habitat favorable to Greater Sage-grouse and other animal species. The mining industry often operates in areas where rangeland has been harmed by fires, overgrazing and other habtat destructive forces. Areas where subsequent mining reclaimation has taken place creates "islands" of native species. This can often be seen in areas where fires have burned the native plants and cheat grass has moved in. We reclaim our disturbances with seed mix prescribed by either the BLM or the Forest Service. Once the seeds germinate and begin to grow they can provide seed sources for native plants to force out invasive species. Working together with the government agencies, the mining industry can help to reclaim habitat and return it to more productive state.	All	Both	cfc0045GB
24.	As you are well aware, the potential impacts of the policies regarding the sage grouse are immense. Sage grouse habitat covers significant areas of 11 Western states, and policies under consideration to protect the birds and their habitat have the potential to impact our members' proposed and existing mining operations in many of the affected states. In addition, DOI appears to be implementing policies suggesting that in some areas, over 97% of sage grouse habitat will essentially be withdrawn from activity, without any Secretarial order for such withdrawal, rulemaking, or statutory authorization.	All	Both	emc0075GB
25.	Mineral/oil with active reclaiming of the Land (Alton Mine) is working.	All	Both	cfc0057GB
26.	If disturbance associated with hard rock mining can scientifically only account for a small percent of the threat level to a species relative to other threats, this needs to be weighed against the severity of the management measures. For example, in the December 27,2011 BLM press release it is suggested that a potential conservation measure may include the "human-caused disturbance in priority habitat would be limited to less than 2.5 % of the species' total habitat, regardless of surface ownership". But if the potential is 90 times greater for a wildfire to impact the sage grouse habitat in an area than for the cumulative impacts from human-caused disturbance, the negative socio-economic impacts resulting from project denials becomes significantly greater than any positive habitat conservation.	All	Both	emc0102GB
27.	The EIS must carefully consider the effects that proposed sage grouse conservation measures mighthave on mineral	All	Both	emc0310GB

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	exploration and mining activities, and ensure that any measures adopted avoid or minimize adverse impacts on these activities. In this context, the EIS must recognize existing laws, requirements and policies governing public lands with respect to mineral exploration and mining including, but not limited to, the General Mining law of 1872, the Mining and Minerals Policy Act of 1970 and the Federal land and Policy Management Act of 1976.			
28.	"Close priority sage grouse habitats to fluid mineral leasing." No! That is taking. May put in timing guidelines and stay back from lek. Who would enforce this?	All	Both	cfc0025RM
29.	Under 43 CFR 3809, earth-disturbing activities by exploration and mining companies must be reclaimed as near as possible to pre-existing landform and plant communities. Reclamation permits in areas of invasive pinion/juniper and cheatgrass do or can require reseeding with seed mixes appropriate for sage-grouse habitat. To the extent that earth-disturbing activities occur in pinion/juniper- and cheatgrass-invaded areas, reclamation can only improve habitat for sage-grouse.	All	Both	emc0042GB
30.	The BLM, Forest Service, and exploration and mining companies working together in the reclamation permitting process, and where appropriate on a road by road or site by site basis, can increase the amount of quality habitat for sage-grouse by the following: 1. Perform disturbance in pinion/juniper and cheatgrass areas. This disturbance will be revegetated to sagebrush ecosystem. 2. Site roads the "long way around" to avoid sage-grouse habitat. 3. Encourage operators to utilize the above strategies, even though they may cost more, through special classification of resulting disturbed acreage and not aggregating it toward the permitted disturbance limit (e.g., the five acres for notice-level disturbance with the BLM).	All	Both	emc0042GB
31.	Congress has long recognized this country's substantial interest in developing its domestic minerals base for the benefit of the American public. In the General Mining Law of 1872, Congress declared that all valuable mineral deposits on the federal lands shall be free and open to exploration and purchase. 30 U.S.C. § 22. In the Mining and Minerals Policy Act of 1970 (30 U.S.C. § 21a), Congress again articulated the longstanding federal policy to encourage mineral exploration and development: [I]t is the continuing policy of the Federal Government in the national interest to foster and encourage private enterprise in (1) the development of economically sound and stable domestic mining, minerals, metal and mineral reclamation industries, (2) the orderly and economic development of domestic mineral resources, reserves and reclamation of metals and minerals to help assure satisfaction of industrial, security and environmental needs.... This policy of protecting the rights of the public to explore for and develop locatable minerals was expressly incorporated into the current BLM land-use planning framework established under the Federal Land and Policy Management Act of 1976 (FLPMA). Among the key policies established in FLPMA, Congress directed that the public lands continue to be managed in a manner that recognizes this Nation's need for minerals and in a manner that implements the Mining and Minerals Policy Act of 1970. 43 U.S.C. § 1701(12). Congress expressly provided that the land-use planning directives under FLPMA shall not "in any way amend the Mining Law of 1872 or impair the rights of any locators or claims under that Act, including, but not limited to, rights of ingress and egress" to public lands for mineral exploration and development. 43 U.S.S. § 1732(b).	All	Both	emc0084GB

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	Consistent with these legal mandates, the sage-grouse EISs should carefully consider the effects that potential sage-grouse conservation measures may have on mineral exploration and mining activities, and ensure that the adopted measures avoid or minimize adverse impacts on these types of activities.			
32.	It is obvious that economically important mineral deposits are not ubiquitous, and occur only in locations that possess unique geologic characteristics. Thus, mineral exploration and mining activities must occur in the specific areas where minerals of interest occur or are likely to occur, and may not readily be relocated. Any conservation measures adopted by the BLM and FS should recognize this reality. Thus, absolute prohibitions on mineral exploration or mining activities in particular areas should be avoided, and measures allowing onsite or offsite mitigation to offset documented impacts to sage-grouse should be allowed. A variety of onsite and offsite mitigation options should be considered, including: - Vegetation planting, vegetation rehabilitation and thinning to provide for ecologically diverse habitat with an appropriate mix of successional types based on the Ecological Site Descriptions (ESDs) prepared by the USDA Natural Resources Conservation Service; - Rehabilitation of areas impacted by fire, non-native invasive species or other disturbance to establish appropriate successional species, such as perennial grasses and forbs, and eventually big sagebrush communities; - Enhancement of existing sage-grouse habitat to provide an appropriate mix of vegetation types to support the life history needs of sage grouse; - Use of conservation easements or other land-use covenants to provide habitat protection; and - Use of "mitigation funds" or "mitigation banks" that would provide for pooling of mitigation monies to implement larger habitat protection and improvement measures. Such funds could be managed by appropriate wildlife agencies or third parties. Such approaches must be provided in an appropriate alternative and/or as components of alternatives considered in the EISs.	All	Both	emc0084GB
33.	Any use of seasonal or other timing restrictions must be carefully structured. While some mineral exploration projects can accommodate such restrictions, many mineral development and mining projects cannot. Modern mining operations often require huge capital investments and a large, well-trained work force, which mandate that operations occur on a continuous basis. The EISs need to consider the potential impacts that any proposed timing restrictions would have on mineral exploration and mining, and ensure that such measures are compatible with such activities. Any conservation measures should allow the option of mitigating measureable impacts through other onsite or offsite measures that allow for continuous operations.	All	Both	emc0084GB
34.	The Report identifies potential conservation measures applicable to mineral development that are inconsistent with federal law, are unnecessary for protection and improvement of sage-grouse habitat, and may have dramatic adverse socio-economic effects. In particular, for the locatable minerals program, the Report suggests that priority sage-grouse habitat be proposed for withdrawal from mineral entry (p. 24). The Report suggests that all mining claims within priority habitat be subject to "validity patent exams or buy-out" as part of a mineral withdrawal process. The Report provides no scientific basis to support any such broad-scale mineral withdrawal. Moreover, any proposal requiring systematic	All	Both	emc0084GB

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	condemnation of all mining claims within priority sage-grouse habitat would be contrary to Congress' repeated recognition that the public lands should generally remain open to mineral entry and development of this nation's minerals base, as summarized in Section IV of these comments. Moreover, Section 204 of FLPMA provides specific procedures that the Department of the Interior must follow in order to withdraw public lands from mining. 43 U.S.C. § 1714. It would be unlawful for RMPs or LMPs to attempt to close any lands within the planning area to mineral entry through land-use management actions or other prescriptions.			
35.	Having worked in the field most of my career, what I have observed is in the late 1970s and early '80s Sage Grouse were plentiful. Now indeed they appear to be less so. This has occurred at the same time as logarithmic increases in delays and costs associated with regulations, policies, procedures, interim management plans and the biases and whims of specialists in the BLM and Forest Service field offices. Now that the Sage-Grouse is being considered for listing as an endangered species the interim management solution appears to be to pile on more regulations on the mining industry. This includes additional base line studies, regulating seasons of activity and even proposing restricting areas from mining activity.	All	Both	emc0091GB
36.	It appears to me that the BLM instead of focusing on more onerous regulations on mining which will not solve the Sage Grouse problem should instead be spending their assets on rehabilitating the vast areas of range now covered by cheat grass. It appears to me that the special interest groups that oppose mining are just putting pressure on the Federal agencies to increase regulation and drive mining off Federal land instead of desiring to deal with the real problem of improving the habitat that has been destroyed by range fires.	All	Both	emc0091GB
37.	What I don't believe in is more regulations on mining and ranching as they are an insignificant part of the problem. As for mining, I believe we need to stream line the permitting process to eliminate unnecessary delays and costs. In no way am I in favor of returning to the unregulated days prior to 1981. But I do believe that current regulations and delays have already become too cumbersome and costly. We don't need to add to them. They are now stunting the growth of good jobs and are having a negative impact on our economy in both Nevada and America.	All	Both	emc0091GB
38.	Mineral deposits are not ubiquitous on the land and occur only in locations that possess unique geologic characteristics. Any conservation measures contemplated in the EIS must recognize this reality and refrain from absolute prohibitions of mineral exploration or mining in any particular area. Rather, mitigation and offsets should be allowed which may include revegetation, rehabilitation, enhancement of existing habitats, use of conservation easements or other land use covenants, and the use of mitigation funds or mitigation banks.	All	Both	emc0310GB
39.	The EIS must specifically define and address how Valid Existing Rights (VER) will be recognized and protected.	All	Both	emc0310GB
40.	The EIS and each alternative must specifically identify and quantify the acreage of lands potentially subject to withdrawal for mineral entry. The EIS and alternatives must also identify a method or processfor restoring those areas for use if habitat improves or if new data or information becomes available indicating such use does not jeopardize sage grouse populations.	All	Both	emc0310GB
41.	The EIS should evaluate land use restrictions based upon an "equivalency" basis to the lands disturbed and/or occupied by a particular industry or sector. The EIS must weigh the impacts and benefits of mandating mineral and mining withdrawals in all habitat types.	All	Both	emc0310GB
42.	The EIS and its alternatives must fully evaluate any land uses involving seasonal restrictions. The very nature of mining	All	Both	emc0031GB

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	activities (and many other uses on public lands) makes such restrictions inappropriate, impractical and infeasible.			
43.	If validity patent exams or buy-outs are proposed in any of the EIS alternatives, the scientific and legal basis must be provided for such actions. Such actions are inconsistent with Congress' repeated recognition that public lands must generally remain open to mineral entry and development. Additionally, if such measures are proposed, the EIS must address the provisions of Section 204 of FLPMA and the procedures that the Department of Interior must follow in order to withdraw public lands from mining, as well as fully consider socioeconomic and cumulative effect impacts related to these actions.	All	Both	emc0310GB
44.	The EIS must define, expand upon and determine the impacts of any actions contained in the BLM document "A Report on National Greater Sage-Grouse Conservation Measures" that are to be included in any alternative as a management measure. This includes, but is not limited to, withdrawals from mineral entry, the "maximum 3% disturbance area, fencing restrictions and setbacks, acquisitions of rights of way, delays in obtaining use permits for projects, dissolution or removal of existing rights of -ways and the removal or burying of existing or proposed pipelines, fences, ditches, utility lines or other infrastructure on public lands.	All	Both	emc0310GB
45.	The EIS must ciearly define and justify the baseline for both species population and habitat, further designated by public versus private ownership. This is critical to evaluate the need, extent, and associated impacts of any proposed new public land use restrictions. Absent this critical review, it is conceivable that the hard rock mining industry could suffer an undue burden of restrictive land use measures, despite being ranked near the bottom of the USFWS list of sage grouse threats.	All	Both	emc0310GB
46.	I support the NTT recommendation of "excluding mineral development and other large scale disturbances from priority habitats." I would also like to see it taken a step further and have no leasing within a 4 mile buffer of leks. Research has shown that even a 4 mile buffer would only protect 75%- 80% of nesting hens. Given the NTT goal of "maintain and / or increase sage-grouse abundance and distribution", this research should lead to a 4 mile buffer at a minimum.	All	Both	emc0064RM
47.	Total distrubed acreage due to mining in the US is several million acres. It is overwhelmed by the acreage of habitated ground (human). All are overwhelmed by suitable sage-grouse habitat.	All	Both	cfc0067GB
48.	Continue to utilize partnerships and funding available from mineral interests.	All	Both	emc0137GB
49.	The National Technical Team, in "A Report on National Greater Sage-Grouse Conservation Measures", cites BLM impacts of oil and gas drilling in Wyoming to justify withdrawal of sage grouse habitat to mining and mineral exploration activities. This assumes impacts of oil and gas exploration are directly comparable to mineral exploration and mining and fails to take into account differences in size and temporal scope of disturbance vis-à-vis these two activities	All	Both	emc0168GB
50.	Mineral exploration drill rigs are much smaller than those used in oil and gas exploration and produce a correspondingly smaller disturbance footprint. Additionally, there is a range of options available in developing a mineral deposit, including underground mining and hauling waste rock out sensitive areas and dumping it elsewhere, which can potentially minimize the impacts of mining on sage grouse habitat. Where adverse impacts to habitat due to mining are unavoidable, it may be possible to offset these by developing or enhancing suitable habitat elsewhere within the species range.	All	Both	emc0168GB
51.	The BLM has historically been very successful in developing strategies to mitigate the environmental effects of mining and mineral exploration while simultaneously facilitating a productive industry in accordance with multiple-use policies.	All	Both	emc0168GB

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	Wholesale withdrawal oflarge areas of Nevada to mining and mineral exploration, an industry which is vital to the local and national economies, is an extraordinarily unimaginative and uncreative approach to addressing the impacts of this activity on sage grouse habitat.			
52.	In Nevada, economics takes precedence over protection of the sage grouse and its environment. The Nevada BLM authorizes mining, geothermal development, power lines, windmills, and energy corridors with only a cursory notification to the Shoshone. These projects damage the land and leks, and the waste materials from these projects poisons the birds. Sage hen and other wildlife drink water contaminated by methylmercury, cyanide, and other chemicals and solvents from the gold mines. Lithium, uranium, and molybdenum mines have come to the area with their pollutants.	All	Both	emc0170GB
53.	Additionally, the BLM must analyze impacts to mineral and energy resources as if the lands were open to development under standard lease agreements.	All	Both	emc0337GB
54.	Land uses that do not conflict with sage grouse management should not be unnecessarily restricted. One example is underground mining of oil shale or other natural resources.	All	Both	emc0242GB
55.	FPLMA directs that management of the public lands "in a manner which recognizes the need for domestic sources of minerals" 43 U.S. C.1701(11)-(12) including phosphate. In addition BLM's 2006 Energy and Non-Energy Mineral Policy emphasizes the importance of mining on public lands and endorses "multiple use" as a guiding principle for land use management. The policy states BLM land use planning and multiple use management decisions will recognize that, with few exceptions, mineral exploration and development can occur concurrently or sequentially with other resource uses and describes that the least restrictive stipulations that effectively accomplish the resource objectives or uses will be used	All	Both	emc0400GB
56.	In addition it is hoped that the BLM will thoroughly consider the fact that minerals including phosphate occupy an extremely small percentage of the available public lands and as such are located only where they are found. The occurrence of minerals cannot be moved or re-routed unlike many other potential land uses.	All	Both	emc0400GB
57.	The NOI states, "The RMP arrd LMP amerrdments/revisions will recognize valid existing rights." We concur that revisions to RMPs and LMPs must recognize valid existing rigltts.	All	Both	fxc0006GB
58.	This is a very complex issue with the potential to impact mining and mineral development in NW Colorado. We all need more time to analyze information and provide thoughtful responses.	All	Both	cfc0009RM
59.	Mineral Development. #1 NTR - ok. #2 ok #3 Maintainence may be crucial (usually is) on existing producing wells. Guidance should be case by case.	All	Both	cfc0025RM
60.	Specific management prescriptions that should be mandatory for ACECs designated for sage-grouse protection should include, at a minimum: Mineral withdrawal, both immediate under Section 204 of FLPMA and recommendation for permanent withdrawal (per Manual 1613.33.C);	All	Both	emc0234GB
61.	BLM should put the following management prescriptions in place for LWCs at a minimum: Mineral Withdrawl;	All	Both	emc0234GB
62.	I'm writing to add my support for restricting the overreach of the BLM in removing mineral access from the range of the sage grouse. There is not sufficient science to show definite harm to the grouse's range by mining operations. Grouse can easily live in harmony with mining operations and can even be benefited by typical reclamation efforts.	All	BLM	emc0027RM

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63.	Please do not allow the expansion of Alton Coal's strip mining as this also will be harmful.	All	Both	emc0264GB
64.	Surface coal mining in the United States is one of the most heavily regulated activities currently allowed under federal law. As a result, consensus and agreement must be sought and secured to ensure biologically achievable and economically sustainable strategies are incorporated into premine planning, mine planning, and reclamation planning. The location of economically available coal reserves cannot be moved, and the incorporation of additional mandatory practices and/or procedures further reduces the likelihood mining companies will continue to support existing operations and seek development of future reserves. Uncertainty within the current regulatory environment is affecting industry activity, not only in Colorado but nationally. Permitting new disturbance areas that may impact Greater Sage Grouse populations is already problematic, as several entities, specifically the Colorado Division of Reclamation, Mining and Safety, Colorado Parks and Wildlife, Bureau of Land Management and of course the US Fish and Wildlife Service have the opportunity to direct or at least provide input on the strategies ultimately negotiated and accepted for minimization/mitigation of impacts to the Greater Sage-Grouse.	All	Both	emc0270GB
65.	Not unlike the BLM's mandate for promoting "multiple-use," Colowyo is mandated through our reclamation program to achieve the approved post-mining land use targeted for areas disturbed by mining activity. Colowyo's reclamation strategy currently incorporates and promotes not only future livestock grazing and hunting opportunities, but wildlife habitat creation andenhancement. A significant component of Colowyo's plan includes the mandate to specifically create Greater Sage Grouse habitat on reclamation areas. Colowyo is also a signatory and supporter of several multi-stakeholder management agreements in the Axial Basin that support and engage in direct habitat enhancement activities for a number of wildlife species, including grouse. Much of the work that has been done to date has helped to maintain local populations of Greater Sage Grouse in this area at a biologically sustainable level. To that point, Colowyo does not believe it is appropriate to target the industrial partners of these agreements with additional costs and encumbrances as an appropriate course of action given their foresight, diligence and support.	All	Both	emc0270GB
66.	Although the US Fish and Wildlife Service does not recognize voluntary efforts of private landowners (specifically energy/mining companies) as equal to activities mandated by law, it is Colowyo's contention that the Greater Sage Grouse would be far more imperiled without them. It is not clear at this point in the process whether these voluntary programs would be continued in the future should the ability to disturb areas within the reaches of "designated Greater Sage Grouse habitat" be severely cmiailed or the costs associated with securing the right to disturb increase significantly.	All	Both	emc0270GB
67.	Colowyo recommends that the regulatory processes currently in place for evaluation, minimization and mitigation of wildlife impacts from coal mining activities be appropriately recognized and credited when considering modification of existing and future mine plan and permit application processes.	All	Both	emc0270GB
68.	Colowyo also recommends that the Bureau of Land Management place significant value and emphasis on maintaining and promoting avenues for mitigation of mining activity impacts through reclamation planning and off-site mitigation	All	Both	emc0270GB

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	opportunities rather than precluding necessary disturbance outright. Once again, regulatory framework is already in existence and functioning well through the Office of Surface Mining, Reclamation and Enforcement/Colorado Division of Reclamation, Mining and Safety. Additional parallel processes will lead to confusion and increased likelihood of conflicts between agencies on technical or philosophical grounds.			
69.	A necessary requirement for mining at this location is the ability to operate a continual operation 24 hours a day, 365 clays a year. Seasonal restrictions are not a tool that can be practically or economically implemented at most mining operations, including this one. Customers for the coal Coloywo provides are dependent on a steady, uninterrupted supply throughout the year, and do not typically maintain storage facilities large enough to accommodate major increases in supply inventory.	All	Both	emc0270GB
70.	For multiple mandated regulatory reasons, surface coal mining operations require a significant localized disturbance footprint in order to function effectively and safely. Current regulatory requirements ensure that excessive disturbance does not occur in areas where habitat for sensitive wildlife species exists and mitigation efforts are incorporated into both day-to-day and long-term operational planning, culminating in final reclamation liability release.	All	Both	emc0270GB
71.	On Page 14, Proposed Land Withdrawals (on BLM- and USFS-managed lands), the first bullet statement suggests mineral withdrawals within priority sage-grouse habitat areas. This section doesn't distinguish between locatable minerals (gold, silver, copper and other metallic minerals, and some industrial minerals) and leasable minerals (oil & gas, geothermal, coal, sodium, potassium and phosphate), and mineral materials (sand and gravel and other "common variety minerals"). There are different mechanisms for "withdrawing" these categories of minerals. Mineral withdrawal applies only to locatable minerals and should not be used as a general method of making the various types of minerals unavailable for development. For leasable minerals, the area is closed to leasing. Disposal of mineral materials is a discretionary action and if management chooses, with justification, sales may be denied. Prior to any "mineral withdrawal," the mineral potential of the area(s) should be determined, using existing federal, state and local literature (BLM Prospectively Valuable Maps for example), and non-proprietary industry information, to assure that no mineral deposits are available for development. Mining or other development of other mineral commodities can occur in sage-grouse habitat areas with proper mitigation, such as off-site mitigation, no surface occupancy or seasonal restrictions, directional drilling for oil and gas, geothermal, or other operations that require drilling. These methods may be used, assuming that the reservoir characteristics and spatial limitations of the lease area are such that these methods can be implemented. "Withdrawal" (used in the generic sense in the Conservation Measures) should be a method of last resort, and only if there is no potential for deposits within the proposed "withdrawal" area.	All	Both	emc0271GB
72.	Page 23, fourth bullet, states, "Complete Master Development Plans in lieu of Application for Permit to Drill (APD)-by APD processing for all but wildcat wells. This process is already in place. The BLM, as the delegated authority of the Department of the Interior, oversees all locatable and leasable minerals on federally managed lands in cooperation with other federal, state and local regulators. The BLM prepares leasing EA/EIS's for areas suitable for leasing (not just for oil and	All	Both	emc0271GB

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	gas, but for all leasable minerals). The leasing EA/EIS identifies broad based environmental concerns, eg., wildlife habitat, T&E concerns, cultural resources, etc., and provides special stipulations (seasonal restrictions, no surface occupancy, closed to leasing), and these leasing stipulations are documented in the agencies' land use plans. When an APD is filed, an environmental study is conducted to identify site-specific concerns. The special stipulations identified in the leasing EA/EIS as well as any site-specific concerns are mitigated in the approval of the APD.			
73.	Page 24, Locatable Minerals, first sub-bullet, "Make any existing claims within the withdrawal area subject to validity patent exams or buy out. Include claims that have been subsequently determined to be null and void in the withdrawal. Comments: • The term validity patent exams have no meaning here. Since 1995, there has been a moratorium on accepting new mineral patent applications, and all that were in place at that time should have already been processed to final disposition. • The proper term is validity examination. However, many are of the opinion that a validity examination is a method of extinguishing the rights of a mining claimant. This process is only to determine if the claim(s) support a discovery of a valuable mineral deposit (a legal and economic term) pursuant to the 1872 mining law. If the claim(s) support a discovery, mining will be allowed, with mitigation measures to minimize degradation to the environment, including sage-grouse habitat. If no discovery, the claim will be contested by the BLM subject to appeals by the claimant. • To suggest claim "buy out" sets a precedent that any claim(s) that support a discovery could be bought out. This could result in a great expense to the Federal Government. Such mitigation could lead to a "buy out" of any claims where it is determined a resource (cultural, wildlife, T&E, etc.) has more value than the mineral deposit. • Any claim(s) that have been determined to be null and void are, as the name implies, no longer in existence. If the area is withdrawn, no new locations can be made.	All	Both	emc0271GB
74.	Current regulations, implemented during the exploration permitting process, mitigate damage to habitats and actually help to remove invasive species by seeding. Only a tiny fraction of mining claims ever see any disturbance. Where disturbance does occur, it is typically comprised of relatively narrow roads and small-footprint drill pads that Sage Grouse can easily avoid. Most traffic on exploration roads is limited to relatively brief periods of time when drilling is in progress. The ratio between undeveloped mining claims and successful developed mining projects ranges from 1000:1 to 100:1. The small footprints associated with unsuccessful exploration projects are rapidly reclaimed with native seed and the impact to Sage Grouse habitat it could be argued is negligible.	All	Both	emc0272GB
75.	Introduction and Position Statement TC respectfully requests that the federal land management agencies (BLM and U.S. Forest Service (USFS)) engaged in developing the subject EIS: -Recognize the viability and value of the coal industry's extensive regulatory requirements and related existing regulatory mechanisms, which provide protections for the greater sage grouse - Preserve, actively support, and incentivize the extensive voluntary research and on-the-ground efforts to protect and conserve the greater sage grouse and its habitat that have been undertaken for more than a decade by a diverse group of energy companies, landowners and land-users, as reflected in the existing Colorado Greater Sage Grouse Conservation	All	Both	emc0071RM

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	Plan			
76.	The Surface Mining Control and Reclamation Act (SMCRA) and a number of other existing regulatory mechanisms incorporate specific provisions designed to protect and mitigate impacts to wildlife and wildlife habitat during the planning, leasing, permitting, operation, and reclamation of coal mines. The following response by the U.S. Fish and Wildlife Service (USFWS), in its November 10, 2010 review letter to the State of Wyoming (attached) concerning the refmed core population area strategy developed and revised by the Govemo's Sage Grouse Implementation Team is important and relevant to the more detailed discussion that follows: "Your third specific question asked if permitting pursuant to the Surface Mining Control and Reclamation Act (SMCRA) is adequate to protect sage-grouse in core areas. The provisions for conservation of Federal trust species, including candidates such as Greater sage-grouse, under SMCRA and its implementing regulations, are sufficient for conservation of this species."	All	Both	emc0071RM
77.	Coal Mining Regulatory Framework Overview - The coal m1mng industry operates under a substantial regulatory framework covering all aspects of the mining process; from exploration and leasing, to reclamation and eventual release of reclamation performance bonds, as summarized in a subsequent section. This regulatory regime includes requirements for protection and mitigation of wildlife, and mitigation or reclamation of wildlife habitat which is designated, along with livestock grazing, as an approved postmining land use for TC's mining operations. Reclamation plans designed to return lands to conditions which will support the approved postmining land use(s) are developed, reviewed and approved by the appropriate regulatory, wildlife, and land management agencies.	All	Both	emc0071RM
78.	Coal mines are required to develop and implement very detailed, specific life-of-mine mining and reclamation plans. Permit commitment and applicable federal and state laws are strictly enforced to assure that all affected lands are reclaimed, consistent with the approved postmining land use(s). Further, these laws require that reclamation must be completed contemporaneously with the mining process. As previously noted, TCs coal mine in Northwest Colorado will be reclaimed to a dual postmine land use of livestock grazing and wildlife habitat. Stringent reclamation standards are in place for re-establishing rangeland and wildlife habitat on the postmining landscape. The coal mining industry has been very progressive and innovative in developing effective reclamation techniques. Availability and utilization of native plant materials has aided in this success. Grouse use of reclaimed plant communities providing summer foraging and brood-rearing habitat has been documented at TC's mining operations.	All	Both	emc0071RM
79.	Alternatives Should Allow for Multiple Use- Alternatives presented in an EIS should balance the need for sage-grouse protection with due regard for multiple-use mandates contained in other federal law including the Multiple Use Sustained Yield Act of 1960, 16 U.S.C. §§ 528-31; the Forest and Rangeland Renewable Resources Planning Act of 1974, 16 U.S.C. §§1600-14; and the national Forest Management Act of 1976, 16 U.S.C. §§ 1600 et seq. For lands managed by the BLM, the Federal Land Policy and Management Act provides in Section 302 that; "[t} he Secretary shall manage the public lands under principles of multiple use and sustained yield." 42 U.S. C.§ 1732(a).	All	Both	emc0071RM

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	Furthermore, FLPMA requires management of the public lands "in a manner which recognizes the Nation 's need for domestic sources of minerals. " 43 U.S. C. § 1701(11)-(12) In 2006, the importance of mining on public lands was acknowledged, and BLM endorsed multiple-use for land-use management in its 2006 Energy and Non-Energy Mineral Policy, which states that, with few exceptions, mineral exploration and development can occur concurrently or sequentially with other resource uses, and further indicates that the least restrictive stipulations that effectively accomplish the resource objectives or uses will be used. See BLM 2006 policy at p. 2. TC contends that the numerous directives in federal land management statutes and agency policy must continue to be honored in any alternatives crafted to protect the greater sage-grouse.			
80.	With regards to transmission lines, pipelines, and mines, the same rules apply as do for oil and gas development, road development, and other leasing development. Referencing my previous number of no more than five total sites of development with a 5.5 radius of a lek, regardless of its activity, all considerations for transmission lines, pipelines, and mines will be included in this total of five.	All	Both	emc0074RM
81.	The narrative of this section of the document appears to have been written separately of the rest of the document. It takes a resounding negative view of energy development (at any density) but does not separate out cause and effect of the different components of the process in order to address specific threats that can then be effectively mitigated (e.g. Ramey, Brown, and Blackgoat 2011). This view is very unfortunate because it is a clear indication that only purpose for the NTT, the strategy and subsequent RMP amendments is to control development of fossil fuels -- while fast-tracking renewable energy projects despite the fact that they have much larger transmission line and wind turbine far footprints than oil and gas for instance. We question the validity of the assertion that, "findings suggest that impacts are universally negative and typically severe." This would only be the case in the most heavily developed areas, and where older and more invasive technologies were used with little or no mitigation undertaken. While sage grouse have been found to avoid areas of intensive development, such avoidance is not uniform among locations that have a lower density of development, or in older fields that have already been developed (Harju et al. 2010; Taylor in prep.). Additionally, it is not clear whether the research cited had documented actual population declines, or displacement from affected leks and relocation elsewhere. Statistically valid population estimates are needed to resolve this issue and to understand the specific mechanisms that explain why sage grouse may be affected. The situation is not as clear-cut as the authors of this section of the Report claim.	All	BLM	emc0346GB
82.	PPRO respectfully requests that the federal land management agencies (Bureau of Land Management and U.S. Forest Service) engaged in developing the subject EIS: - Recognize the viability and value of the surface mining industry" s extensive regulatory requirements and related existing regulatory mechanisms which provide protections for the greater sage grouse; and, - Preserve, actively support and incentivize the extensive voluntary research and on-the-ground efforts to conserve the	All	Both	emc0122RM

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	greater sage grouse and its habitat that have been undertaken for more than a decade by a diverse group of energy companies (led by PPRO), landowners and land users across a large mixed-ownership landscape in northeastern Wyoming.			
83.	Stringent reclamation standards are in place for re-establishing rangeland and wildlife habitat on the postmining landscape. The coal mining industry has been progressive in developing reclamation techniques (Best Technology Currently Available - BTCA) for successful vegetation re-establishment. The increased availability of native plant materials in both kind and quantity has aided in this success. Sage-grouse use of reclaimed plant communities providing summer foraging and brood-rearing habitat has been documented at one of PPRO's mining operations.	All	Both	emc0122RM
84.	Provide enhanced access to mineral development in areas not designated Priority Habitats. BLM's Report states that: "General habitat conservation areas were not thoroughly discussed or vetted through the NTT, and the concept of connectivity between priority sage-grouse habitat areas will need more development through the planning process". The planning process must, in this instance, fully recognize state developed conservation plans and the habitat needs for Greater Sage-grouse as it completes the planning process. For example, Wyoming Executive Order 2011-5 (EO) explicitly provides that incentives to enable development outside of Core Population Areas (i.e. general habitats) should be established. While the EO strives to maintain populations and habitat in non-core areas, it also recognizes that incentives to develop outside of Core Population Areas may result in reduced numbers of Greater Sage-grouse outside of Core Population Areas. Consistent with the EO, BLM should identify and address incentives for development outside of core population areas even though Greater Sage-grouse populations may be affected.	All	Both	emc0125RM
85.	Within core areas, BLM must also adopt the provision in the EO providing that; "activities existing in Core Population Areas prior to August 1,2008 will not be managed under Core Population Area stipulations. Examples of existing activities include oil and gas, mining ... Provided these activities are within a defined project boundary (such as a recognized federal oil and gas unit, drilling and spacing unit, mine plan, subdivision plat, etc.) they should be allowed to continue within the existing boundary, even if use exceeds recommended stipulations recognizing all applicable federal actions shall continue."	All	Both	emc0125RM
86.	A particularly troubling aspect of the agencies' IMs is the bureaucratic regulatory maze coal and hardrock mining are subjected to. BLM and USFS are requiring that proposed leases be sent to three different levels of review, including the BLM State Director, the National Policy Team, and ultimately, the BLM Director, unless BLM determines that the proposed lease would "maintain or enhance greater sage grouse habitat." This requirement is contrary to FLPMA, in that it automatically elevates concerns over a species that is not even listed as threatened or endangered above all other uses of the land, including coal or other leasable mineral production. While it may be appropriate for BLM to consider sage grouse protection measures in making lease determinations, this should be done on a case-by-case basis. It is contrary to the law for BLM to establish a policy that automatically elevates such considerations above all others in all circumstances. Further, there is already a tool available to handle this issue where it arises. Western mineral leases – like oil, gas and a variety of other economic leases – routinely include stipulations designed to protect the sage grouse and its habitat. These are very powerful protections, and they refute the suggestion that there are inadequate regulatory mechanisms to protect the species and its habitat.	All	Both	emc0378GB

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	The Northwest Mining Association and the National Mining Association have submitted detailed legal, operational and economic critiques of BLM and USFS 'approach, relative to treatment of coal and hardrock minerals. We agree with their assessments and ask that their comments be incorporated by reference here.			
87.	ODOT recognizes that this BLM / USFS plan is likely not going to be highly detailed or specific. Rather it is likely intended to provide broad over arching guidance that the individual Districts will utilize when they craft or modify District level management plans. Many of the issues of concern that ODOT has related to transportation facilities and sources of material located on federal land are likely to be similar in other Western States paliicipating in this planning effort. The following recommendations are not Oregon specific and would seemingly be appropriate for this larger planning effort. ODOT recommends that through this higher level planning effort: Guidance to the Districts is developed stating that in all District level planning efforts existing federal, state and local transportation facilities, rights-of-ways and serialized federal material sites within the planning area need to be clearly identified and documented in their management plans	All	Both	emc0155GB
88.	ODOT recognizes that this BLM / USFS plan is likely not going to be highly detailed or specific. Rather it is likely intended to provide broad over arching guidance that the individual Districts will utilize when they craft or modify District level management plans. Many of the issues of concern that ODOT has related to transportation facilities and sources of material located on federal land are likely to be similar in other Western States paliicipating in this planning effort. The following recommendations are not Oregon specific and would seemingly be appropriate for this larger planning effort. ODOT recommends that through this higher level planning effort: Guidance is developed that the Districts can implement that provides exceptions or buffers for existing rights-of-way or easements to allow for the continued and unimpeded use of these lands for transportation related purposes. Highway related activities within existing rights-of-way should be exempted from added scrutiny based on greater sage-grouse habitat.	All	Both	emc0155GB
89.	ODOT recognizes that this BLM / USFS plan is likely not going to be highly detailed or specific. Rather it is likely intended to provide broad over arching guidance that the individual Districts will utilize when they craft or modify District level management plans. Many of the issues of concern that ODOT has related to transportation facilities and sources of material located on federal land are likely to be similar in other Western States paliicipating in this planning effort. The following recommendations are not Oregon specific and would seemingly be appropriate for this larger planning effort. ODOT recommends that through this higher level planning effort: Guidance is developed for the Districts, out lining an expedited process for gaining necessary approvals if the identified projects (highway or material sources) will impact greater sage-grouse habitat outside existing highway or material site	All	Both	emc0155GB

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	rights-of-way.			
90.	ODOT wants to reiterate that we support and recognizes the importance and value in environmental review of projects to assure that issues such as greater sage-grouse habitat is identified, evaluated and, if necessary, mitigated. But for projects that are necessary to maintain a safe and efficient transportation system, there needs to be processes in place to allow for project specific evaluation and approval without always requiring an RMP amendment via an EA or EIS. Greater sage-grouse and their habitats are important, but in addressing transportation improvement or maintenance projects or materials needed for these projects, it should not take years of effort and hundreds or thousands of dollars to obtain approvals to move forward. By developing the above mentioned recommendations, it should allow individual BLM Districts across the west to implement land management strategies for improved greater sage-grouse habitat without having to struggle to address Federal, State and Local Transportation projects and needed material sources.	All	Both	emc0155GB
91.	I am greatly concerned that the proposed use of mandatory mineral withdrawals would result in the unconstitutional taking of existing mineral interests on federal lands. Mineral interest on federal lands is not a license that may be revoked at the government's pleasure, rather a vested property right. To wit, 30 U.S.c. 26 states that "The locators of all mining locations made on any mineral vein, lode, or ledge, situated on the public domain, their heirs and assigns ... shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations." Further, the U.S. Supreme Court has affirmed a claim as "an exclusive right ofpossession ... with the right to extract the minerals, even to exhaustion, without paying any royalty to the United States as owner, and without ever applying for a patent or seeking to obtain title to the fee. Union Oil Co. a/California v. Smith, 249 U.S. 337, 348 (1919).	All	Both	emc0347GB
92.	Mineral development. Issue: Mineral extraction and associated infrastructure, including gas, oil, and coal, eliminate, fragment and degrade habitat and have significant negative effects on sage-grouse.	All	Both	emc0391GB
93.	Fluid Mineral Development. The NTT report and Knick and Connelly (2011a) thoroughly review the effects of fluid mineral development on sage-grouse. In addition, there is some new information for federal planners to consider in sage-grouse conservation plans. A new study commissioned by the Bureau of Land Management has exposed major difficulties with the agency's current approach to sage-grouse conservation in the Powder River Basin, a region that is heavily developed for gas and oil. The study indicates that an increasing density of coalbed methane wells and conventional oil and gas wells coupled with an outbreak of West Nile virus could cause "functional extinction" of sage-grouse in the Powder River Basin. Under such a scenario, modeling predicts that 370 active leks known today in the Basin would be reduced to only six (Taylor et al. 2012). The authors estimate that 27 percent of the pre-development sagegrouse population has already been lost as a result of heavy coalbed methane and conventional drilling in the Powder River Basin, and predicts that only 39 percent of the original population will remain when coalbed methane is fully developed (with up to eight wells per section) in the Basin, even in the absence of a West Nile virus outbreak (Taylor et al. 2012). The study also found that sage-grouse censused at large leks would be expected to decline by 70 percent from pre-development numbers as well spacing reaches 4 wells per square mile. Finally, effects of drilling on sage-grouse were noticeable out to 12.4 miles from leks, indicating that	All	Both	emc0391GB

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	current core areas may not be large enough to conserve and recover the species (Taylor et al. 2012).			
94.	Coal Mining. Coal mining and related infrastructure destroys and fragments sage-grouse habitat. FWS recognized the deleterious impacts of surface coal mining on sage-grouse—particularly in potential priority habitat—in recent comments Alton Coal Tract Lease by Application Draft Environmental Impact Statement. The Bureau of Land Management has proposed to extend Sage-Grouse Recovery Alternative surface coal mining from a private land tract onto thousands of acres of critical sage grouse breeding, nesting and brood-rearing habitat on public land outside the town of Alton, Utah (BLM 2011a). FWS recommended that BLM reject the lease application and withdraw the tract for sale, stating "[w]e believe that mining activity under any of the action alternatives will result in the extirpation of the Alton-Sink Valley greater sage-grouse lek and the Alton greater sage-grouse population" (USFWS 2012: 1).	All	Both	emc0391GB
95.	2.5. Mining The US Bureau of Land Management and the US Forest Service together manage about 87,500 square miles of sage-grouse habitat. Improving that habitat is a key focus of the agencies' plansto assure the survivability of the bird. Current and proposed regulatory mechanisms include significant restrictions on mining and other development across the region. These concerns beg the question never quantitatively addressed by the agencies: what is the impact of these developments on the sage grouse habitat? A historic number which comes to mind is 8,844 sq. mi. That is the 1930-1980 cumulative nationwide mined land disturbance reported in the final land use circular issued by the now-closed Bureau of Mines (Johnson & Paone, 1981). In fifty years of mining, and mining and beneficiation waste storage, the total amount of land used was slightly more than half the area of Elko County, NV (17,181 sq. mi.), the nation's seventh-largest county. The principal commodities covered in the earlier years were coal, sand & gravel, stone, phosphate, clay, copper and iron ore. In descending order, the states with the most affected land were: PA, KY, OH, IL, WV, FL, IN, CA, AL, MO. 47% of that disturbed land was reclaimed at the end of the reporting period. Subsequent laws and regulations assure concurrent reclamation with all mining. The fifty year period covers the introduction of walking draglines in coal and phosphate, coal and clay mining across the south, the open pit copper giants of AZ, NM, UT, NV, MT and the great iron pits of the Mesabi Range in MN. It includes all the aggregate pits which built Hoover, Garrison, Grand Coulee and the Tennessee Valley Authority dams. It includes virtually the entire uranium industry, and most of the quarries of the Interstate highway system. For more recent numbers, quarries and mines in the lower 48 now cover 2,584 square miles (USGS, 2010). The Form itself mentions approximately 294 mi2 of current or planned mining activity within the sage grouse habitat. Though the Form data presentation on mining disturbance is incomplete, the area comparisons show the essential insignificance of restricting	All	Both	emc0274GB

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	mining in order to save the sage grouse. Habitat management simply fulfills the bureaucratic prime directive, which is growth of the bureaucracy, not growth of the sage grouse population. Figure 1 shows the sage grouse range with a comparative image of the 8,844 sq. mi. fifty-year cumulative mine disturbance.			
96.	On page 14, Proposed Land Withdrawals section, the first conservation measure bullet proposes that "lands within priority sage-grouse habitat areas for mineral withdrawal." The socio-economic impacts of this conservation measure need to be evaluated in this EIS.	All	Both	emc0239GB
97.	COMMENTS ON Interim conservation Measures and Policies for Preliminary Priority Habitat, No. 2012 -043 (IM) As the interim policy and program guidance in the IM: These comments are consistent with and applicable to the strategic suggestions above for the proposed action. Leasable Minerals The IM gives Field Offices the discretion to not move forward with a nomination or to defer making a decision on Fluid Mineral leasing until the completion of the LUP process for the affected area. We believe that giving the field offices this discretion will result in the postponement of geothermal leasing until after the National Greater Sage -Grouse Planning S contained in the nominated parcels. This outcome has the potential to stall geothermal energy development for up to three years.	All	Both	emc0254GB
98.	COMMENTS ON "A Report on National Greater Sage the Grouse Conser Sage -Grouse National Technical :Team (NTT) Fluid Minerals The NTT Report uses studies that were based on oil and gas development and applies the findings to geothermal development as well. While research on oil and gas projects is relevant to understanding how geothermal development may impact sage grouse, key differences in development density, size, and operation mean that the impacts documented thus far may not be applicable to geothermal. Despite the incongruity of the available data to the typical geothermal development, the NTT report recommends the closure of PPH to fluid mineral leasing with only limited exceptions for checkerboard or split estate parcels. Without access to the PPH and PGH maps, the geothermal industry can only speculate that the team's recommendations would spell the end of any future lease acquisition in a broad swath of northern Nevada and southern Idaho. The NTT report further recommends prohibition of new surface occupancy on existing fluid mineral leases in PPH with unreasonable exceptions of 4 permitted disturbance per section (640 acres) of land. We feel that these restrictions would deprive leaseholders of the potential benefits of continuing development without compensating them for the value invested obtaining or exploring the leases. Furthermore, the no new surface occupancy (NSO) conservation measure, with the exceptions noted, render all of the other proposed conservation measures moot; these activities would not be allowed in an NSO condition. For example,	All	Both	emc0254GB

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	applying seasonal restrictions to exploratory drilling does not mean that the NSO is waived in outside of the seasonal restriction period if the underlying NSO is still in effect.			
99.	Mining for leasable and non-leasable minerals may pose a substantial threat to sage-grouse and their habitat. Mining which may pose a threat includes, but is not necessarily limited to, coal mining in MT, WY, UT, and CO, uranium mining in WY, UT, CO, and NV, phosphate mining in Idaho, bentonite mining in the Bighorn Basin in WY, and hard rock mining in NV.	All	Both	emc0276GB
100.	Potential effects from mining include direct habitat conversion, modification, and fragmentation, water contamination from mining activities, including leaching of waste rock and overburden and nutrients from blasting chemicals and fertilizer, invasion of exotic and noxious weed species from mining vehicles and equipment, and indirect effects associated with an increase in human presence, including avoidance, disturbance, stress, an increase in vulnerability to predators, and direct mortality from vehicle collisions or other threats. Mining may also interfere with auditory clues important to mate selection, resulting in lower lek attendance of males and an overall decrease of breeding success. Mining is also generally associated with changes to surface hydrology that may affect sage-grouse, especially in terms of wastewater disposal.	All	Both	emc0276GB
101.	As has been noted in regard to several other impacts on sage-grouse, sage-grouse habitat reestablishment and recovery of population numbers in an area after mining disturbances have ceased is uncertain.	All	Both	emc0276GB
102.	In particular, Barrick is concerned that some of the policiesincluding locatable minerals withdrawals and disturbance prohibitions in priority habitat-could result in unnecessary lost jobs, wages and tax revenues in Nevada, a state that is already under severe economic distress.	All	Both	emc0277GB, emc0112rm
103.	In our experience, well-designed reclamation of public lands impacted by mining can ultimately lead to higher value habitat than if the same lands were left unmanaged. We believe that this principle applies to sage-grouse habitat as well. For example, it is generally accepted that noxious invasive species like Bromus tectorum (cheat grass) have significantly degraded vast areas of former sage-grouse habitat. Conversely, pinyonjuniper succession can lead to conversion of prime sage-grouse habitat into comparatively low-value woodlands. During mine reclamation, Barrick routinely restores such low-value habitats into prime potential sage-grouse habitat. Thus, when coupled with appropriate reclamation requirements, mining activi ty on public lands can play an important role in restoring sage-grouse and other species to long-term viability.	All	Both	emc0277GB
104.	So long as Barrick can continue to develop the resources it discovers, we intend to operate and support sage-grouse conservation in northern Nevada and the western United States for decades to come. To do so, however, Barrick must continue to have access to public lands. Sage-grouse protection must not be pursued in a manner that unduly burdens development of valuable mineral resources.	All	Both	emc0277GB
105.	Thus, affected entities should be provided opportunities to confirm assumptions regarding the value of particular habitat areas. And in areas of confirmed priority habitat, BLM should not simply disallow development. Instead, the agencies should develop, with the regulated community, strong but flexible conservation	All	Both	emc0277GB

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	measures that include opportunities for pragmatic mitigation.			
106.	Barrick has conducted assessments of the ranches adjacent to some of its mining operations that may be useful to the agencies, particularly if the agencies are interested in evaluating the potential for mitigation projects or "banks" in these areas. These same type of assessments are being included in the baseline studies conducted on potential mine development sites. This information may be available for the NEPA analysis and may allow for determination of impacts and mitigation for the impacts. The existing information for the ranches provides guidance and opportunity for where off-site mitigation can be conducted within the vicinity of the impacts.	All	Both	emc0277GB
107.	The management plan revisions must comply with multiple use and sustained yield requirements BLM must also recognize "the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands." Id. § 1701(a)(12). And BLM must manage the public lands for a "sustained yield," requiring "the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the public lands consistent with multiple use." [d. § 1702(h). Mineral extraction, grazing, and other productive uses must be considered on equal footing with sage-grouse management, and not merely as an afterthought. The National Forest Management Act and the Multiple-Use Sustained-Yield Act require the Forest Service to similarly manage for mUltiple uses and sustained yield. Forest Service management plans must provide for "multiple use and sustained yield of the products and services obtained therefrom in accordance with the [Multiple Use Sustained Yield Act], and, in particular, include coordination of outdoor recreation, range, timber, watershed, wildlife and fish and wilderness." 16 U.S.C. § 1604(e). The Forest Service must recognize "the policy of the Congress that the national forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes." Id. § 528. Accordingly, both the Forest Service and BLM must recognize multiple uses during the revision process.	All	Both	emc0277GB
108.	ii. Range of alternatives should not be more restrictive than an Endangered Species Act ("ESA") Listing The agencies' objective in launching the RMP revision process is to "conserve sage-grouse and its habitat and potentially avoid an ESA listing. „21 While the prospect of a sage-grouse listing and its regulatory consequences may be daunting, the restrictive measures recommended by the National Technical Team may be even more so. Indeed, the ESA permits the Fish and Wildlife Service to at least consider each proposed action individually, taking into consideration the site-specific circumstances, species and habitat conditions, potential effects to the species, and potential mitigating actions. While "take" of listed species is prohibited under the ESA, there are opportunities for take permits. By contrast, some National Technical Team recommendations would put millions of acres of public lands off limits from mineral entry or arbitrarily cap disturbance regardless of sitespecific species occurrence and habitat conditions, or mitigation opportunities that might be offered by the project proponent. In deciding what conservation measures should be imposed to avoid a listing, the agencies must consider whether the measures proposed may cost more than the ESA listing it is attempting to avoid. The irony of the agencies' purpose to avoid a listing and the BLM National Technical Team's recommended conservation	All	Both	emc0277GB

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	measures is highlighted by the Technical Team's proposal to withdraw from mineral entry priority sage-grouse habitat areas.22 The Technical Team also recommends a 3% surface disturbance cap in priority habitat.23 Such blanket prohibitions that admit no exceptions based on habitat conditions and quality, species occurrence, or mitigation that might be offered by the project applicant are at once inflexible and draconian, evidencing a singularity of purpose that directly contradicts the agencies' multiple-use mandates. By contrast, an ESA listing does not automatically put off limits all projects that might adversely affect the species or its critical habitat within its range. In fact, the ESA specifically provides processes to obtain "take" authorization for both private projects and those with a federal nexus. For private projects that might result in "take"-defined broadly to include any activity that would or would attempt to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect a species, 50 C.F.R. § 17.3-an applicant can obtain an Incidental Take Permit under ESA Section 10 after preparing an approved Habitat Conservation Plan. 16 U.S.c. § 1539(a)(l)(B); 50 C.F.R. § 17.22(b)(l)(iii). A Habitat Conservation Plan specifies the actions that will be taken by the project applicant to minimize and mitigate effects to the listed species. Measures can be as varied as avoiding Impacts by relocating project facilities, minimizing impacts through timing restrictions and buffer zones, rectifying impacts by restoration and re-vegetation, and compensating for impacts by habitat restoration or protection at an offsite location.24 The Fish and Wildlife Service can issue an incidental take permit if after considering the effects and committed mitigation measures, the taking will not appreciably reduce the likely survival or recovery ofthe species as a whole. 50 CF.R. § 17.22(b)(2). Similarly, when an agency such as BLM permits an activity that is likely to adversely affect a listed species, it must initiate Section 7 consultation with the Fish and Wildlife Service to ensure that the proposed action will not jeopardize the continued existence of the species. 50 C.F.R. § 402. 14(a). The Service issues a Biological Opinion to determine whether jeopardy will occur. /d. § 402.14(g). The Service may take into consideration any conservation measures or other agreements between the action agency and the project proponent, including commitments to mitigate and minimize impacts. See Selkirk Conservation Alliance v. Forsgren, 336 F.3d 944, 956 (9th Cir. 2003). Thus, in both the Section 10 and Section 7 context, there is no absolute prohibition on activities that might "take" species. Rather, project approval is based on whether, after applying the mitigation measures proposed by the applicant, the action will appreciably reduce the likelihood of the survival or recovery of the species, or result in jeopardy, respectively. The ESA permitting processes encourage cooperation between the Service and the applicant to find solutions that both allow the applicant's project to move forward while conserving the species. The mineral industry is familiar with ESA processes and has worked successfully with the Fish and Wildlife Service over several decades to ensure mining operations do not place listed species such as the Lahontan cutthroat trout in jeopardy. Whatever conservation measures the agencies ultimately implement in its various RMPs, they should encourage similar collaboration for species conservation and avoid industrystifling blanket prohibitions that fail to take into consideration			

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	individual project proposals and site-specific circumstances. Barrick encourages the agencies to consider, and incorporate in their management plan revisions, alternatives that provide flexibility to the agencies to work with industry toward effective conservation while permitting multiple uses of the public lands.			
109.	iii. Alternatives should be technically and economically feasible The range of alternatives must be technically or economically feasible. NEPA requires the agencies to "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources." 42 U.S.c. § 4332(2)(E). The agencies should emphasize what is "reasonable" and include only alternatives that are "practical or feasible from the technical and economic standpoint." BLM NEPA Handbook at 50; see also N. Alaska Envtl. Ctr. v. Kempthorne, 457 F.3d 969, 978 (9th Cir. 2006) (agency need not discuss alternatives "which are infeasible, ineffective, or inconsistent with the basic policy objectives for the management of the area"); 40 C.F.R. § 1508.25(a). In determining what is "technically or economically" feasible, the agencies should consider whether implementation is likely given past and current practice. BLM NEP A Handbook at 52. As an initial matter, the agencies cannot implement an alternative that manages solely for sage-grouse conservation, as it would violate FLPMA, NMFA, and MUSYA statutory mandates to manage the public lands for multiple uses. Further, as a practical matter, rigid surface occupancy restrictions possibly would not be technically or economically feasible. The Technical Team's 3% priority habitat disturbance measure does not address habitat recovery timelines. Restoration of degraded habitats below the threshold could take several years to a decade or more. This would be an unacceptable delay to new mining projects and expansions at existing mines. Even with the extremely long permitting times to get a plan of operations deemed complete, baseline data collection, and NEPA analysis, which is a 4 to 6 year process, there could be a delay if the restoration is not approved as sufficient or successful. These types of unknown delays in permitting are not technically or economically feasible for large-scale mining operations.	All	Both	emc0277GB
110.	v. Existing rights The scoping notice acknowledges that the revisions must recognize valid existing rights. See 76 Fed. Reg. at 77011. However, the National Technical Team's recommended conservation measures could eliminate or restrict existing mineral claims. The National Technical Team recommends the withdrawal from mineral entry of priority sage-grouse areas from conflicting locatable mineral potential and development. 26 The National Technical Team suggests possibly "buying out" these claims. The agencies should clarify how the revisions would affect existing mining claims, including those claims that are already operating under approved plans of operations. For example, how will additional conservation measures affect mine expansions that have already been approved? How will the revisions affect perfected mining claims that are not yet approved for operation?	All	Both	emc0277GB
111.	I am very strongly opposed to the proposed withdrawal of Sage Grouse habitat which, if adopted as proposed, will bar mineral exploration of all types from areas known to have very	All	Both	emc0282GB emc0115rm

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	high mineral potential, including oil & gas, geothermal, precious metals and industrial minerals.			
112.	Mining and mineral exploration operations take far less operating space than roads, power lines and other uses perceived to have public benefit; yet, this proposed huge area withdrawal is obviously targeted at mineral exploration and development. BLM exploration permits and plans of operation already require a direct review of the disturbance area before approval. Measures are already in place to protect Sage Grouse and any other threatened or endangered species found in a proposed operating area. Following operations, work areas are reclaimed and re-seeded with local native grasses and brush, replacing any native habitat disturbed. To me, this proposed withdrawal by the BLM begs the question "WHY" this new initiative.	All	Both	emc0282GB emc0115rm
113.	I am personally convinced that the proposed Sage Grouse protective measures are the direct result of the BLM's fear of – and pressure from - environmental protective (anti-mining) groups. In short, the BLM is appeasing those groups and ignoring the rights of mineral explorationists and other users of public lands under a questionable and scientifically unsupported guise.	All	Both	emc0282GB emc0115rm
114.	Rather than withdrawing the land to where there is no income coming into your agency by fees for exploration acres, both in the mining sector as well as the oil, gas & geothermal sectors, would it not have been more beneficial for you to allow the sale of the deferred leases and allowed the operators to aid in mitigating this problem in regard to the Sage Grouse? It seems to me the mining companies have done an excellent job in restoration projects throughout this State.	All	Both	emc0320GB
115.	On page 14, Proposed Land Withdrawals section, the first conservation measure bullet proposes that "lands within priority sage-grouse habitat areas for mineral withdrawal." The socio-economic impacts of this conservation measure need to be evaluated in the EIS.	All	Both	emc0322GB
116.	On page 19, Minerals section, second paragraph, there is mention of abandonment of leks by male sage-grouse if leks are repeatedly disturbed by raptors perching on power lines near leks. The mitigation measure or conservation measure should include anti-perching devices on these structures and not prevent mining or energy development. Similarly, predator control of ravens, crows, and magpies (corvids) is possible in identified nesting areas where power lines provide perches for corvids to watch for sage-grouse hens to leave the nest.	All	Both	emc0322GB
117.	The socio-economic impacts of the minerals-related conservation measures need to be analyzed in the EIS. The restrictive nature of the conservation measures does not allow for mitigation to offset impacts created by mineral exploration and development. I believe that the best way to provide for protection of the sage-grouse, while simultaneously allowing continued economic development, is for BLM to develop conservation measures in cooperation with the regulated community that include a strong but pragmatic mitigation program.	All	BLM	emc0322GB
118.	NEI believes that there is empirical evidence demonstrating that mining activities are not a primary threat to sage grouse viability, and that sufficient sage grouse habitat can be effectively preserved with uranium mining activities proceeding concurrently on these public lands.	All	Both	emc0306GB
119.	Greater sage grouse habitat extends over the Western states of California, Colorado, Idaho,	All	BLM	emc0306GB

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	Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. With about 47 million acres of potential sage grouse habitat involved, BLM's conservation efforts could have a substantial impact on uranium mining activity on public lands. NEI believes that there is the potential that BLM's EIS on incorporation of conservation measures into land use plans and land management plans to protect the greater sage grouse will require withdrawal of lands from mining activities with no validity examination allowed for ongoing or future mining claims. NEI believes that there is empirical evidence demonstrating that mining activities are not a primary threat to sage grouse viability, and that sufficient sage grouse habitat can be effectively preserved with uranium mining activities proceeding concurrently on these public lands.			
120.	All alternatives must acknowledge that RMP's and LMP's cannot legally effect a mineral withdrawal. Only Congress or the Secretary of Interior pursuant to FLPMA §204 may withdraw lands from mineral entry. The BLM and the USFS have numerous tools in their respective "tool boxes" to protect the environment, prevent unnecessary or undue degradation, minimize or mitigate adverse environmental impacts, address cultural resource and threatened and endangered species issues and ensure compliance with all applicable Federal and state environmental laws and regulations. While a mineral withdrawal is one of those tools, it is, or at least should be, the tool of last resort. A mineral withdrawal is an extreme action and should be considered and used only when all other tools have failed (emphasis added). In light of the numerous sage-grouse conservation measures currently in place in the western states, we submit a mineral withdrawal is wholly unnecessary.	All	Both	emc0321GB
121.	Furthermore, mineral exploration and mining can only occur in the specific areas where minerals of interest occur or are likely to occur. In a 1999 report, the National Research Council of the National Academy of Sciences recognized just how rare economically viable mineral deposits are: Only a very small portion of Earth's continental crust (less than 0.01%) contains economically viable mineral deposits. Thus, mines can only be located in those few places where economically viable deposits were formed and discovered. Hardrock Mining on Federal Lands, National Research Council, National Academy Press, 1999, p. 2-3.	All	Both	emc0321GB
122.	If the United States is going to compete in this global mineral environment fueled by resource nationalism, it must adopt policies that guarantee access to lands with mineral deposits, must provide a competitive tax regime, and must reduce permitting delays. We should be embarrassed that we rank last among the twenty-five largest mineral producing countries in terms of permitting delays. The fact that a country with a mineral resource base as rich as the United States attracts only 8% of world-wide exploration spending should be a call to action. Unfortunately, the sage-grouse conservation measures being proposed only worsen the problem. Therefore, absolute prohibitions on mineral exploration and mining must be avoided and the agencies should evaluate exempting locatable mineral activities from any proposed land use restrictions. At a minimum, measures allowing onsite	All	Both	emc0321GB

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	and/or offsite mitigation to offset documented impacts to sage-grouse should be allowed and be an alternative for each proposed use of public and National Forest System lands.			
123.	The proposed land use restrictions and proposed withdrawal of lands from mineral entry for areas with high-priority sage-grouse habitat will substantially hann NVMRA members that have exploration projects in these areas. However, beyond the immediate impact the proposed land use restrictions, prohibitions, and withdrawals will have on NVMRA member companies, we are concerned that a significant reduction in the amount of land open to operation of the U.S. Mining Law will hurt Nevada's economy - especially in rural Nevada. Such a withdrawal will also hann the nation at large because it will increase the country's reliance on foreign sources of minerals that support the U.S. economy, are needed to build our infrastructure, and are critical to our national defense.	All	Both	emc0327GB
124.	The greater sage grouse occupies a massive 11 state area including areas of Calif., Ore., Mont., N.D., S.D., Wyo., Colo., Utah, Idaho, Nev. and Wash. states. With approximately 47 million acres of sage grouse habitat at issue, BLM's conservation efforts could have a significant impact on the development of minerals on public lands. For example, the habitat for the sage grouse coincides with some of the most significant mineral deposits in the West, including gold reserves in Nevada and the largest coal producing area in the U.S., the Powder River Basin in Wyoming.	All	Both	emc0331GB
125.	o Discretion to Delay Approvals The IM provides that field offices retain the discretion to reject, deny or defer approvals for proposed activities, such as mineral leasing or rights of ways, in preliminary priority habitat areas. BIM offices are already deferring major projects based on the IM provisions.1 NMA believes it is procedurally incorrect to delay projects for two years while RMPs are revised to reflect new conservation measures for sage grouse. Sage grouse need to be addressed through the National Environmental Policy Act process for proposed projects and conservation measures incorporated into issued permits.	All	BLM	emc0331GB
126.	o Additional Layers of Review A particularly troublesome provision of the IM is the imposition of several new layers of review prior to approval of proposed activities such as coal or other solid mineral leasing. The 1M states that a proposed lease must be sent to three different levels of review, including the BIM State Director, the National Policy Team, and ultimately, the BIM Director unless BIM determines that the proposed lease would "maintain or enhance greater sage grouse habitat." This requirement is contrary to FIPMA in that it automatically elevates concerns over a species that is not even listed as threatened or endangered above all other uses of the land, including coal or other leasable mineral production. While it may be appropriate for BIM to consider sage grouse protection measures in making lease determinations, this should be done on a case-by-case basis. It is contrary to the law for BIM to establish a policy that automatically elevates such considerations above all others in all circumstances. In fact, coal mine leases on BIM lands already contain stipulations designed to protect the sage grouse and its habitat. FWS has stated that waivers and modifications of leasing stipulations are "rare.,,2 From the mining industry's perspective, we find that the federal regulatory mechanisms that are currently in place are not only adequate to address the threats to the	All	BLM	emc0331GB

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	species, but are extremely robust. For example, in order to receive a federal coal lease, every lessee is required to sign a stipulation from the BlM that states: "Special Stipulation 2. Threatened and Endangered Species (Wyoming BlM) The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened or endangered under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et seq., or that have other special status. The Authorized Officer may recommend modifications to exploration and development proposals to further conservation and management objectives or to avoid activity that will contribute to a need to list such species or their habitat or to comply with any biological opinion issued by the Fish and Wildlife Service for the proposed action. The Authorized Officer will not approve any grounddisturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act. The Authorized Officer may require modifications to, or disapprove a proposed activity that is likely to result in jeopardy to the continuous existence of a proposed or listed threatened or endangered species, or result in the destruction or adverse modification of designated or proposed critical habitat. The lessee shall comply with instructions from the Authorized Officer of the surface managing agency (BLM, if the surface is private) for ground disturbing activities associated with coal exploration on federal coal leases prior to approval of a mining and reclamation permit or outside an approved mining and reclamation permit area. The lessee shall comply with instructions from the Authorized Officer of the Office of Surface Mining Reclamation and Enforcement, or his designated representative, for all ground-disturbing activities taking place within an approved mining and reclamation permit area or associated with such a permit. Since the sage grouse is a special status species, this stipulation authorizes BLM to modify the lease to avoid activity that will harm the sage grouse, and prohibits the agency from approving any activity that would adversely affect such species if it would violate the Endangered Species Act. It even authorizes BlM to modify the lease after mining has begun, if necessary. These are very powerful protections, and they refute the suggestion that there are inadequate regulatory mechanisms to protect the sage grouse and its habitat. There are similar protections required for other industries as well, such as oil and gas leasing on BlM land.3 ("Protective wildlife stipulations are typically placed on individual oil and gas leases at the time of sale, including seasonal and temporal restrictions around important sage-grouse habitats ... "). Accordingly, the extra layers of review for leasable minerals as outlined in the IM are completely unnecessary.			
127.	o Mining in Priority Sage Grouse Habitat Areas As mentioned above, hard rock mining is not a primary threat to sage grouse. As such, the NTT recommendations that would severely limit new mining activities in primary sage grouse habitat are completely inappropriate. Not only does the NTT recommend prohibiting new coal or other solid mineral leases in priority sage grouse habitat areas, the NTT proclaims that BLM should propose lands within priority sage grouse habitat for mineral withdrawal. Given the lack of adequate maps, it is difficult to estimate how much acreage could potentially be proposed for withdrawal but presumably	All	BLM	emc0331GB

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	a significant portion of the 47 million acres at issue could be involved. The Report provides no scientific basis to support any such broad-scale mineral withdrawal. Moreover, any proposal requiring systematic condemnation of all mining claims within priority sage-grouse habitat would be contrary to Congress' repeated recognition, as discussed above, that the public lands should generally remain open to mineral entry and development of this nation's minerals base. Before BLM adopts such draconian land use restrictions, prohibitions, and withdrawals, it must perform a thorough analysis of the regulatory tools and policies it already has to protect special status species. This evaluation should document the effectiveness of the existing policies described in Manual 6840, Special Status Species Management, which was last updated in December 2008. BLM should also perform a gap analysis to determine if any of the policies outlined in Manual 6840 are insufficient to provide the desired level of protection and what adjustments would be necessary to fill any identified gaps. Furthermore, there should be an explicit acknowledgement that RMPs and LMPs cannot legally effect a mineral withdrawal and that only Congress or the Secretary of the Interior pursuant to FLPMA §204 may withdraw lands from mineral entry. The recommendations that would prevent future mineral activities in priority sage grouse habitat completely ignore that mineral exploration and mining can only occur in the specific areas where minerals of interest occur or are likely to occur. In a 1999 report, the National Research Council of the National Academy of Sciences recognized just how rare economically viable mineral deposits are: Only a very small portion of Earth's continental crust (less than 0.01%) contains economically viable mineral deposits. Thus, mines can only be located in those few places where economically viable deposits were formed and discovered. Hardrock Mining on Federal Lands, National Research Council, National Academy Press, 1999, p. 2-3. Whole scale prohibitions on mining on millions of mineral rich in the Western United States is simply poor public policy as there are processes in place to protect the sage grouse from mining impacts.			
128.	Eureka Moly Scoping Issue No.1: Demonstrate Compliance with FLPMA - Each EIS document should discuss how the conservation measures in the Proposed Action, each Alternative Considered in Detail, and the Agency Preferred Alternative comply with the FLPMA mandate to balance a wide range of resource values and uses of public lands and the directive in the Mining and Minerals Policy Act at 43 U.S.c. 1701(a)(12) to recognize the Nation 's need for domestic sources of minerals.	All	Both	emc0335GB
129.	VIII. The EIS Must Evaluate Ways to Minimize Interfering with Expectation-Backed	All	Both	emc0335GB

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	Investments Many mineral companies have made substantial investments in developing their patented claims, unpatented claims, fee lands, and associated ROW grant applications for existing and proposed exploration and mining projects throughout the west. These investments have been made in substantial reliance upon the multiple use principles mandated in FLPMA, and on the land uses authorized in current LUPsIRMPs and Forest Management Plans. The land use restrictions, prohibitions, and recommended in the NTT Report could substantially interfere with these investments. In light of the potential for this interference, the EIS documents must: J) Quantify how these measures could interfere with expectation-backed investments; 2) Evaluate ways to minimize interference with the investment-backed expectations of project proponents; and 3) Discuss and quantify the potential impact to U.S. taxpayers as a result of the regulatory takings claims that could arise in response to implementing the land use restrictions and withdrawals recommended in the NTT Report at projects where these measures interfere with substantial investments. • Eureka Moly Scoping Issue No.8: Minimize Interference with ExpectationBacked Investments - The EIS documents must evaluate alternatives that minimize interference with expectation-backed investments and disclose and quantify any interference with expectation-backed investments that would result from implementation of the Agency Preferred Alternative.			
130.	Mineral Development There is no basis to withdraw public lands solely on the basis of potential impacts on sage grouse habitat. As shown, there is no reliable data supporting the premise that sage grouse numbers are declining. Indeed, numbers appear to be stable or increasing. Id. For example, sage grouse numbers declined in Idaho, even though there is no oil and gas development.	All	BLM	emc0371GB
131.	Access to fluid and hard rock minerals on BLM and Forest land must be maintained and valid lease rights must be acknowledged and protected.	All	Both	emc0376GB
132.	The Sage-Grouse NOI and Technical Report impermissibly prioritize sage-grouse habitat over all other uses of BLM lands by recommending a complete ban on mineral development as opposed to conSidering reasonable measures to conserve the sage-grouse habitat. The Sage-Grouse NOI states: • "[tJhe BLM and FS will consider allocative and/or prescriptive standards to conserve greater sage-grouse habitat, as well as objectives and management actions to restore, enhance, and improve greater sage-grouse habitat." 76 Fed. Reg. at 77011; • "[tJhe FWS has identified conservation measures to be included in the respective	All	BLM	rmc0021RM

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	agencie s' land use plans as the principal regulatory mechanisms to assure adequate conservation of the greater sage-grouse and its habitat on public lands." 1!L at 77009; • "[tJhe BLM and FS will consider a range of rea sonable alternatives, including appropriate management prescriptions that focus on the relative va lues of resources while contributing to the conservation of the greater sage-grouse and sage-grouse habitat." 1!L at 77011. Each of those statements suggests that as part of the revised RMPs, BLM will be evaluating specific measures, conditions, or standards that would be implemented in an effort to conserve the sage-grouse habitat. In contrast, with respect to mineral development, the Technical Report states that "we believe the conservation strategy most likely to meet the objective of maintaining or increasing sage-grouse distribution and abundance is to exclude energy development and other large scale disturbances from priority habitats." NTI at 21. The Technical Report further recommends not allowing new surface occupancy on federal leases within priority habitats, and closing priority sage-grouse habitat areas to fluid mineral leasing. NTI at 22-23.			
133.	Oxy respectfully disagrees that preclusion of mineral development is a conservation measure. Rather, it is a de facto moratorium on currently lawful and authorized activity, and thus, a decision by BLM to arbitrarily prioritize conservation of sage-grouse habitat over other appropriate land uses. Cf. Union Oil Co. v. Morton, 512 F.2d 743, 751-52 (9th Cir. 1975) (holding, in the context of leasing under the Outer Continental Shelf Lands Act, that an indefinite suspension was subject to an injunction as an illegal cancellation; i.e., because the moratorium in question would have left Union Oil with a worthless drilling lease, the moratorium amounted to a taking). Oxy questions the appropriateness of any such moratorium, particularly because not even a listing of the greater sage-grouse as threatened or endangered under the Endangered Species Act ("ESA") would necessarily result in such a drastic, allencompassing curtailment of mineral development. If BLM in fact intends to preclude mineral development to protect sage-grouse habitat, the Sage-Grouse NOI does not fully reflect that intent and should be amended - reinitiating the scoping process and allowing the public to comment on BLM's newly articulated intent. If this is not in fact BLM's intent, then BLM's reliance on the Tech nical Reportas articulated above - should be reconsidered and BLM must invest in and utilize the NEPA process as the mechanism by which BLM evaluates potential conservation of sage-grouse habitat. It is through NEPA that BLM must provide full consideration of the impacts of such drastic conservation measures on valid existing rights, future mineral development, and BLM's mUltiple-use mandate, among others	All	Both	rmc0021RM
134.	Any EIS must fairly consider both present and future costs and benefits of continued multiple use activities, including mining, The analysis must include the affect of each alternative, including the No Action alternative, as to its effects on future investment expectations under various scenarios.	All	Both	rmc0024RM
135.	Land Use and Management plans must exclude GSG based restrictions on	All	Both	rmc0024RM

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	locatable minerals under the Mining Law of 1872 and should exclude leaseable mineral prospects as well, so as to encourage mineral development in the region.			
136.	Specifically, VGC is concerned about the large-scale land use restrictions and prohibitions - including the withdrawal of lands with high-priority sage grouse habitat from mineral entry - that is proposed in Instruction Memorandum ("IM") IM-2012-044, "BLM National Greater Sage-Grouse Land Use Planning Strategy" and in the December 2011 National Technical Team Report entitled, A Report on National Sage-Grouse Conservation Measures ("the NTT Report"). If implemented as currently proposed, these draconian conservation measures will thwart mineral exploration and development and other private-sector uses of public land under the guise of sagegrouse habitat conservation.	All	Both	rmc0029RM, rmc0060GB
137.	VGC knows from working with BLM to secure authorization for our mineral activities on ELMadministered lands, that BLM already has rules and policies to ensure that mineral projects protect sage-grouse habitat. The U.S. Forest Service ("USFS") has similar policies to protect sage-grouse habitat on National Forest System lands. BLM Notices and BLM and USFS Plans of Operations for mineral projects contain numerous permit conditions and stipulations to protect sage-grouse habitat. Examples of these measures include seasonal restrictions on when and where activities can occur, buffer zones around identified sage-grouse leks, limiting constructionof new overhead structures that provide raptors perching sites, and installing anti-perching devices on existing transmission lines.Given the existing regulatory framework under which VGC and other mineral exploration and development companies must operate, we question the need for a completely new policy direction, like that proposed in the NTT Report. Before BLM and USFS "go back to the drawing board" and create new regulatory programs to protect sage-grouse habitat, they should first perform a gap analysis of the existing policies to determine what - if anything - needs to be improved or modified.	All	Both	rmc0029RM, rmc0060GB
138.	BLM and USFS made a new sage-grouse habitat map for Nevada available to the public on March 9, 2012 - just 14 days before the March 23, 2012 deadline for submitting these comments. The map entitled "Nevada BLM and USFS Greater Sage-Grouse Preliminary Habitat Map" shows extensive areas in magenta that are labeled "Preliminary Priority Habitat" and other areas in blue-green labeled "Preliminary General Habitat." This map is based on a map that the Nevada Department of Wildlife ("NDOW") prepared and recently released entitled, "Nevada Department of Wildlife Greater Sage-Grouse Habitat Categorization Map." VGC and other stakeholders need more time to evaluate this map. However, one thing is already readily apparent from this map - there is widespread sage-grouse habitat throughout much of northern Nevada where many of Nevada's most important mines are located. Additionally, many of the Preliminary Priority Habitat areas shown on the BLM-USFS map are coincident with Nevada's most productive mineralized belts. As discussed in the next section, BLM must manage lands with sage-grouse habitat and mineral potential in a way to resolve any land use	All	Both	rmc0029RM, rmc0060GB

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	conflicts and to achieve the best balance between protecting sage-grouse habitat and authorizing the responsible exploration and development of the mineral resources on these lands.			
139.	The current recommendations in the NTT Report - especially the proposal to withdraw lands with priority sage-grouse habitat from mineral entry - create a resource conflict that needs to be resolved in a thoughtful manner that does not pit mineral resource development against sagegrouse habitat conservation. VGC is confident BLM and USFS can resolve this conflict by adhering to the multiple-use principles in the Federal Land Policy and Management Act ("FLPMA"), 43 USC § 1701 et seq and the Multiple Use Sustained Yield Act ("MUSYA"), 16 U.S.C. § 528 et seq. FLPMA directs the Secretary of the Interior to balance a broad range of resource issues, land characteristics, and public needs and values in determining how public lands should be managed.In compliance with this balancing requirement in FLPMA, BLM manages the public lands for multiple uses that consider a wide range of resource values - including the need to protect wildlife- in the context of the Nation's needs for minerals, energy, food, fiber, and other natural resources.	All	Both	rmc0029RM, rmc0060GB
140.	The Resource Management Plans ("RMPs") that BLM prepares pursuant to the land use planning directive in FLPMA Section 1 02 designate allowable land uses that are supposed to reflect a balanced approach to managing the public lands. Because FLPMA does not authorize the subordination of any land use in preference for sage-grouse habitat conservation, the NTT proposal to withdraw lands with sage-grouse habitat from mineral entry is not consistent with FLPMA. The EIS must evaluate how the land use restrictions, prohibitions, and withdrawals recommended in the NTT Report achieve the balance required by FLPMA in managing the public lands and MUSYA in managing the national forests. In the case of minerals, FLPMA includes the following specific directive: " ... the public lands (shall] be managed in a manner that recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands including the implementation ofthe Mining and Minerals Policy Act of 1970 (at] 30 U.S.C. 21a ... " [(43 U.S.C. § 1701(a)(12)] The proposed restrictions and withdrawals from mineral entry outlined in the NTT Report directly conflict with FLPMA's mineral policy.	All	Both	rmc0029RM, rmc0060GB
141.	The EIS documents must quantify the adverse impacts to mineral exploration and development and to the availability of domestic minerals that would occur from implementing the recommendations in the NTT Report. The EIS documents must fully consider alternatives that would comply with FLPMA, MUSYA, and the U.S. Mining Law and thus eliminate inconsistencies with these laws. The EIS documents must provide a detailed discussion of how the Proposed Action, Agency Preferred Alternative, and Alternatives Considered in Detail would allow mineral development or discourage - and in the case of withdrawals from mineral entry - prohibit mineral development. This evaluation should measure the impacts on a state-by-state	All	Both	rmc0029RM, rmc0060GB

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	basis and on both a national scale.			
142.	VGC wishes to emphasize that sage-grouse habitat conservation and mineral exploration and development are not mutually exclusive. VGC encourages BLM and USFS to continue to implement the agencies' current site-specific, project-by-project approach because these existing policies already achieve multiple use and sustained yield. They allow responsible exploration and development of minerals on public lands and national forests in a manner that recognizes claim owners' statutory rights under the General Mining Law. They address the Nation's needs for minerals and the State of Nevada's needs for projects on public land that generate jobs and tax revenue. Finally, they protect and enhance sage-grouse habitat. All of these are mutually compatible land management outcomes that already result from implementation of BLM's and USFS' existing regulatory framework to provide for multiple use and sustained yield of the nation's public lands and national forests.	All	Both	rmc0029RM, rmc0060GB
143.	VGC fully supports all reasonable efforts on the federal, state, and local levels to protect and enhance greater sage-grouse habitat. We also support BLM's objectives to implement measures to make listing of the greater sage-grouse as a threatened or endangered species unnecessary. However, the land use restrictions, prohibitions, and withdrawals in the NTT Report go too far. In fact, we believe that implementing the land use restrictions, prohibitions, and withdrawals proposed in the NTT Report would be far more burdensome and a much worse outcome - especially for mineral interests- -- than if the Secretary of the Interior decides to list the greater sage-grouse as a threatened or endangered species. In this case, BLM's proposed "cure" to implement the measures outlined in the NTT Report in order to avoid a listing would be far worse than the "disease" (e.g., listing the species). A listing would not entail withdrawing vast areas with mineral potential from mineral entry. Additionally, under a listing scenario, project proponents could use the incidental take provisions in the Endangered Species Act.	All	Both	rmc0029RM, rmc0060GB
144.	Predation, along with mineral production and disease are the 3 greatest factors affecting the survivability of the sage-grouse, far over shadowing livestock grazing as a possible culprit.	All	Both	rmc0034rm
145.	WLC currently holds mining claims on lithium resources in the Montana Mountains in northern Humboldt County, Nevada. Approximately 80% of these lithium resources appear to be identified as "essential/irreplaceable Habit". This lithium deposit is generally thought to be one of the largest lithium deposits in the world and is probably the largest Hectorite (lithium clay) deposit in the world. Hectorite is a very unique mineral and WLC's plans include developing the deposit for both lithium and the unique clay properties inherent in the Hectorite. The world's demand for lithium is expected to grow exponentially in the years to come as it is the chemistry of choice for the electrification of transportation. Lithium is used to produce batteries for the rapidly expanding electric and hybrid car industry, computers, and cell phones. Should this domestic deposit not be available for development, the United States may have to rely more heavily on foreign entities to provide	All	Both	rmc0068GB

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	lithium. It should be the policy of the United States to utilize domestic lithium. Lithium is considered a critical element by many government agencies and as such domestic lithium resources should be assured of availability for future development.			
146.	In its list of Problem Statements, WAFWA (2006) outlined a daunting list of threats to sage grouse persistence: -Potential impacts to greater sage grouse and sagebrush habitats from minerals recovery include direct habitat loss, habitat fragmentation, noise, air quality degradation, changes in water availability and quality, and increased human presence.	All	Both	emc0343GB
147.	BCA attendance at several Sage Grouse Implementation Team meetings has shown how the Core Areas have shifted still farther from sage grouse protection than they were in their initial, badly flawed first draft. In the South-Central Local Working Group area, for example, the initial draft of Core Areas purportedly excluded only areas where existing development degraded key habitats, although many key habitats that were (and are) still virtually pristine were excluded because development was potentially planned. Then, the SGIT was instructed to revise the Core Areas, and one of the criteria was to exclude areas where development was permitted, but had not yet occurred. In the final analysis, lands were excluded where important habitats were neither extant nor permitted, but where permitting was in process but years away (such as the Chokecherry wind project), where permits had not yet been sought out were planned over the span of decades (such as APDs in the Atlantic Rim CBM project), and where mining interests were held but even the future intent to seek a permit was speculative (in the case of uranium claims). Not to mention a new coal-to-liquids plant proposal which was gerrymandered out of Core. The Sage Grouse Implementation Team plans to redraw Core Areas every 5 years, and has shown a willingness to exclude prime and pristine habitats from Core status on the basis of new industrial proposals. The result is that Core Areas have been defined simply as the lands that industry doesn't want, where threats are a remote possibility. Until the next round of industrial proposals, when heretofore "protected" lands, cause further redrawing of the boundaries. This is lunacy, not habitat management, and somebody needs to step in and fix it. That somebody, for federally owned lands and minerals, should be the BLM.	All	Both	emc0343GB
148.	We furthermore petition the BLM and Forest Service pursuant to 5 U.S.C. § 555(e) to defer all mineral sales and leasing as well as all project-level approvals within the bounds of the more robust Core Area boundaries we have recommended in these comments. The BLM has full authority and discretion to undertake this measure under IM 2004-110 Change 1, and doing so will preserve the decision space in the Plan Amendment process and prevent permitted actions that could undermine the effectiveness of alternative sage grouse Plan Amednment management direction that will be adopted at the end of this NEPA process.	All	Both	emc0343GB
149.	The Plan amendments "will be limited to making land use plan decisions specific to the conservation of sage-grouse." This will only serve to cause more conflict. Many inadequate mining, energy, visual, transportation/OHV and other provisions of Land Use Plans come into direct conflict with sage-grouse habitat protection requirements, and it is very hard to understand just how BLM will split hairs here. See WWP Jarbidge RMP comments, explaining how weak VRM standards, lack of mineral withdrawals, energy accommodations and other RMP provisions would adversely affect management of sage-grouse habitats for sustainable populations. It will also serve to put more species in jeopardy - as sagebrush-dependent species with differing habitat requirements to some degree than sage-grouse get impacted as	All	BLM	emc0411GB

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	agencies shift and intensify all manner of degrading and disturbing uses (such as livestock) into the Sacrifice General occupied habitats or non-grouse areas.			
150.	The Scoping Notice states that the process will recognize "valid existing rights." What are these? How many "valid existing rights" are there currently located across the sagebrush biome? Including in all Key, General, Priority, Restoration habitat and discarded sagebrush biome areas? Please provide maps of all existing geothermal leases, oil and gas leases, wind ROWS, mining claims, mines, etc. and overlay them on all populations, as well as identified PMUs (Nevada, California) or other populations. What is considered a "right"? Can BLM revoke permits, leases, etc., or at least significantly amend them at any time?	All	Both	emc0411GB
151.	For the past couple of years, agencies have been using another category to try to separate out populations, and minimize the importance of losses to the sagebrush habitats. This is the effort to segregate greater sage-grouse into eastern vs. western portions of the range on the basis of claims that grouse face different threats in different parts of their range. USFWS used this artifice in defending its toothless Warranted but Precluded Finding in litigation, and took it to absurd lengths in its arguments there. First, many of the same threats occur across the range - livestock grazing, roads no matter what the cause, invasive species, mining. Second, increasingly renewable energy threats with many of the same impacts as oil and gas are accelerating in the western portion of the species range, and mining is exploding in northern and central Nevada and some other western areas. Plus hundreds of thousands of acres are now being leased for oil and gas development all over Nevada. Renewable energy examples: Major industrial wind farm on Steens Mountain Oregon and new transmission lines, major new transmission lines like Gateway and MSTI, geothermal development often by foreign entities (McGinness Hills and other areas), massive geothermal leasing proposals are appearing - for over 500,000 acres on Bridgeport Ranger District lands and elsewhere in NV. Mining is expanding into new areas where sage-grouse populations are already barely hanging on, and new mining is proposed in areas with larger populations, as well. In the east, weeds like cheatgrass are increasing (see WBEA Assessment discussion). New and expanded mining, new transmission lines, and oil and gas harms are far exceeding those agencies claimed would occur from these new or recently expanded developments. See 2012 Yubanet article on failures of Wyoming Core Model in the Powder River Basin.	All	Both	emc0411GB
152.	The NTT at 18 admits that Energy and Minerals development poses risks including: Direct disturbance, displacement, or mortality of grouse; Direct loss of habitat, or loss of effective habitat through fragmentation and reduced habitat patch size and quality; and cumulative landscape-level impacts. However, the NTT and IM provide minimal, uncertain, non-mandatory and ineffective BMPs that mirror those for fluid mineral development. These are basically common sense, and what a developer may need to do anyway to avoid prosecution for littering. For example: "Clean up refuse."	All	Both	emc0411GB

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	"Control the spread and effects of non-native plants." This is meaningless. How will this be effectively done in landscapes suffering often multiple forms of disturbances all of which promote invasive species? Is it even feasible without eliminating livestock disturbance to disturbed sites and adjacent sagebrush areas? What battery of chemicals may be used? BLM has no integrated weed strategy, so it is impossible for this to even be applied.			
153.	Why is there no discussion about protecting flows of all springs, seeps and streams affected by energy and mining activity? For example, cyanide heap leach mining causes aquifer declines and aquifer drawdown of springs/streams. Water sources critical for wildlife may be severely altered by mining activity, and watershed by associated surface disturbance. These systems in arid western lands are typically already under significant stress from degradation by ubiquitously grazed livestock, and livestock water developments that remove water from spring sources to promote livestock use, as well as gouge stock ponds in springs or drainages. See Sada et al. BLM Technical Bulletin 2003. This alters and disrupt drainage networks, flow patterns, and extent of riparian and meadow habitats. There is serious risk of declines in water levels or cessation of flows altogether due to combined effects of mining, roading, grazing disturbances - all serving to desertify landscapes. Why are there no protections for such threats, especially given the breakneck speed of mining development in already fragmented areas of Nevada and other western states?	All	Both	emc0411GB
154.	We recommend that all sage grouse ACECs be withdrawn from oil and gas leasing and recommended for withdrawal of all leasable and locatable surface minerals from mining.	All	BLM	emc0343GB
155.	Oil and Gas Inside Core Areas • Maximum density of 1 wellpad or other surface disturbance per square mile in core habitats • For future leasing, either no future leasing in core habitats or No Surface Occupancy leases with no opportunity for exceptions or waivers. • For existing leases, no surface occupancy within 2 miles of the lek or winter habitat and no drilling within 3 miles of the lek or winter habitats during the season of use. • Recommend withdrawal from mineral entry; no surface mining or in situ uranium recovery allowed. • Total surface disturbance not to exceed 1 to 3 percent of surface area. Outside Core Areas • Year-round No Surface Occupancy within 2 miles of the lek or winter habitat, and no drilling within 3 miles of the lek or winter habitat during the season of use.	All	Both	emc0343GB
156.	The sagebrush regions of the Great Basin and Rocky Mountain corridor are part of our great heritage as Westerners and Americans, still -va habitat has been drastically impacted by invasive species such as cheatgrass, frequently exploitative use by grazing and mineral interests, and shortfalls in regulation and enforcement.	All	Both	fla0086gb

Table C-5.B
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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
157.	We support the NTT recommendation of "excluding mineral development and other large scale disturbances from priority habitats." We would also like to see it taken a step further and have no leasing within a 4 mile buffer of leks. Research has shown that even a 4 mile buffer would only protect 75%- 80% of nesting hens. Given the NTT goal of "maintain and I or increase sage-grouse abundance and distribution", this research should lead to a 4 mile buffer at a minimum.	CO	Both	emc0059RM
158.	We are very concerned about the lack of scientific validity for the parameters and conditions currently proposed by the BLM in the DRMP/DEIS. It is clear that the approach that is currently practiced and proposed has not done anything to stem the steep downward trajectory of the sage grouse population. Accordingly, we implore the BLM to place NSO restrictions on all areas designated as sage grouse priority (or core) habitat. It is imperative that there is no leasing activity within these critical areas and significant protections should be afforded to undisturbed continuous unfragmented habitat given that its scarcity. Furthermore, in areas designated as sage grouse occupied habitat, there should be minimal disturbance allowed - not more than 1% within 4 miles in any direction of a lek. All human disturbances (roads, ditches, buildings, hay meadows, and any other disturbance that deviates from the native sage bmsh vegetation) should count toward the percentage of disturbed area. Split estate parcels should be given at least the same protections as BLM owned fee parcels. It is illogical to afford them any less protections.	CO	BLM	emc0057RM
159.	The County recommends the BLM to continue supporting the primary goal it has already agreed to implement in the CPW Conservation Plan which is to "Maintain a viable population for GSG while developing energy & mineral resources" which is to be implemented by actions such as Investigate opportunities and provide incentives to promote cluster development in key GSG habitats. Cluster the development of roads, pipelines, electric lines, and other facilities, and use existing, combined corridors where possible." (See page 87 to 93 in the CPW Conservation Plan for the comprehensive set of goals, objectives, and actions relating to the energy industry and mineral development.)	CO	Both	emc0058RM
160.	As discussed above, North Park has a very stable sage-grouse population. Anthropogenic land uses have occurred on the BLM in the past and we have been able to maintain a healthy sagegrouse population. We have had oil and gas development (e.g. the McCallum Oil Field), strip mining, gravel pits, power lines and limited amount of road development. Sage-grouse are present even though there has been historical anthropogenic disturbance. We are requesting that analyses be conducted to show how the current BLM regulations are not adequate to maintain sage-grouse in North Park. We recommend that the BLM analyze disturbance through time, possibly through historic aerial photographs, in conjunction with historical sage-grouse population data to determine the historical amount of anthropogenic disturbance in North Park that has been consistent with the maintenance of a stable sage-grouse population.	CO	BLM	emc0060RM
161.	Impact of Alternatives on Minerals and Mining - Minerals can only be developed where they occur, consequently, TC is concerned with the National Technical Team recommendations that appear to exclude new or expanded mineral leasing and mining operations anywhere within areas identified as priority sage grouse habitat. The report recommends withdrawal from mineral entry for locatable minerals; closing of priority habitat to non-energy leasable minerals such as potash and sodium as well as closure to mineral material sales. This exclusionary approach would jeopardize development and use of valuable mineral resources in Northwest Colorado and severely impact the area's economy.	CO	Both	emc0071RM

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	TC is especially concerned about the recommendation for a finding of unsuitability for all surface mining of coal, and prohibition on new mining leases for sub-surface coal mines, unless all surface disturbances are placed outside the priority habitat area. These recommendations fail to recognize the strict regulation by both federal and state governments over coal mining and the protections provided through existing laws, in particular SMCRA, which the State of Colorado administers under delegation from the federal Office of Surface Mining. Given the existing regulatory mechanisms previously outlined, TC believes that measures necessary to conserve the sage grouse can be effectively addressed through traditional SMCRA permitting processes, instead of the exclusionary approach recommended in the National Technical Team report.			
162.	The mineral development restrictions recommended by the Technical Team could severely impact even non-commercial mineral activities such as county-operated gravel pits located in priority areas. An even more important consideration is that reserves for any future gravel pits may fall within mapped priority sage-grouse habitat, potentially limiting all future development in the area. As an example, Moffat County has operated gravel pits on federal lands for decades with no documented cases or even accusations of harm to grouse, nonetheless, if alternatives are not carefully constructed, restrictions on salable minerals such as gravel could jeopardize maintenance of county transportation infrastructure in Northwest Colorado.	CO	Both	emc0071RM
163.	Socio-Economic Impacts Must Be Considered in Designing Alternatives - A cursory review of a Greater Sage-grouse Priority Map for Northwest Colorado indicates that a major portion of our region is included in either preliminary priority habitat or preliminary general habitat. Virtually all of Moffat County is included, as well as significant portions of Routt County that overlap known mineral resources that would support existing and future coal mining. This area's rural economy is based on coal mining, oil and gas production, agriculture, and seasonal hunting. These two counties, along with portions of Rio Blanco County, are responsible for over half of Colorado's coal production. If only three percent of high priority areas can be disturbed, it would appear that Moffat County in particular can have little or no expanded economic development to support its citizens, and current economic activity on the land may be threatened as well. This approach drives a draconian result; therefore alternatives presented in an EIS should be crafted with due regard for human inhabitants of habitat areas as well as the greater sage-grouse.	CO	Both	emc0071RM
164.	The plan does not set any high-priority habitat aside from development. The U.S. Fish and Wildlife Service (FWS) and Colorado Parks and Wildlife (CPW) have both recommended that high priority habitat in the Little Snake Field Office be set-aside from development and managed as protected core areas. FWS comments on the proposed plan state that, "For high priority habitats, we recommend avoiding energy development and similar activities, and instead, managing them as protected core areas." CPW further emphasizes this, stating that, "…establishment of large greater sage-grouse refuges …may ultimately prove to be the only effective means of conserving greater sage-grouse populations in areas of extensive oil and gas development." CPW goes on to recommend that the LSFO preserve options for establishment of future refuges by retaining unleased minerals, and avoiding the re-leasing of minerals in high priority habitats. The final LSFO plan fails to set-aside high priority sagegrouse habitat from development, or preserve options to set-aside core areas in the	CO	BLM	emc0051RM

Table C-5.B
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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	future.			
165.	The following recommendations must be analyzed as a starting point for effective conservation: Increase the amount of protected priority habitat by aggressively pursuing available tools, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts.	CO	BLM	emc0070RM
166.	Therefore, in order to maximize conservation benefit given other competing values, we recommend protective management of preliminary priority habitat delineated by Colorado Parks and Wildlife, along with designation of ACECs informed by the following additional criteria: Consider ACEC designation in high biological value areas that, although encumbered by valid existing rights, are not yet developed. This may be particularly feasible where actual development potential is low despite the existence of valid existing rights (e.g., due to speculative leasing in areas of low energy potential). It may also be feasible in areas where other constraints (e.g., lack of infrastructure, other resource conflicts) will make development relatively difficult and costly. Management of ACECs designated in such areas could include aggressive pursuit of available tools to increase the amount of protected habitat, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts. This is important, as Doherty et. al. (2011) found that 1/3 of the 25% core areas have been leased for oil and gas development. Further, 44% of areas with high biological value are at risk for energy development.	CO	BLM	emc0070RM
167.	i. The plan does not set aside any high-priority habitat aside from development. The U.S. Fish and Wildlife Service (FWS) and Colorado Parks and Wildlife (CPW) have both recommended that high priority habitat in the Little Snake Field Office be set-aside from development and managed as protected core areas. FWS comments on the proposed plan state that, "For high priority habitats, we recommend avoiding energy development and similar activities, and instead, managing them as protected core areas." CPW further emphasizes this, stating that, "...establishment of large greater sage-grouse refuges...may ultimately prove to be the only effective means of conserving greater sage-grouse populations in areas of extensive oil and gas development." CPW goes on to recommend that the LSFO preserve options for establishment of future refuges by retaining unleased minerals, and avoiding the re-leasing of minerals in high priority habitats. The final LSFO plan fails to set-aside high priority sage-grouse habitat from development or preserve options to set-aside core areas in the future.	CO	BLM	emc0070RM
168.	The Technical Team Report recommends closing priority habitat to non-energy leasable mineral leasing and mineral material sales. This suggested action will have unintended management implications for the transportation system in Moffat County, as some of the Moffat County gravel pits are located in priority areas. Even more important is that reserves for future gravel pits lie under priority Sage-grouse habitat. Moffat County has operated gravel pits on federal lands for decades with no documented cases or even imperial accusations of harm to grouse. Like many of the conditions proposed in the Technical Team Report, we are concerned that the proposed limitations have no justification and likely will not help	CO	BLM	emc0076RM

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	the survival of the grouse. We recommend the EIS allow for the continued and future extraction of gravel from federal lands to ensure the safety of those traveling the Moffat County road network. Moffat County encourages cooperative discussions with BLM regarding future gravel pit needs, possible future locations, and site visits where concerns regarding grouse priority areas may exist.			
169.	Minerals can only be developed where they occur. Therefore. CMA is particularly concerned with the National Technical Team recommendations that appear to exclude new or expanded mineral leasing and mining operations anywhere within areas identified as priority sage grouse habitat. The report recommends withdrawal from mineral entry for locatable minerals; closing of priority habitat to non-energy leasable minerals such as potash and sodiurn as well as closure to mineral material sales. This could jeopardize development and use of valuable mineral resources in Northwest Colorado.	CO	Both	emc0143RM
170.	CMA is greatly concerned over the Technical Team's report recommending a finding of unsuitability for all surface mining of coal, and prohibition on new mining leases for sub-surface coal mines unless all surface disturbances are placed outside the priority habitat area. These recommendations fail to recognize the strict regulation by both federal and state governments over coal mining and the protections provided through existing laws. in particular the federal Surface Mining Control and Reclamation Act (SMCRA) which the State of Colorado administers under delegation from the federal Office of Surface Mining. This law addresses all surface impacts of coal mining on permitted sites, for both surface and underground coal mines. Throughout the various phases of coal development including exploration, leasing, mining, and reclamation the permitting program developed under SMCRA requires collection and review of extensive baseline data related to wildlife and wildlife habitat, completion of impact assessments for threatened or endangered species and their habitats along with an extensive list of sensitive species. Leases are granted with robust stipulations for wildlife protection. SMCRA also regulates support infrastructure such as access roads to the mine site. and the leasing process includes consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act. Mining companies often have large tracts of land that are managed for wildlife before and after mining, including sage grouse. Proposals such as those by the National Technical Team cause those companies to believe they are being penalized for being good stewards of the land; now the presence of the leks on these managed lands may make it impossible to use the land for its intended purposes - mining. CMA therefore believes that measures necessary to conserve the sage grouse can be handled through traditional SMCRA permitting processes instead of the exclusionary approach recommended in the National Technical Team report.	CO	Both	emc0143RM
171.	The mineral development restrictions recommended by the Technical Team could severely impact even non-commercial mineral activities such as county operated gravel pits located in priority areas. Even more important is that reserves for future gravel pits lie under preliminary mapped priority sage-grouse habitat. For example, Moffat County has operated gravel pits on federal lands for decades with no documented cases or even accusations of harm to grouse. Nonetheless if alternatives are not carefully constructed, restrictions on salable minerals such as gravel could jeopardize maintenance of county transportation infrastructure in Northwest Colorado.	CO	Both	emc0143RM

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
172.	(One of the NTT recommendations most important for Routt NF) "Propose lands within priority sage-grouse habitat areas for mineral withdrawal." Id. at 14.	CO	USFS	emc0175RM
173.	(One of the NTT recommendations most important for Routt NF) Do not use timing stipulations for mineral development instead of prohibition of disturbances in priority habitat. Id. at 21. For valid existing rights, impose the three percent limitation, as stated in the Objective cited above. Ibid.	CO	USFS	emc0175RM
174.	(One of the NTT recommendations most important for Routt NF) Close priority sage-grouse habitat areas to fluid mineral leasing. Id. at 22. For existing leases, "apply a 4-mile [no surface occupancy stipulation] around the lek" and "prohibit surface-disturbing activities during the nesting and early brood-rearing season in all priority habitat". Id. at 23.	CO	USFS	emc0175RM
175.	(One of the most important NTT recommendations for Routt NF) "Propose withdrawal from mineral entry" for locatable minerals. Id. at 24.	CO	USFS	emc0175RM
176.	V. AMEND THE ROUTT PLAN VIA MECHANISMS THAT WILL BEST HELP CONSERVE GSG. The current Forest Plan direction potentially applicable to GSG conservation (SRC at 5-6) is inadequate to ensure survival and recovery of the species. None of the measures are specifically geared toward protecting GSG, and none of the oil-gas lease stipulations apply year-round. In order to ensure the highest likelihood of conserving GSG, the Forest Service will have to limit human uses of GSG habitat and surrounding areas. It will be especially important that no oil-gas leasing or mineral development be allowed on any GSG habitat and some adjacent land. No road construction can be allowed in GSG habitat, subject to valid existing rights. Livestock grazing may have to be adjusted. Also, as is discussed in part 3 below, the current management prescription assigned to the draft core areas is not appropriate for ensuring the protection of GSG. Thus new Forest Plan direction is needed to incorporate the recommendations outlined by the National Technical Team and ensure the best chances for recovery of GSG populations. The agency should amend the Routt Land and Resource Management Plan via the following methods, using point 1 alone, or preferably, in combination with points 2 and/or 3:	CO	USFS	emc0175RM
177.	BLM should confirm that approval decisions related to federal minerals beneath private or state surface will not be conditioned with any proposed conservation measures or restrictions to protect the sage-grouse or its habitat. The Sage-Grouse NOI states that " [l]ands addressed in the RMP and LMP amendments/revisions will be public lands (including surface-estate split estate lands) managed by the BLM, and National Forest System lands, respectively, in greater sage-grouse habitats. Any decisions as to the RMP and LMP amendments/revisions will apply only to Federal lands administered by either the BLM or the FS." 76 Fed. Reg. at nOll. Based on this statement, Oxy understands that BLM will not be evaluating in the EIS/amendments to the RMPs, split estate lands in which BLM owns the minerals and a private surface owner or the State of Colorado owns the surface. Oxy agrees with such an approach. Specifically, Oxy respe ct fully requests that BLM confirm in any future NEPA documents, including any draft EISs, Final EISs and Records of Decision ("RODs"), and any revised or amended RMPs that approvals by BLM (including but not limited to Applications for Permits to Drill ("APDs")) for federal minerals beneath private or state surface will not be conditioned with any proposed conservation measures or restrictions to protect the sage-grouse.	CO	BLM	rmc0021RM

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
178.	The protection of prior existing rights and the rights of ingress and egress to State Trust lands for both surface uses and development of the mineral estate as currently stated in the Little Snake RYIP need to be considerd in the process.	CO	Both	rmc0050RM
179.	We have filed the enclosed lengthy comment with the KFO for two reasons. First, we are concerned the KFO does not understand the responsibility BLM has to consider the impact to split private surface resources, like the sage-grouse, from planning decisions for federal minerals. Second, we believe that BLM in the DRMP/DEIS has failed to take into account the best available information on the sage-grouse to formulate its management of federal minerals under the Stolz Ranch. As explained in the comments, Stolz retained Dr. Matt Holloran to assess sagegrouse scientific literature and the habitat on the Stolz Ranch. The reports prepared by Dr. Holloran are found in Exhibits I (Ex. B and D), 11 and are discussed in both the comment letter on the 2011 August Lease Sale (Ex. 1) and the comment letter on the DRMP/DEIS. Dr. Holloran's expert conclusions raise serious concerns with the management proposed by BLM for the long-term survival ofthese sage-grouse.	CO	Both	rmc0031RM
180.	We have reviewed the ·'Notice of Intent to Prepare Environmental Impact Statements to Incorporate Greater Sage-grouse Conservation Measures into Land Use Plans and Land Management Plans," 76 Fed. Reg. 77008 (December 9. 2011) and believe you will find the enclosed Kremmling DRMP/DEIS comment package and disc helpful as: 1) an initial scoping comment by Stolz on how the BLM conservation measures and planning decisions should take into account the important role that private land conservation of sage-grouse habitat, particularly in the case of split federal minerals, plays in BLM's management of sage-grouse habitat and; 2) provide you with background that is useful in your work with the KFO "to evaluate the adequacy of sage-grouse conservation measures" in the revised Kremmling RMP. !d. at 77009-10. As discussed in detail in the enclosed DRMP/DEIS comment we do not feel the proposed management of the federal minerals under the Stolz surface has proposed appropriate conservation measures for the sage-grouse resident on the Stolz Ranch.	CO	Both	rmc0031RM
181.	The following recommendations must be analyzed as a starting point for effective conservation: Increase the amount of protected priority habitat by aggressively pursuing available tools, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts.	East	Both	emc0089RM
182.	Therefore, in order to maximize conservation benefit given other competing values, we recommend protective management of priority habitat (which should include enough habitat to conserve at least 80-90% of the existing population), along with designation of ACECs informed by the following additional criteria: Consider ACEC designation in high biological value areas that, although encumbered by valid existing rights, are not yet	East	Both	emc0089RM

Table C-5.B
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	developed. This may be particularly feasible where actual development potential is low despite the existence of valid existing rights (e.g., due to speculative leasing in areas of low energy potential). It may also be feasible in areas where other constraints (e.g., lack of infrastructure, other resource conflicts) will make development relatively difficult and costly. Management of ACECs designated in such areas could include aggressive pursuit of available tools to increase the amount of protected habitat, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts. This is important, as Doherty et. al. (2011) found that 1/3 of the 25% core areas have been leased for oil and gas development. Further, 44% of areas with high biological value are at risk for energy development.			
183.	There is no basis to withdraw public lands solely on the basis of potential impacts on sage grouse habitat. As shown, there is no reliable data supporting the premise that sage grouse numbers are declining. Indeed, numbers appear to be stable or increasing. Id. For example, sage grouse numbers declined in Idaho, even though there is no oil and gas development. VRLP is also concerned about the hostility to all oil and gas, coal and mineral development seen in the IM and Technical Team Report. The number of reports only document that sage grouse leave an active drill site or field. There is no research showing whether the birds relocated and no data suggesting that they died as a result of energy development. Relocation should be researched, especially any adjustments made by sage grouse. The Technical Team Report would greatly restrict oil and gas development through the 3% surface disturbance ceiling. Assuming this is applied throughout the identified sage grouse range, then oil and gas drilling would be shut down throughout much of the Rocky Mountain states. This is true for existing leases based on BLM's claimed authority to impose conditions of approval that change lease stipulations and operations. The impacts on natural gas and oil production would be significant. Moreover, the impacts on states' economies and the communities would be even more severe. Wyoming has seen an increase in energy development. That coincided in part with drought, West Nile Virus and high numbers of predators. Until all of the factors can be weighed, compared and considered this rush to judgment is unwarranted.	East	Both	emc0155rm
184.	The initial designation of potential sage grouse habitat appears to be very broad and general, and affect tens of millions of acres across the western U.S. The amount of land that mining actually impacts, especially in the state of Nevada, is a fraction of identified sage grouse habitat. The proposed EIS should identify the actual acreage of land that mining occupies vs. the amount of land designated as sage grouse habitat. Due to the small fraction of land occupied by mining, mining should not be prohibited or withdrawn in areas designated as sage grouse habitat (either Priority or General Habitat).	NVCA	Both	rmc0027GB
185.	General Moly will be directly impacted by BLM's sage-grouse conservation measures because it has substantial interests in mining claims located on lands within the 1986 Shoshone-Eureka Resource Area Resource Management Plan ("RMP"). This RMP is one of the 68 BLM planning areas that will be amended to incorporate the conservation measures that BLM selects as a result of the EIS/SEIS process.	NVCA	Both	rmc0037GB
186.	Sage grouse habitat requirements are so broad and general, and affect millions of acres across 11 states in the western U.S. The amount of land that industry actually impacts (specifically mining and energy projects), especially in the state of Nevada,	NVCA	Both	rmc0035GB

Table C-5.B
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	is a fraction of identified sage grouse habitat.			
187.	minerals: Mineral and energy exploration, development, extraction, transmission lines, and operations have been identified by the USFWS and others as a cause of Sage Grouse habitat loss, degradation, and fragmentation. Current agencies' regulatory authority appears inadequate to effectively avoid or minimize these adverse impacts. Mitigation required for adverse impacts can provide much funding to federal and state agencies and others concerned, but there is little or no current evidence of any actual benefits to Sage Grouse and its habitat from required mitigation and no way to judge whether mitigation requirements are adequate and whether mitigation is "successful," whether range-wide, regionally, or in each PMU.	NVCA	Both	emc0283GB
188.	a. the agencies should examine mercury and other toxic contamination impacts on Sage Grouse and its habitat from mining activities and develop conservation measures, in conjunction with other federal and state agencies, to avoid or minimize toxic impacts. While mercury emissions have decreased substantially in recent years to about 1,100 pounds in 2010, some emission levels from mines remain high. Fugitive mercury emissions from heap leach pads, tailings impoundments and waste rock dumps may result in more significant pollution of lower sagebrush habitats occupied by Sage Grouse. We suggest overlaying Sage Grouse habitat maps with mining areas to pinpoint where impacts could be occurring. b. the agencies should require buffers around priority habitats, including winter habitat, and no surface occupancy (NSO) to avoid direct adverse impacts on Sage Grouse and its habitats. c. the agencies should also require seasonal and timing restrictions to avoid and reduce adverse impacts. d. the agencies should withdraw priority habitats from mineral entry. e. the agencies should require NSO for exploratory activities and allow no permanent disturbances (roads, pads) which would require rehabilitation and restoration. f. the agencies should set strict disturbance limits for all mining activities. g. the agencies should not allow mining expansions into priority habitat h. the agencies should require bonding sufficient for full reclamation and restoration of priority habitats and also for general habitat from mining disturbances and impacts. i. the agencies should require Sage Grouse habitat impact fees for unavoidable adverse impacts. j. the agencies should close priority habitat areas to fluid mineral uses and not renew expiring leases. k. the agencies should not allow the use of Categorical Exclusions for any mining or energy development proposals in priority habitat. l. the agencies should mandate BMPs. m. the agencies should pursue land acquisitions and conservation easements in priority habitats. n. the agencies should eliminate invalid claims. o. the agencies should close priority habitats to salable mineral leasing and rehabilitate areas damaged by salable mineral development in priority habitats.	NVCA	Both	emc0283GB
189.	Interestingly, Barrick's ranches may provide unique opportunities for mitigation of impacts from its mining operations. As operating ranches, these off-site restoration opportunities, including restoration of habitat on fee land, would likely be unavailable without their connection to the mining operations. Creating new riparian vegetation or wetlands to mitigate	NVCA	Both	emc0277GB

Table C-5.B
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	for potentially impacted wetlands, improving degraded habitats to replace impacted areas, and developing water sources when access to water is prevented due to safety fencing are just a few examples of off-site mitigation that potentially could be available on Barrick's ranch lands.			
190.	vii. Socioeconomic impacts Precious metals are a non-renewable resource; therefore sustain ability of the direct and indirect mining workforce is dependent on the continued expansion of mines and the exploration and development of new deposits. Mineral resources are only located where specific geologic conditions and events occurred; they are site-specific. Consequently, mineral deposits that occur in sage-grouse habitat must be developed in sage-grouse habitat. Moving to non-habitat is not an option. Thus, it is no overstatement to say that overly restrictive sage-grouse protections that preclude mineral development would be devastating to mining workers, local communities, and the State of Nevada. The mining industry is a significant component of Nevada's economy as a whole and the economic foundation of many communities in rural Nevada. Nevada accounts for nearly 80% of gold production in the United States and gold represents nearly 90% of the value of the total output of the mineral industry in Nevada. Barrick produces approximately 60% of all the gold produced in Nevada, with 2011 production of over three million ounces valued at $3.8 billion dollars. In addition to investing over $3.6 billion dollars in building the infrastructure associated with these world class mining operations, Barrick spent over $41 million dollars in 2011 to explore for additional mineral resources in Nevada and will continue to invest at this level in future years. The mining industry has been the only bright spot in a state economy which has declined dramatically due to the economic downturn. No other sector of the economy has increased its contribution to state services, education and local governments more than the mining industry in the last four years-in fact nearly all other major sectors' contributions have declined.32 Barrick's mining operations in Nevada provide the largest percentage of the mining sector's contributions to Nevada in these areas. In 2011 Barrick employed over 3,950 Nevadans directly and is estimated to have generated over 20,600 jobs in businesses in Nevada which supply goods and services to support its mining and mineral exploration activities.33 Jobs in the mining industry are on average the highest paid in the state. Barrick's purchases of goods and services in the state of Nevada amounted to over $900 million in 2010. Direct taxes paid by Barrick, which included the Net Proceeds of Mines Tax, Sales and Use Tax, Property Tax, and Modified Business Tax, amounted to $194 million in 2011. Approximately 40% of these tax payments stay with local government and fund city and county operations, local education expenditures, and other important public services. In a number of cases, this tax revenue is the most significant revenue received by local governments near Barrick's mine sites.	NVCA	Both	emc0277GB

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	Mining is vital to the economy of northern Nevada. For example, the population of Elko, Nevada increased, primarily from mining related activity, from approximately 5,500 in 1980 to approximately 18,000 at the 2010 census. Without expansion and new discoveries on public lands, which comprise nearly 85% of the state of Nevada, the mining jobs that support Elko and surrounding areas cannot be sustained. Furthermore, the impacts of lost mining and mine support jobs would then spread to the public sector (including law enforcement, fire fighters, teachers, and regulatory jobs), medical, retail, wholesale, real estate, and other sectors of the local economy. Although mining has historically been a cyclical industry, downturns are typically related to lack of economic mineral resources or the means to acquire and process the minerals, not regulatory restrictions on mineral entry opportunities. It is therefore absolutely critical that the agencies act cautiously before creating a "bust" when mineral availability and processing technology are sufficient to carry the mining boom for many more years. It is also critical that the EIS process fairly consider these potentially devastating economic impacts.			
191.	Mining and mineral exploration projects are already governed and permitted adequately under existing regulations. I know there are permits which include protective stipulations for Sage Grouse. I am personally aware that the stipulations I have been involved in have been observed. I have never seen a case of intentional abuse or disrespect for Nevada's game or other resources by the exploration or mining community. As a certified environmental auditor and management program developer (ISO 14001), I would never allow any such abuse on my project areas.	NVCA	Both	emc0282GB emc0115rm
192.	CRI operates the Rochester Mine which is located 23 miles northeast of Lovelock on the southern end of the Humboldt Mountain Range in Pershing County, Nevada. Sage grouse summer, winter, and breeding habitat has been identified by past Nevada Division of Wildlife (NDOW) maps in Rochester mine's project area. NDOW has not, however, indentified any active leks or viable sage grouse populations around the project area. According to NDOW's Nevada Sage Grouse Conservation Project Report (December 2011 Final Performance Report): "The Pershing County portion of this planning unit has suffered tremendous losses of sagebrush habitats due to wildfire over the last decade with some mountain ranges burning almost completely (e.g. Eugene Mountains). The most viable population within the county is the Sonoma PMU. Twenty-four leks were surveyed in this PMU in 2011 with only 6 being active. A peak total of 52 males were observed resulting in an average of 8.7 males per active lek. This is a 7% decline from the previous year where the average attendance was 9.4 males. The long-term viability of PMUs such as the Eugene, Majuba, East Range, and Humboldt PM Us is considered very low, with some of these populations potentially extirpated already.'	NVCA	Both	emc0302GB
193.	The Rochester Mine is located in the Humboldt PMU with the closest viable population in the Sonoma PMU. With long-term viability considered to be very low, how is BLM going to manage proposed projects in areas such as these? If priority habitat areas are consistent with previous NDOW sage grouse habitat maps, the Rochester mine would have	NVCA	Both	emc0302GB

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	more than 3% of the habitat area with direct surface impacts. Since all viable populations are several mountain ranges away, how can BLM justify identifying areas in and surrounding the Rochester mine as priority habitat? It would seem that priority habitat should be focused in areas where viable populations exist or are somewhat close to be able to expand. A clear focus area of the EIS scoping document must be appropriate habitat classification to avoid habitat designation in areas that have little to no biological value for the Sage Grouse.			
194.	In the National Technical Team's (NTT) Document (December 21, 2011) it is proposed that for saleable mineral materials all priority habitat areas should be closed to mineral material sales. There are no suggestions for off-site mitigation which appears counter to the multiple-use mandate of BIM administered public lands. CRI believes that off-site mitigation should be an option for saleable mineral materials, especially in habitat areas where no viable sage grouse population exists.	NVCA	Both	emc0302GB
195.	Instruction Memorandum ("1M") IM-2012-044, "BLM National Greater Sage-Grouse Land Use Planning Strategy" and the December 2011 National Technical Team Report entitled, A Report on National Sage-Grouse Conservation Measures ("the NTT Report") propose draconian conservation measures that could stop mineral exploration and development and other private-sector uses of public land under the guise of sage-grouse habitat conservation. The large-scale land use restrictions and prohibitions - including the withdrawal oflands with high-priority sage grouse habitat from mineral entry as proposed in the NIT Report - are unprecedented and unwarranted.	NVCA	Both	emc0327GB
196.	BLM and USFS already have rules and policies in place to ensure that mineral exploration projects protect sage-grouse habitat. NVMRA members have first-hand experience operating under and complying with these rules and policies. The BLM Notices and BLM and USFS Plans of Operations that authorize our exploration activities on BLM-administered public lands and on USFS-administered national forest lands contain numerous permit conditions and stipulations pertaining to sage-grouse habitat protection. These measures include seasonal restrictions on when and where we can operate and defme sage-grouse habitat areas (primarily leks and a surrounding buffer zone) that are off-limits to our activities. Because these existing rules and policies already provide substantial protection to sage-grouse habitat, the proposed land use prohibitions and withdrawals are excessive and completely unnecessary.	NVCA	Both	emc0327GB
197.	As described in the document entitled "White Paper on BLM and U.S. Forest Service Preliminary Habitat Map!" the map is not supposed to be used to make project-level decisions: "This tool provides resource managers with broad-scale information to guide conservation and land-use planning efforts in the context of greater sage-grouse management at the landscape scale (1 :100,000). This map is not intended to be used to delineate sage-grouse habitat at the project-level scale. To apply these results to specific locations it is necessary to conduct a field investigation by a qualified biologist for the purpose of impact assessment." Regrettably, the decisions that will result from the use of this map in the NEPA analysis, the resulting EIS documents, and ultimately the amended Resource Management Plans ("RMPs") and Forest Plans will influence project-scale land users such as owners of mining claims. As described in the NTT Report, BLM is proposing to use the map showing Preliminary Priority Habitat as the basis for withdrawing some or all of these lands from mineral entry. BLM's proposal to make these areas off-limits to mineral exploration and development will profoundly and adversely affect NVMRA member companies that	NVCA	Both	emc0327GB

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	have mining claims and other landholdings in these areas. These impacts must be analyzed in the EIS under the Federal Land Policy and Management Act ("FLPMA") and other relevant laws.			
198.	The BLM-USFS map shows vast areas in magenta that are designated Preliminary Priority Habitat. Taken at face value, this suggests that all of the areas shown in magenta in Washoe, Humboldt, Lander, Eureka, Elko, White Pine, Churchill, Nye, and Lincoln counties may no longer be open to exploration and development. Withdrawal of these areas from mineral entry would essentially condemn (i.e., take) many NVMRA member companies' exploration properties and dramatically reduce their property holdings which are their primary asset base. BLM's proposal to withdraw lands from mineral entry thus represents a substantial threat to the future of these companies which must be evaluated in the EIS and considered under the balancing required by FLPMA.	NVCA	Both	emc0327GB
199.	The scale of the map is inadequate for the scope and ramifications of the decisions that BLM will ultimately make using this map. BLM should not use this landscape scale map to make land use decisions that will affect specific mineral project areas selected for withdrawal from mineral entry. BLM and USFS must obtain and use better data prior to making important land use decisions that will affect the future of specific mineral projects and the companies and individuals that have mining claims in areas with priority sage-grouse habitat.	NVCA	Both	emc0327GB
200.	The scale and accuracy of the data used to prepare the habitat map used as the baseline data for the EIS documents and upon which land use decisions will be made are of utmost importance in the case of minerals because mineral deposits do not occur on a landscape scale. They only occur in small, site-specific locations dictated by a narrow range of geologic factors including rock type, mineralization, alteration, structural preparation (faulting), and erosion. Mineral deposits can only be developed where they are found and cannot be moved to another location - such as a location that does not have sage-grouse habitat. According to the National Research Council of the National Academy of Sciences2 economically viable mineral deposits are extremely rare: "Only a very small portion of Earth's continental crust (less than 0.01%) contains economically viable mineral deposits. Thus, mines can only be located in those few places where economically viable deposits were fonned and discovered."	NVCA	Both	emc0327GB
201.	Scoping Issue No.5 The EIS Documents Must Evaluate Ways to Minimize Risks to Mining Claims Owners who Have Made Significant Investments on their Claims Prohibiting mineral exploration and development on the lands shown in magenta on the BLM - USFS habitat map would result in significant economic hann to the State of Nevada and the many companies, including NVMRA members, whose mineral projects are located in priority habitat areas. Field studies to determine the actual presence of sage-grouse habitat and the potential for mineral resources in these areas are the only way to identify and quantify the scope of the resource conflicts that would result from withdrawing these lands from mineral entry. The EIS document for Nevada must discuss and quantify the adverse effect on companies, rural mining communities, and the economy of Nevada of the proposed mineral withdrawals. The EIS document must also present alternatives that minimize these impacts and assess the cumulative impacts associated with landscape-scale land use restrictions and mineral withdrawals.	NVCA	Both	emc0327GB

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202.	NVMRA member companies, like all other mineral exploration and development companies, have made substantial investments in their mineral projects based on their reliance on longstanding laws and BLM land use policies that implement these laws. Specifically, NVMRA members have located claims pursuant to Section 22 of the Mining Law (30 U.S.C. § 22) on lands open to location: "All valuable mineral deposits in lands belonging to the United States ... shall be free and open to exploration . . ., and the lands in which they are found to occupation ... under regulations prescribed by law, and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the laws of the United States."	NVCA	Both	emc0327GB
203.	In making investments to locate claims and explore for minerals on public lands, NVMRA member companies have also relied on the RMPs that BLM district offices have developed to govern management of these lands. These RMPs clearly identify lands with special management considerations and lands that are open to location under the Mining Law and available for other multiple uses.	NVCA	Both	emc0327GB
204.	The proposed withdrawal of lands with priority sage-grouse habitat from mineral entry is a draconian change in the way in which BLM has managed these lands for many years. Such an unprecedented and abrupt change would put at risk the investments that NVMRA members have made in their projects.	NVCA	Both	emc0327GB
205.	Given this risk, the EIS documents must quantify how the proposed withdrawals would interfere with the investments that NVMRA members and other similarly-situated companies have projects on lands that may be withdrawn, and evaluate ways to minimize jeopardizing investment-backed expectations of claim owners on lands proposed for withdrawal. This analysis should also disclose and quantify the potential impact to U.S. taxpayers from the regulatory takings claims that could arise in response to implementing the land use restrictions and withdrawals recommended in the NTT Report at projects where these measures will interfere with substantial investments.	NVCA	Both	emc0327GB
206.	NVMRA contends that the land use restrictions and prohibitions - especially the proposed withdrawal of high-priority sage-grouse habitat areas from mineral entry are not consistent with FLPMA's multiple use mandate or the specific directive pertaining to minerals in FLPMA § 102(a)(12): " ... the public lands [shall] be managed in a manner that recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands including the implementation of the Mining and Minerals Policy Act of 1970 [at] 30 U.S.C. 2la ... " [(43 U.S.C. l70l(a)(12)] The proposed restrictions and withdrawals from mineral entry outlined in the NTT Report directly conflict with FLPMA's requirement that the Secretary must manage public lands to respond to the Nation's needs for minerals.	NVCA	Both	emc0327GB
207.	A balanced approach to public land management is especially important to states like Nevada with valuable mineral resources and to NVMRA's member companies who own claims in lands thought - based on faulty data - to contain priority sage-grouse habitat. Like many other Nevada mineral companies, NVMRA member companies have made substantial	NVCA	Both	emc0327GB

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	investments in exploring for and developing valuable mineral deposits on their claims.			
208.	As discussed above, NVMRA member companies have worked with BLM to conduct their mineral exploration projects to avoid impacts to greater sage-grouse habitat. The site specific measures that BLM requires on a project-by-project basis are examples of the regulatory mechanisms already in place that require project proponents to protect and conserve sage-grouse habitat while at the same time authorizing mineral exploration and development activities. This balanced approach to land use management complies with FLPMA and demonstrates that sagegrouse habitat protection and mineral exploration and development can and do co-exist.	NVCA	Both	emc0327GB
209.	BLM's and USFS' current site-specific, project-by-project approach is the best way to make land use decisions responsive to FLPMA's and USFS law's balanced land management directive. Moreover, BLM's and USFS' existing policies already achieve the following desirable land management outcomes: 1) Meet a project proponent's needs to explore for minerals on their claims and develop discoveries of valuable mineral deposits; 2) Recognize claim owners' statutory rights under the General Mining Law; 3) Address the Nation's needs for minerals and the State of Nevada's needs for projects on public land that generate jobs and tax revenue; and 4) Protect and enhance sage-grouse habitat. These are mutually compatible outcomes that already result from implementation of BLM's existing regulatory framework which responds to the overarching principles in FLPMA and USFS laws that BLM and USFS must consider a wide range of needs and resource values in managing the public lands and national forests.	NVCA	Both	emc0327GB
210.	NVMRA members with projects in areas that may have sage-grouse habitat will be adversely affected if the land use restrictions, prohibitions and withdrawals recommended in the NIT Report are applied broadly to the magenta areas (i.e., the Preliminary Priority Habitat areas) on the current BLM-USFS map. The harm to NVMRA members will be replicated across the State of Nevada as other similarly situated mineral exploration and development companies face the loss of their projects and the investments made to explore and develop their projects.	NVCA	Both	emc0327GB
211.	If this happens, Nevada's mineral industry will grind to a halt. As shown on the attached map entitled "Sage Grouse Priority Habitat and Major Mineral Deposits" (see the last page of this letter), the Preliminary Priority and General Habitat areas on the BLM-USFS habitat map are located in parts of the state that contain most of Nevada's major mineral deposits. The habitat areas also coincide with almost all of the State's recognized gold trends. A substantial portion of NVMRA member companies' projects are located along these gold trends in areas with sagegrouse habitat shown on the BLM-USFS habitat map.	NVCA	Both	emc0327GB

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212.	Secondly, the grass-roots exploration conducted by NVMRA member companies and other Nevada exploration companies in areas that have significant mineral potential as well as sage-grouse habitat is critical to the future of mining in Nevada. Mineral exploration represents the entrepreneurial, Research & Development (R&D) arm of mining. Mineral exploration today discovers tomorrow's mines. Thus, the mineral deposits that are being explored throughout Nevada - including deposits that are within the gold trends and sage-grouse habitat areas shown on the attached map - are essential to creating and maintaining a robust pipeline of projects that can become future projects that create high-paying jobs, generate revenue for state and local governments, and help meet the Nation's needs for domestic minerals. NVMRA member companies, other small mineral exploration companies and individuals conduct much of this exploration work.	NVCA	Both	emc0327GB
213.	Withdrawing all or some of the lands where Nevada's mineral deposits and gold trends are located from mineral entry will have a devastating effect on Nevada's mining future. Withdrawing these lands from mineral entry would put some of the best mineral exploration terrain in the world off-limits to exploration and development. This will dramatically diminish the odds of making discoveries of valuable mineral deposits that can ultimately become a mine. This will stifle job creation and impede Nevada's economic recovery. Increasing the Nation's reliance on foreign sources of minerals also threatens our national security.	NVCA	Both	emc0327GB
214.	The EIS documents must carefully assess the cumulative impacts of any proposed withdrawals from mineral entry and how withdrawing these lands will limit exploration and discovery in the future. As an example of the impacts that such withdrawals could have in the future, if the BLM-USFS Habitat Map were made 10 years ago, the newly emerging Pequop Trend in Elko County - the site of Nevada's newest discovery at Long Canyon - might never have been found because these lands might have been withdrawn as this area appears to contain priority sage-grouse habitat according the BLM-USFS map.	NVCA	Both	emc0327GB
215.	The EIS documents must attempt to quantify the socioeconomic impacts of the lost discovery opportunities that would result from withdrawing lands with known world-class mineral deposits in highly prospective gold trends in areas where geologists continue to explore for and find new deposits. This analysis should compare and contrast the impacts associated with the No Action Alternative, the Proposed Action, the Agency Preferred Alternative, and Alternatives Considered in Detail. The NVMRA strongly encourages BLM and USFS to select an Agency Preferred Alternative that does not ruin Nevada's mineral economy by placing a significant portion of Nevada's mineralized lands off-limits to exploration and development.	NVCA	Both	emc0327GB
216.	FLPMA, the U.S. Mining Law, and BLM policies that implement these laws such as the 43 C.F.R. § 3809 surface management regulations appropriately recognize that mineral deposits are rare and unique geologic features that can only be developed where they are found. Unfortunately, the NTT Report proposal to withdraw lands with sage-grouse habitat from mineral entry does not recognize this. The EIS docwnents must address this fact and evaluate alternatives that focus on the fixed location and spatial constraints associated with mineral development. At a minimwn, the EIS docwnents should evaluate two alternatives in the context of minimizing resource conflicts with minerals:1) off-site mitigation; and 2) no-net loss of habitat. These alternatives are described below.	NVCA	Both	emc0327GB

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	The Off-Site Mitigation Alternative: In locations where mineral resources are co-located with priority sage-grouse habitat, off-site mitigation should be the principal land management tool to minimize impacts to sage-grouse habitat and to resolve resource conflicts. Rather than prohibit mineral project development in habitat areas for project components that cannot be moved (i.e., the ore body) and/or where alternative locations for ancillary facilities are impractical or do not exist due to topographic, property, or other constraints, off-site mitigation should be the standard approach. The No Net Loss of Sage-Grouse Habitat Alternative: This alternative is related to the Off-Site Mitigation Alternative. Unavoidable impacts to priority sage-grouse habitat by mining of mineral deposits in areas with priority sage-grouse habitat should be mitigated through off-site mitigation measures that replace lost habitat using the principle of no net loss of habitat. This alternative would off-set impacts due to mineral development and could result in significant private-sector investment in habitat enhancement measures.			
217.	NVMRA member companies embrace all reasonable efforts on the federal, state, and local levels to protect and enhance greater sage-grouse habitat. The sage-grouse conservation measures in place at NVMRA member companies' exploration projects demonstrate our members' commitment to sage-grouse protection. However, the land use restrictions, prohibitions, and withdrawals in the NTT Report go too far and conflict with BLM's FLPMA responsibilities to manage public lands with a balanced approach the recognizes the importance of a wide range of resource issues on public lands and the need for domestic sources of minerals.	NVCA	Both	emc0327GB
218.	Much of Nevada has struggled for the last several years to meet the challenges of the prolonged economic downturn and record unemployment rates. However, in rural mining counties, mining has kept unemployment well below the double-digit rates that have plagued the rest of the state. The State cannot afford to lose mining as the principal economic engine in these rural mining counties where sage-grouse habitat is also located.	NVCA	Both	emc0327GB
219.	A balanced approach to public land management is especially important to states like Nevada with valuable mineral resources and to companies like Eureka Moly that have made substantial investments in developing valuable mineral deposits. Because the location of mineral resources is determined by geology; mineral deposits can only be developed where they are found. Consequently, the withdrawal of mineral areas with high-priority sage-grouse habitat would result in significant economic harm to the State of Nevada and any company whose mineral deposit is located in a high-priority habitat area.	NVCA	Both	emc0335GB
220.	The resolution of the satellite imagery data used to prepare the BLM-USFS Greater Sage-Grouse Preliminary Habitat Map is too coarse for the ultimate use of this map. BLM is proposing to use this landscape-scale map to make decisions that will affect project-scale activities and uses of public lands - including withdrawing lands from mineral entry. The coarse scale of this map is thus incongruent with the scope of the decisions that will be made using this map and the much finer scale projects that will be affected by these decisions. As described in the document entitled "White Paper on BLM and U.S. Forest Service Preliminary Habitat Map1	NVCA	Both	rmc0029RM, rmc0060GB

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	" the map is not supposed to be used to make project-level decisions: "This tool provides resource managers with broad-scale information to guide conservation and land-use planning efforts in the context of greater sage-grouse management at the landscape scale (1: 100,000). This map is not intended to be used to delineate sage-grouse habitat at the project-level scale. To apply these results to specific locations it is necessary to conduct a field investigation by a qualified biologist for the purpose of impact assessment." Regrettably, the decisions that will result from the use of this map in the NEPA analysis, the resulting EIS documents, and ultimately the amended RMPs and Forest Plans will influence project-scale land users including VGC and other mining claim owners. As described in the NIT Report, BLM is proposing to use the map showing Preliminary Priority Habitat as the basis for withdrawing some or all of these lands from mineral entry. BLM's proposal to make these areas off-limits to mineral exploration and development will profoundly and adversely affect mining claim owners and other landowners in these areas.			
221.	The scale of the preliminary habitat map is inadequate for the scope and ramifications of the decisions that BLM and USFS will ultimately make using this map. BLM and USFS should not use this landscape-scale map to make land use decisions that will affect specific mineral project areas selected for withdrawal from mineral entry. BLM and USFS must obtain and use better data prior to making important land use decisions that will affect the future of specific mineral projects and the companies and individuals that have mining claims in areas with priority sage-grouse habitat. BLM's and USFS' proposed use of a map that was made using coarse-resolution data with little or no field verification will lead to flawed EIS documents and ultimately to bad land use decisions. It is absolutely critical that more field data be collected before BLM and USFS proceed with preparing the EIS documents	NVCA	Both	rmc0029RM, rmc0060GB
222.	FLPMA, the U.S. Mining Law, and BLM policies that implement these laws such as the 43 CFR 3809 surface management regulations appropriately recognize that mineral deposits are rare and unique geologic features that can only be developed where they are found. They cannot be moved to a different location - such as a location without sage-grouse habitat. These laws and regulations give mining claim owners certain rights to use and occupy public lands to explore for and develop minerals while at the same time requiring that these mineral activities be done in a manner to protect the environment and to prevent unnecessary or undue degradation. The proposal in the NTT Report to withdraw areas with priority sage-grouse habitat from mineral entry is completely inconsistent with these laws and policies. Implementation of the proposed withdrawals would have a profoundly adverse impact on the rights of claim owners and the future of mining in Nevada. The significant portion of northern and central Nevada shown in magenta on the BLM-USFS map is thought to be priority sage-grouse habitat. Unfortunately, the	NVCA	Both	rmc0029RM, rmc0060GB

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	magenta areas on the BLM-USFS habitat map contain most of Nevada's known hardrock mineral resources.			
223.	As a primary stakeholder, however, we are fully aware of the fact our property is affected by a checkerboard land ownership pattern in which the Bureau has management jurisdiction for the public. It also lies within areas identified as supporting 75-100% breeding population densities of the species (2010). For these reasons, we would be opposed and are extremely concerned in supporting any objectives or conservation measures that would have a direct or indirect impact on our abilities to develop our private surface and sub-surface land and resources. Such conservation measures would include, but are not limited to, actions that could place restrictions on access, surface disturbing activity levels or hinder the ability to locate, explore and extract mineral resources.	NVCA	Both	rmc0053GB
224.	In the Mining Industry permits which may require an EA or EIS include Prospecting Permits; Exploration Permits; and Mine Operation and Reclamation permits. The ODFW EIS management recommendations in the Habitat Category 1 and 2 areas must be analyzed to determine how the Avoidance or Mitigation for "Net Benefit" strategies will affect the ability to develop valuable mineral deposits in these areas.	OR	Both	rmc0036GB
225.	The ODFW EIS should consult with the Bob Houston's office Oregon Office of Mine Regulation and Reclamation; and the district BLM/FS permitting specialists to determine potential impacts to existing and potential mining operations. In addition, the ODFW EIS must determine the potential impacts to development of Industrial Mineral and Metallic mineral resources Located in Habitat Category 1 and 2 areas, that a currently known from the numerous mineral Resource Investigations conducted in Eastern Oregon by the US Geological Survey and Oregon Department of Geology and Mineral Industries over the course of the last 80 years. For State information the applicant should consult with Mark Ferns at the eastern regional office of DOGAMI in /Baker City; for Federal information the USGS Western regional office in Denver or Spokane should be able to provide valuable information.	OR	Both	rmc0036GB
226.	The ODFW EIS should also include an analysis of potential increased costs to Public Works and Improvement projects that rely on "Free" rock and mineral material from rock quarries located on federal lands in Sage Grouse country. For instance, many road projects now depend on road armor or base materials mined from sometimes long inactive borrow pits that have partially vegetated with Sage during long periods of activity. If located in Category 1 or 2 areas or migration corridors, these borrow pits may require an EIS to reopen. Otherwise a more distant source for rock must be found; increasing transportation and logistical costs to public funded projects.	OR	Both	rmc0036GB
227.	The ODFW files should provide specific information and the basis of an initial assessment on Public Improvements related to wildlife programs in eastern Oregon. In addition, to determine potential economic impacts; in conjunction with BLM/FS and DOGAMI staff conduct an inventory of Federal and State lands containing active and inactive borrow pits, and their remaining accessible and potential reserves and availability for use on Public Improvement projects. The EIS then should determine the replacement costs for materials withdrawn from the inventory due to the ODFW management recommendations.	OR	Both	rmc0036

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228.	If the ODFW can provide a blanket exemption to the livestock grazing industry which does not apparently adversely impact Sage Grouse habitat, why can't they provide an exemption for future mining operations and permitting process which disturb less than 100 acres. and Dispersed non-motor oriented recreation and all other activities which have not been shown as a Listing Factor?	OR	Both	rmc0036GB
229.	Calico is very concerned that the proposed amendments to incorporate measures for sage-grouse conservation into land use plans could have an adverse effect on our ability to develop the Grassy Mountain Gold Deposit. These measures represent an over-arching programmed approach to wildlife conservation during a time when our local and regional economies are suffering greatly. It is our strong view. supported by years of site-specific and project-specific mining development and experience, that to maintain and/or enhance local ecosystems like those within which sensitive species like sage-grouse exist, the conservation measures themselves must be site-specific and project specific.	OR	Both	rmc0074GB
230.	To be effective and to support real multiple use land management, it is Calico's view that future programs must focus on site-specific and project-specific management practices that provide for species conservation, but recognize legal rights for preexisting mining claims in those areas.	OR	Both	rmc0074GB
231.	ODOT recognizes the challenge that the BLM / USFS will face in developing a comprehensive land management plan that effectively addresses the many concems and interest while attempting to focus on the greater sage-grouse and habitat improvement. The demand on public lands is diverse. In reviewing the Jan 10, 2012 News Release, initiating the planning process and identifying the public meeting schedule to be conducted around Oregon, it was encouraging to see that a list of issues or concerns had already been identified including: mineral materials and rights-of-way. How mineral material sites and highway rights-of-way are identified and dealt with in this plan is of great concem for ODOT.	OR	Both	emc0155GB
232.	In the ODFW Greater Sage-Grouse Conservation Assessment and Strategy of Oregon: A Plan to Maintain and Enhance Populations and Habitat, it states that greater sage-grouse currently occupy habitats in Baker, Crook, Deschutes, Hamey, Lake, Malheur and Union Counties. BLM is identified as the primary land manager of greater sage-grouse habitat, controlling 70% of the habitat in Oregon. The BLM web site indicates that in Oregon BLM manages 15.7 million acres, with 12.5 million acres lying within the 7 counties shown as containing greater sage-grouse. In these 7 counties, ODOT is responsible for nearly 2000 miles of Federal and State transportation system. Within the identified 7 counties, the local road depmiments are responsible for more than 6000 miles of county road system. In addition to the highway system, in these counties ODOT has been granted long term use of 195 material source propeliies located on federal land. The ODFW report in discussing Road Rights-of-Ways, states: "Disturbance from high volume roads can lead to avoidance of otherwise suitable habitat or direct mortality of birds. Minimize the construction of new roads through occupied sage-grouse habitat, especially lek, nesting and brood-rearing areas." In addition to the statement shown above the ODFW report includes text and mapping associated with what has been identified in the report as "Core Areas". The report states that "core areas" are based on biological information with a	OR	Both	emc0155GB

Table C-5.B
Comments Related to Minerals and Mining

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	focus on breeding areas. Included on the ODFW habitat maps for the "core areas" they have also mapped areas identified as "Low Density". A review of the maps associated with these habitat areas, shows that most of the state transportation facilities cross through areas mapped as either "Core Areas" or "Low Density". Text in the report states ODFW would recommend "avoidance of impacts to sage-grouse habitat that occur in Core Areas, and mitigation at no net loss with net benefit for sage-grouse habitat that occur in Low Density Areas". Not all Federal, State and County road miles within these 7 counties are located on federal land. In addition, not all transportation facilities on federal land pass through identified greater sage-grouse habitat. But with over 8000 miles of Federal, State and Local transportation system crisscrossing these 7 counties and with 195 ODOT controlled federal land material sources, there is a high probability of conflict here in Oregon between greater sage-grouse habitat management and transportation facilities.			
233.	ODOT is charged with providing a safe, efficient transportation system that supports economic opportunity and livable communities for Oregonians. The 195 existing federal land material sites located within the 7 identified counties are critical to constructing and maintaining a safe and efficient transportation system. Constructing and maintaining a transportation system requires a substantial amount of material when you consider that from the base to the wearing surface, every highway is constructed from 90% or more earthen material: soil, unprocessed rock, crushed rock and crushed rock mixed with asphalt oil. Material available in these sources is relied upon to provide viable, cost effective sources of high quality materials needed for the construction, repair, maintenance and emergency repairs of the highway corridors. These 195 sources of mineral materials are strategically located along highway corridors and coupled with ODOT owned sources, form a network of sites from which ODOT can obtain needed construction materials. Many of these sources are located in rural areas where few, if any, other options exist. Many sources in the ODOT network may see very limited activity for years between uses, but when projects are planned or when unplanned or emergency work arises, the availability of these sources are extremely valuable in keeping overall project costs reasonable and critical for completing projects in a timely manner. The fact that a site has not been mined in the last 5 to 10 years or possibly more does not mean it is not needed now or in the future.	OR	Both	emc0155GB
234.	If any of the existing 195 sources of material located on federal land and or access to these sites are impacted or lost by the development of this sage-grouse management plan, the results could be significant in terms of costs to the public, project delays and in some cases may result in a project not being built or at a minimum delayed for years. The identification, investigation, environmental clearances and acquisition of an aggregate site is a time consuming and expensive process. It can take years of work and cost into the hundreds of thousands of dollars or more, to open a new site. That is why recognizing and protecting existing sites is so important in this planning process.	OR	Both	emc0155GB
235.	In addition to the existing material sources, there will be a need in the future to develop new sources of materials within the planning area. Considering the distribution and the number of acres under BLM management, it is likely that some of these new sites will be located on federal lands within identified greater sage-grouse habitat.	OR	BLM	emc0155GB

Table C-5.B
Comments Related to Minerals and Mining

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
236.	Garfield County requests a detailed cost-benefit analysis be conducted in evaluating the decision's impact on development of fluid minerals, coal mining, hard rock mining, mineral materials, community mineral pits, recreation, off road vehicle use, and other land uses. Naturally, this will require evaluation of social and economic benefits/costs of current Sage Grouse populations and their impact on resource issues cited above.	UT	Both	rmc0006GB
237.	Permitting of the existing Alton Coal Mine on private land was ill advised and driven by greed. Allowing its expansion is an even worse idea and an inappropriate, ill-use of Public Land. The list of reasons this should not be allowed is extensive and includes further reduction of the Greater Sage Grouse breeding grounds. This bird's survival is all ready threatened. Please join the Fish and Wildlife Service and The National Park Service in opposition to allowing the mine's expansion on Public Lands. Its permitting will effect environmental degredation, habitat reduction and reduce the senic beauty of a visit to Bryce Canyon.	UT	Both	emc0261GB
238.	The SG plan seems to presuppose that most SG population decline is due to livestock grazing and mineral extraction. This point of view may be based less on science and more on a particular political point of view. There seems to be a difference of opinion between" best available science" and the observations of those who live and work on the land.	WY	Both	rmc0048RM
239.	The BLM has control of minerals UNDER many private land parcels in the state. This split estate concept does NOT give BLM the constitutional right to assume, require, threaten, or otherwise maintain the federal agency has control over management of the private land on the surface. If BLM believes otherwise they need to show where in the Constitution and within the Individual State this is an established law. Private property surface rights are separate from minerals rights under the soil surface.	WY	BLM	emc0050RM
240.	We furthermore petition the BLM and Forest Service pursuant to 5 U.S.C. § 555(e) to defer all mineral sales and leasing as well as all project-level approvals within the bounds of the more robust Core Area boundaries we have recommended in these comments. The BLM has full authority and discretion to undertake this measure under IM 2004-110 Change 1, and doing so will preserve the decision space in the Plan Amendment process and prevent permitted actions that could undermine the effectiveness of alternative sage grouse Plan Amednment management direction that will be adopted at the end of this NEPA process.	WY	Both	emc0343GB
241.	Similarly, uranium and coal strip mining cause 100% habitat loss, while in-situ leaching for uranium results in a tight pattern of well pads, roads, and pipelines so dense as to completely destroy habitat effectiveness for sage grouse. These activities should also be precluded within 5 miles of leks, although underground mining may be allowable if surface disturbance and occupancy are not needed.	WY	Both	emc0343GB
242.	Importantly, the Lost Creek In Situ Recovery uranium project is currently in the permitting process in the Rawlins Field Office. Although this project is within a designated Core Area, with a surface density exceeding 50 well sites per square mile (far in excess of the one site per square mile limit in the Wyoming Executive Order and the BLM Wyoming Instruction Memorandum), the current policy of WGFD (and apparently BLM) is to allow the project to go forward despite the noncompliance with Core Area limits under the rationalization that the entire project footprint (apparently approximately one square mile within a project area of 4,400 acres) is one site. This absurd conclusion appears designed to evade the Core Area restrictions on development, which are intended to prevent levels of industrialization that are incompatible with sage grouse retention. The end result, if approved, will be to demonstrate that the Core Area protections are not	WY	BLM	emc0343GB

Table C-5.B
Comments Related to Minerals and Mining

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	being applied in cases where clearly incompatible projects are proposed within Core Areas, undermining the credibility of the Core Area concept as an adequate conservation measure for ESA review purposes.			
243.	It is also of great concern that areas with impending oil and gas leases in Wyoming were often purposefully excluded from Core Area mapping. Oil and gas, geothermal leases, and wind and other rights-of-way are being gobbled up by industry and speculators across the West – including in areas that to date have had very little oil and gas or other energy development. Agencies must provide a map of all existing leases/rights-of-way – so the public and decision makers can understand the very large numbers of these leases that are held. Agencies must also provide detailed maps of additional areas where leasing is foreseeable. The same most be done for mining. This is necessary to understand the huge number of leases and claims that currently exist. In many areas of Nevada, for example, there is hardly an acre that does not have mine claims, and increasingly does not have geothermal or oil and gas leases. And we wonder - can multiple kinds of leases occur, one on top of another, in the same landscapes?	WY	Both	emc0411GB
244.	I am a wildlife biologist that has collaborated with BLM and USFS, and landowner associations in a radio objectifying habitat use of Greater Sage historical and active leks in Wyoming.	WY	Both	fla0079gb

Table C-5.C
Comments Related to General Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
1.	I believe that all degrading land uses in sage-grouse habitat must be addressed in the conservation plan, including energy development and livestock grazing.	All	Both	rmc0020GB; rmc0004RM
2.	There is strong evidence from the scientific literature to support the fact that surface-disturbing energy or mineral development within sage-grouse habitats is not consistent with a goal to maintain or increase populations or distribution. None of the published science describes a positive influence of this type of development on sage-grouse populations or their habitats. Breeding populations are reduced severely at well pad densities commonly permitted by the BLM. The magnitude of losses varies from one field to another, but findings suggest that impacts are universally negative and typically severe.	All	Both	emc0074GB
3.	Recommendation #7 - We recommend that the conservation strategy most likely to meet the objective of maintaining or increasing sage-grouse distribution and abundance is to exclude energy development and other large-scale disturbances from priority sage grouse (core) habitats, and where valid existing rights exist, we recommend that impacts from these developments be minimized by keeping disturbances to 1 per section or less, with direct surface-disturbance impacts held to 3% of the area or less,	All	Both	emc0074GB
4.	Conservation measures for the oil and gas industry should not be applied to the mining or geothermal industry. All measures proposed need to be practical, feasible, economical, and affordable.	All	Both	rmc0035GB
5.	Exempt mining activities on lands where the mining disturbance is below the land surface from sage grouse restrictions.	All	Both	rmc0004GB
6.	It also, leads to deferred energy exploration, moratoriums on renewable energy generators, transmission lines as well as maintenance access.	All	Both	rmc0047GB, rmc0013rm
7.	The DEIS should discuss in detail approaches to conserving populations and habitats facing right-of-way projects like new power lines and energy generation facilities, including potential requirement for both on-and offsite mitigation. Baseline monitoring and research are needed to properly site projects, determine actual wildlife impacts and to appropriately design and implement effective mitigation. Post construction monitoring and research need to follow projects to determine actual total impacts, as well as the effectiveness of mitigation.	All	Both	rmc0028GB
8.	Implementation of the proposed action and the possible consequences to an early stage exploration or mining project, or one with a large current landholding that is in the queue for future evaluation, needs to be fully identified and analyzed in the EIS. Implementation of the proposed action and possible impacts to future prospects that naturally evolve as geologic models and technology advances needs to be fully identified and analyzed in the EIS.	All	Both	rmc0029GB
9.	Another one I have been thinking about is a cumulative impact arising from mineral development and grazing. Oil and gas development has impacted large areas of grouse habitat. Just the surface disturbance, conversion of sagebrush community to bare ground of roads, pads, etc. is in the 10s of thousands of acres, just in Utah.	All	Both	emc0197GB
10.	We need to have access to our natural resources. The problem is not drilling. The problem is predators - coyotes - wolves - crows - foxes.	All	Both	cfc0063GB
11.	Greater Sage-grouse habitat should be protected from energy development and livestock grazing. Energy development will fragment habitat. Greater Sage-grouse have also been shown to give wide berth to energy facilities and associate roadways, which further limits suitable habitat. Tall structures also provide perches for nest predators.	All	Both	emc0068GB, emc0020rm

Table C-5.C
Comments Related to General Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
12.	Mitigation for major energy developments and other projects that end up in sage grouse habitat must account for the full direct and indirect impacts. The agencies must recognize and account for the fact that the indirect effects such as fragmentation, edge effects, and displacement effects can be much more significant than the direct foot-print effects of such developments.	All	Both	emc0078GB
13.	Try to institutionalize an energy development schedule on a sustained yield of adequate sage grouse habitat basis, that is, over a biologically realistic time period.	All	Both	emc0092GB
14.	The EIS and alternatives must consider the specific and unique impacts to geothermal development. It is not appropriate to include geothermal development under the general oil and gas development category	All	Both	emc0310GB
15.	Leasable Minerals The IM gives Field Offices the discretion to not move forward with a nomination or to defer making a decision on Fluid Mineral leasing until the completion of the LUP process for the affected area. We believe that giving the Field Offices this discretion will result in the postponement of geothermal leasing until after the National Greater Sage-Grouse Planning Strategy process is complete in 2014, regardless of whether PGH or PPH is contained in the nominated parcels. This outcome has the potential to stall geothermal energy development for up to three years. Authorizations on Existing Leases In the all other Proposed Authorizations section, the IM suggests suspending non-producing leases in instances where mitigation would not adequately protect the integrity of Greater Sage-Grouse habitat. We feel that it is difficult, if not impossible, to determine the adequacy of mitigation for actions which have not yet been fully defined or analyzed through a NEPA process. Suspending such leases would deprive leaseholders of the potential benefits of continuing development without compensating them for the value invested obtaining or exploring the leases.	All	Both	emc0108GB
16.	Interim Conservation Measures and Policies for Preliminary General Habitat The IM recommends consideration of alternatives that would increase buffer distances around active leks and timing restrictions within existing LUPs as needed to further reduce adverse effects on Greater Sage-Grouse and its habitat. We feel that agencies must apply known science in determining buffer distances around active leks and when establishing timing restrictions. It is our opinion that there is significant variability in the standards that have been applied in the past. The IM recommends deferring authorizations in PGH, where appropriate, if authorizations could result in Greater Sage-Grouse population loss in PPH. We feel that excessive emphasis has been placed on deferring authorizations, and inadequate emphasis has been placed on onsite and offsite mitigation, in both PGH and PPH, to improve the overall habitat.	All	Both	emc0108GB
17.	Fluid Minerals The NTT Report uses studies that were based on oil and gas development and applies the findings to geothermal development, as well. While research on oil and gas projects is relevant to understanding how geothermal development may impact sage-grouse, key differences in development density, size, and operation mean that the impacts documented thus far are likely not generalizable to geothermal. Despite the incongruity of the available data to the typical geothermal development, the NTT report recommends the closure of PPH to fluid mineral leasing with only limited exceptions for checkerboard or split estate parcels. Without access to the PPH and PGH maps, the geothermal industry can only speculate that the team's recommendations would spell the end of any future lease acquisition in a broad swath of northern Nevada and southern Idaho. The NTT report further recommends prohibition of new surface occupancy on existing fluid mineral leases in PPH with unreasonable exceptions of 4-mile radius NSO buffers around leks, and only one permitted disturbance per section (640 acres) of land. We feel that these restrictions would deprive leaseholders of the	All	Both	emc0108GB

Table C-5.C
Comments Related to General Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	potential benefits of continuing development without compensating them for the value invested obtaining or exploring the leases. Furthermore, the no new surface occupancy (NSO) conservation measure, with the exceptions noted, render all of the other proposed conservation measures moot; these activities would not be allowed in an NSO condition. For example, applying seasonal restrictions to exploratory drilling does not mean that the NSO is waived, outside of the seasonal restriction period, if the underlying NSO is still in effect			
18.	We strongly support adherence to the complete mitigation hierarchy in any RMP area that contains energy resources. The mitigation hierarchy is a step-by-step process of first avoiding the most sensitive areas (e.g. no development in priority areas), then minimizing, moderating or reducing adverse impacts to the maximum extent practicable (typically through the application of best management practices), then restoring, repairing or rescuing (e.g. re-vegetating roads after use) adversely impacted areas and species to the maximum extent practicable, and finally compensating for residual and cumulative impacts through onsite or offsite habitat protection, management or restoration (e.g. protection or restoration of priority habitats within the development or on a nearby site). Unfortunately, energy mitigation in general, and in association with BLM lands, too often stops with avoidance, minimization, and repair, thereby truncating the mitigation hierarchy.	All	Both	emc0109GB, emc0035RM
19.	Failure to adhere to and implement the complete mitigation hierarchy misses the significant opportunity to provide net benefit to the GSG. Under the best-case scenario, avoidance, minimization and repair alone will result in no change to the baseline conditions (e.g., extent and quality of habitat). However, best-case scenarios are rarely, if ever achieved and limiting mitigation to avoidance, minimization and repair will typically result in a net reduction in baseline conditions. In other words, avoidance and minimization and repair alone will only slow the decline of the GSG; it will never contribute to improving the status of the GSG.	All	Both	emc0109GB, emc0035RM
20.	It is essential that implementation of the complete mitigation hierarchy become a required component of all RMPs with energy development, and a condition of RMP approval. Instruction memorandum No. 2008-204 outlines the BLM's policy for offsite compensatory mitigation and is generally consistent with the mitigation hierarchy. However, a fundamental problem with its language is that it states that "offsite mitigation can only be used when the BLM can demonstrate that the proposed mitigation is reasonably necessary to accomplish an authorized BLM purpose… and particularly when it occurs on non-Federal land, the connection to resources for which the BLM is responsible should be clear." We argue that since the overall goal is to recover the species and prevent listing, compensatory offsets (whether on federal or non-federal land) should always be necessary as part of any RMP. We also suggest that offsite mitigation, if it occurs within a landscape used by the same GSG population that is being impacted, be considered "connected to the resources that BLM is responsible for." Furthermore, this connection should be established as part of the RMP process. Clarification on this issue might encourage more local BLM officials to implement the policy.	All	Both	emc0109GB, emc0035RM
21.	We support the use of the following conservation recommendations of the Sage Grouse National Technical Team (NTT, 2011 Report) as elements of the complete mitigation hierarchy and as a condition for RMP approval: Avoidance – Exclude energy development and other large scale disturbances from priority habitats (pg. 21). Adhere to un-leased Federal Fluid Mineral Estate conservation measures, Alternative A (pg. 22). Increase the No Surface Occupancy buffer around leks to 4 miles (pg. 20). Minimize, reduce, moderate – Where valid rights currently exist, limit disturbances to one per section (640	All	Both	emc0109GB, emc0035RM

Table C-5.C
Comments Related to General Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	acres), with direct impacts held to 3% of thearea or less (pg. 21). Adhere to best management practices in Appendices B, C, and D. Repair, reinstate, and restore – Adhere to best management practices in Appendices B, C, and D. Compensatory offsets – Develop standards for offsets (see below) of residual direct and cumulative impacts and require their use as part of all RMPs in the GSG range. Offsets of residual impacts should be required regardless of where the energy project occurs (both within and outside of priority areas). Offset activities should include a wide range of activities from permanent land protection, to temporary measures to improve habitat above baseline conditions, to re-vegetation of roads, and removal and burial of fences, power lines and other structures.			
22.	Unfortunately, the BLM has no compensatory offset standards for GSG. Completed mitigation projects (e.g. Jonah Field and Pinedale Anticline mitigation programs) have been implemented without accurate accounting of residual energy project impacts or compensatory offsets. It is essential that the BLM work collaboratively with scientists, State Wildlife Agencies, non-governmental organizations and other stakeholders to develop metrics that quantify units of adverse habitat impact that result from project development, as well as habitat improvements that result from conservation actions (i.e., offsets). Metrics would help establish a rigorous and consistently applied standard for offsets throughout the range of the GSG, thereby improving fairness to energy developers and taxpayers, transparency, and environmental performance. Metrics are in-situ measurement tools that should be used in coordination with other planning tools that identify high priority conservation areas.	All	Both	emc0109GB, emc0035RM
23.	The BLM could further improve mitigation for energy impacts if it allowed energy companies operating on federal lands to purchase mitigation credits (measured using metrics described above and acquired on federal or non-federal lands) prior to the installation of the development, and if those credits were purchased as part of a regional, market-based credit system similar to programmatic conservation banking. Market-based credit trading systems can maximize the conservation benefits and costeffectiveness of mitigation investments, and are more transparent, fair, time-efficient, and politically expedient than current mitigation processes.	All	Both	emc0109GB, emc0035RM
24.	To provide substantive motivation for the energy companies and private landowners to participate in credits trading prior to listing, the BLM must work collaboratively with the FWS and other to establish guidelines for "candidate species conservation banking" with assurances.	All	Both	emc0109GB, emc0035RM
25.	IV. BLM Should Clarify how the Bi-State Population Will Be Addressed BLM states that the scope of the proposed EISs will cover the range of the greater sage-grouse with the exception of the bi-state population in California and Nevada and the Washington State distinct population segment.15 According to BLM, both of these populations will be addressed through other planning efforts, but BLM does not explain what these efforts will be. The bi-state population in California and Nevada is of particular interest to SEIA and its members because of those states' potential for utility-scale solar development. SEIA requests that BLM clarify how this bi-state population will be evaluated and how SEIA and other stakeholders can participate in that process.	All	Both	emc0110GB
26.	We believe that incorporating the interests of electric utilities specifically, and the utility industry in general, is crucial to the stated objective of maintaining a sage grouse population sufficiently robust to eliminate the needed for listing.	All	Both	emc0396GB
27.	We respectfully request that structures, such as power lines, that are currently in use and which have long been in place under valid permits be "grandfathered in" or exempted from changes to greater sage-grouse management plans. We offer	All	Both	emc0396GB

Table C-5.C
Comments Related to General Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	qualified support for mitigation measures which will demonstrably improve habitat or species success. The relative benefits of mitigation measures must be carefully balanced against the negative impacts which will occur during the installation of those measures. Marking and raptor perching prevention are far superior to the impacts of relocating or removing existing overhead power lines and to the impacts of converting to underground power lines. Most of our distribution and transmission lines cross through these areas of habitat due to the very large percentages offederalland in Idaho, Utah and Nevada. It is nearly impossible to route lines for electrical service completely away from sage grouse habitat and still serve the needs of the greater Mountain West area for electrical energy.			
28.	NV Energy is concerned that the renewal of existing right of way grants or special use permits for those transmission and distribution facilities within preliminary priority sage grouse habitat may require significant permitting and mitigation requirements including additional NEPA analysis; undergrounding of existing facilities; relocation of transmission and/or distribution corridors; etc. It is the opinion ofNV Energy that these potential mitigation requirements could create greater disturbances and have a more negative effect than what exists presently. Therefore, NV Energy requests that proposed mitigation for existing transmission and distribution infrastructure be analyzed in the EIS. It should be noted mitigation measures including, but not limited to, the relocation of existing electrical infrastructure would directly impact Nevada rate payers.	All	Both	emc0198GB
29.	While we agree that BLM should work with applicants to identify technically feasible best management practices (BMPs) to eliminate or minimize impacts to greater sage-grouse, the BMPs must be both technically and financially feasible. Burying of power lines, at a cost of 4 to 10 times the cost of an overhead line, is seldom financially feasible. In addition, undergrounding of extra-high voltage power lines, such as the 600 kV 13,000 MW TWE Project, is not technically feasible. The technology to bury 600 kV lines is not presently available nor is it likely to become available within the time frame for construction of the TWE Project. While there are theoretical and laboratory experiments in place that could conceivably be applied to the voltage and capacity levels of the TWE Project, there are no AC or DC underground installations worldwide above 500 kV or 2,000 MW either in-service or planned to be in-service in the next decade.	All	Both	emc0399GB
30.	In Nevada, economics takes precedence over protection of the sage grouse and its environment. The Nevada BLM authorizes mining, geothermal development, power lines, windmills, and energy corridors with only a cursory notification to the Shoshone. These projects damage the land and leks, and the waste materials from these projects poisons the birds. Sage hen and other wildlife drink water contaminated by methylmercury, cyanide, and other chemicals and solvents from the gold mines. Lithium, uranium, and molybdenum mines have come to the area with their pollutants.	All	Both	emc0170GB
31.	Additionally, the BLM must analyze impacts to mineral and energy resources as if the lands were open to development under standard lease agreements.	All	Both	emc0337GB
32.	Significant sage grouse habitat overlaps with BLM special designations. The plan amendment process must include a No-Action alternative, which recognizes the fact that federal land use plans contain existing direct and indirect protections of sage-grouse habitat (including wilderness areas, national parks and monuments, wilderness study areas, areas of critical environmental concern, special recreation management areas, roadless areas, wild and scenic rivers, NSO areas and others). The EIS must examine the extent to which such existing protections, or modification of such protections, can accomplish the purpose and need for the plan amendments.	All	Both	emc0242GB

Table C-5.C
Comments Related to General Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
33.	The technical team report (see Page 21) seems to ignore valid existing rights by recommending that, even in leased energy development areas, that surface disturbances be limited to one per section; not to exceed 3% of the area or less. This recommendation is unrealistic as is the recommendation for a 4-mile radius buffer around leks.	All	Both	emc0242GB
34.	Access to fluid and hard rock minerals on BLM and Forest land must be maintained and valid lease rights must be acknowledged and protected.	All	Both	emc0242GB
35.	I would prefer that the Department of Interior peruse other avenues of protecting wildlife instead of random leasing restrictions that will have little impact on the population of the species of interest	All	Both	emc0245GB, emc0099RM
36.	BLM should put the following management prescriptions in place for L WCs at a minimum: ROW exclusion (such as electric transmission and fluid mineral pipelines); and	All	Both	emc0234GB
37.	In a recent book edited by S. T. Knick and J. W Conmelly on Sage-Grouse research it was stated that most attempts to restore sagebrush habitats have been unsuccessful. In fact a noted grouse expert, Dr. Clait E. Braun, stated, "I know of no areas where Sage-Grouse have re-established their distribution over significant areas of former habitat," (The Wilson Journal of Ornithology, Vol. 123, p 655). What this effort will require will be for you to put Sage-Grouse management above all other uses on public lands. This means that grazing of livestock and fences should be eliminated in core Sage-Grouse areas. All types of land fragmentation, such as roads, power lines, wind farms, oil and gas drilling, etc. will have to be secondary to the management of Sage-Grouse. I do not have much faith that your agencies will be capable of such a drastic turn-around. In fact, BLM planned to study ecological trends in much of the 260 million acre of the West's grazing allotments, but told the scientists not to consider livestock grazing, due to "anxiety from stakeholders." Such attitudes will absolutely have to change if there is any hope to save Sage-Grouse and their habitat. The only real solution that I see is buying out willing ranchers who graze in core Sage-Grouse areas. As said, both your agencies will have to put the grouse first.	All	Both	emc0021RM
38.	We applaud the BLM's focus on energy development as a key threat to the health and persistence of greater sage-grouse populations in the Eastern Region of its range. The Keystone XL pipeline, while currently in an indeterminate state legislatively, is proposed to bisect core areas of sage-grouse habitat, which have been identified and recognized by the Natural Resources Conservation Service in Montana, Montana Fish, Wildlife and Parks, and other partner agencies. These core areas delineate landscapes encompassing habitat for 75% of all known breeding sage-grouse and are vitally important to the health and persistence of sage grouse populations.	All	Both	emc0034RM
39.	Avoidance of small and large above ground structures on the landscape by greater sage-grouse is well documented. Buried pipelines present a unique set of challenges because they consist of three main types of structures: 1) the pipeline; 2) pump stations and associated roads; and 3) overhead power lines. Pump stations are permanent aboveground structures that require 5-10 acres and are constructed at approximately 48-50 mile intervals. Pump stations require road construction, which greater sage-grouse will avoid, and overhead power lines, which are likely to increase the number of aerial predators in greater sage-grouse habitat by providing perching areas.	All	Both	emc0034RM
40.	WWF believes that areas that have been defined as sage-grouse 'core areas' should be areas of no disruption by energy development because they have been recognized as critical in current efforts on both public and private lands to prevent listing of the species. Private landowners engaged in efforts to conserve sage-grouse and prevent listing have expressed	All	Both	emc0034RM

Table C-5.C
Comments Related to General Energy Development

Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	difficulty understanding why they should do so if their efforts will be undone by poor energy development practices and regulation on public lands.			
41.	The petition for listing the Greater Sage Grouse as an endangered species specifically targets two important western industries in particular. The energy industry, and the agricultural industry. Both of these industries are vitally important to the economy of our western states and vitally important to our small local economies as well. This fact cannot be emphasized enough. While both of these industries bear responsibility to manage their operations to provide for conservation of natural resources, we maintain that these industries have demonstrated that they are doing so. The regulatory environment in which these industries exist must retain flexibility in order for these industries to survive. The regulatory environment must also allow industry leaders and federal agencies the flexibility to develop adaptive management strategies to achieve the appropriate balance between the increasing demand for resources and conservation objectives.	All	Both	emc0032RM
42.	Consider establishing and analyzing one or more pilot projects within existing but undeveloped leases about to undergo development. Specifically, as much as technically possible, situate all post-drilling structures below grade, including well trees, pumps, and other facilities. In some cases it would be necessary to excavate pits to place structures below grade. Proposed pilot locations and analyses would be presented in the EISs. Although increased costs of production would likely seem to be an issue, it does not seem insurmountable because it would be a one-time expense. A significant amount of energy production equipment at Canadian Forces Base Suffield, Alberta (the largest Canadian military training facility) is completely underground, an arrangement that apparently works well, without compromising the military mission or raising havoc with the buried equipment. The following paragraph is taken from a November 2005 environmental fact sheet produced by EnCana, in conjunction with its CFB Suffield operations: ! "In addition to its use as a military centre, and as a major gas and oil producing area, CFB Suffield lands are used for cattle grazing. Close cooperation and communication between EnCana, the DND and local ranchers have allowed this unique shared land arrangement to work for the benefit of all parties. On the active military range, EnCana has located more than 7,000 gas and oil wells, most of which are underground so that they do not impede military activities. Stringent security protocols are in effect for access to CFB Suffield (including the National Wildlife Area) which is off limits to the public." (emphasis added) It is difficult to imagine that EnCana would incur the additional expenses in burying gas and oil wells if it were not cost effective.	All	Both	emc0113GB
43.	The sage grouse population is NOT impacted by grazing, current roads, or energy factors. (I never saw a cow kill a grouse).	All	Both	emc0052RM
44.	With regards to transmission lines, pipelines, and mines, the same rules apply as do for oil and gas development, road development, and other leasing development. Referencing my previous number of no more than five total sites of development with a 5.5 radius of a lek, regardless of its activity, all considerations for transmission lines, pipelines, and mines will be included in this total of five.	All	BLM	emc0074RM
45.	One of the most effective management tools is suspension of road and ATV trail proliferation in the sage sea. This action alone would severely restrict the potential for new development of fossil, solar, and wind energy, all of which may have serious negative impacts on sage grouse. Stop the roads, stop the invasion of the sage sea. Then, when better habitat information is available, allow construction that is minimally invasive and located in minimum impact areas. There are other	All	Both	emc0083RM

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	places to extract or generate energy, but sage grouse grow only here.			
46.	I oppose more drilling in the sage grouse habitat areas.	All	Both	emc0102RM
47.	Recent greater sage-grouse studies also demonstrate that energy development and viable sage-grouse populations can successfully co-exist when reasonable mitigation measures are utilized during exploration, development and production. Suggestions that oil and gas activities are extremely harmful to populations and habitat are overstated. Given that the energy industry is committed not only to studying ways to ameliorate impacts, but also to utilizing identified measures, we urge the BLM to recognize the protections already in place.	All	Both	emc0116GB, emc0033RM
48.	Energy development includes traditional energy sources (oil, gas, coal, coaled methane) and rapidly expanding renewable energy development (wind) and the associated transmission lines. Protections to sage-grouse need to be balanced with the need to produce energy. The following suggestions should be considered in each alternative: • Energy development should be recommended in areas with low conflict with greater sage-grouse. • Wind projects need to be held to the same standard as traditional energy sources. • Transmission lines need to be held to the same standard as traditional energy sources. • No exceptions should be made in the core area including transmission corridors • New development or land uses should not be authorized in core areas	All	Both	emc0128RM
49.	Temporary protections for areas that have not yet been leased for energy development. These lands can be opened to development once other areas have been successfully reclaimed and capable of supporting and increasing sage-grouse populations. USFWS, WGFD, sage-grouse working groups, BLM, and USFS will need to sign-off on the area and without this sign-off the temporary protections will not be lifted. O IM WY 2010-013 (BLM's Oil and Gas Leasing Screen for Sage Grouse) recognizes 11 contiguous square miles as appropriate minimum size to qualify for being set aside from development.	All	Both	emc0128RM
50.	The BLM's list of issues is incomplete. Connelly et al. (2011: 555-556, Tables 24.1, 24.2) reviewed literature and listed additional threats to sage-grouse that likely exist on federal land, including conifer encroachment, West Nile virus, seeded grassland, fences, power lines, vegetation treatments, roads, and reservoirs. It is unclear if BLM and USFS will address conifer encroachment/expansion, West Nile virus, seeded grassland and vegetation treatments as part of "Greater Sage-grouse habitat management." The NTT report also listed a few additional threats that degrade or fragment habitat or affect sage-grouse, including geothermal energy development, landfills, and residential development (SGNTT 2011: 8). The agencies should address all of these factors in the planning process	All	Both	emc0391GB
51.	As the United States transitions from fossil fuels to renewable energy sources, there will likely be a need for additional long-distance transmission lines. For example, the President's Council on Environmental Quality Interagency Rapid Response Transmission Team (RRTT), formed in 2011, has identified five priority transmission lines in the West, and two in the East. These lines are planned to promote the development of remotely constrained renewable resources, mostly wind development. Of the five projects included in the West—SunZia, Cascade Crossing, Boardman to Hemingway, Gateway West, and TransWest Express—four cross sagebrush habitat identified by Doherty et al. (2010b) as having the highest densities of breeding sage-grouse. Early consideration of routes for these transmission lines and plans for expansion of remote, renewable resources can aid in reducing conflicts between transmission infrastructure and sagegrouse. The	All	Both	emc0391GB

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	sage-grouse planning process should provide key information and prescribe conservation measures for current and future transmission planning in sage-grouse habitat. Iterative transmission planning efforts are underway at the state and regional level. The primary clearing house for transmission expansion planning across areas identified as sage-grouse habitat is the Western Electricity Coordinating Council (WECC). WECC included environmental data in its Transmission Expansion Planning process, and WECC's Scenario Planning Working Group Environmental Data Task Force (EDTF) was tasked with building a decision support tool to allow for a comparison of future transmission alternatives through the lens of environmental and cultural data sets. These data sets provide transmission planners with a method by which to show the relative 'risk' to a project developer of trying to develop a particular route. Lands were screened and classified under four tiers of suitability resulting in risk determinations dependent upon resources, such as lands with dense sage-grouse populations. The EDTF will continue to conduct regular outreach to stakeholders across the West to update, collect and integrate additional environmental and cultural data into this decision support tool for use by regional transmission planners. Within this framework, information regarding Greater Sage-grouse habitat protection can and should flow two ways. BLM and USFS sage-grouse conservation planning efforts provide an opportunity to incorporate planning for renewable energy generation and transmission expansion based on long-term and west-wide modeling of existing and future renewable energy goals and reliability constraints. Conversely, the agencies should ensure that transmission planning efforts underway at WECC have incorporated new sage-grouse conservation efforts into future scenario planning through EDTF tools.			
52.	Samson is very concerned that the conservation measures ultimately Imposed by BLM will result in the violation of valid existing lease rights that could lead to legal actions taken by leaseholders to protect those rights. While the Interim Guidance 1M includes some language regarding the application of restrictions that are consistent with valid existing lease terms, we are concerned that subsequent actions made by BLM under the IM could prevent operators from developing their valid existing lease rights. BLM should respect valid existing rights and provide ample flexibility during the planning process to enable projects that adequately mitigate and minimize adverse impacts to GSG. Further, BLM should not impose conservation measures or restrictions that would provide the same or greater restrictions on activities that would be applied under the Endangered Species Act, at the expense of valid existing lease rights.	All	BLM	emc0246GB
53.	For example, BLM may impose NSO restrictions on active leases or require certain BMPs as Conditions of Approval (COAs) for permits within priority habitats. BLM cannot legally impose new NSO stipulations or COAs on existing leases rights that differ from those entered under the original contractual terms.	All	BLM	emc0246GB
54.	Federal agencies cannot impose stipulations or conditions of approval that make development on existing leases either uneconomic or unprofitable contrary to "valid existing rights." See Utah v. Andrus, 486 F. Supp. 995, 1011 (D. Utah 1979). BLM cannot prohibit lessees from developing their leases and any RMP amendment must speCifically make this declaration In support of valid existing rights. See, e.g. National Wildlife Federation, 150 IBLA 385, 403 (1999). Based upon the above legal requirements of FLPMA, BLM cannot approve management prescriptions that may impair, block access to, render uneconomic, or otherwise cause waste or unduly impact existing federal oil and gas leases.	All	BLM	emc0246GB
55.	The Report recommends that BLM close priority sage-grouse habitats to future leasing, except in areas that are not entirely federally owned. A decision to discontinue leasing in all preliminary priority habitats (PPH) areas that are not entirely	All	Both	emc0246GB

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	federally owned would unreasonably block access to Significant energy resources on thousands of acres of public lands, potentially force operators to abandon projects outside of PPH areas if they are unable to lease adjacent or nearby parcels within those areas, and deprive state and federal coffers of significant revenue from leasing and the subsequent development of those leases.			
56.	Through the Interim Guidance 1M, proposed leasing decisions may be forwarded to the appropriate State Director, NTT, or even the BIM Director in Washington. We are concerned that future leasing in and around GSG habitat could be unreasonably delayed, or not occur at all, due to the bureaucratic decision-making process outlined in the IM.	All	Both	emc0246GB
57.	BLM field offices may also need additional resources to Institute the management policies set forth in the Interim Guidance IM and the RMP amendments. Speciflcally, BIM field offices may require additional staff with relevant expertise to administer new greater sage-grouse management requirements for individual projects, such as developing polygons for density restrictions within priority habitat areas. Additionally, BLM must ensure that the preparation of the EIS and subsequent RMP amendments does not prevent BIM field office employees from regularly processing NEPA documents, Applications for Permits to Drill (APD), and sundry notices in a timely manner. The administrative efficiency of BIM field offices is directly related to industry's ability to provide affordable energy resources from public lands across the West.	All	BLM	emc0246GB
58.	Based on the restrictions outlined In the Interim Guidance IM and the Report, we are concerned that BLM may ultimately violate Section 363 of the Energy Policy Act of 2005, which requires federal land management agencies to ensure that the least restrictive stipulations are utilized to protect resource values and valid existing rights. Accordingly, we recommend that BLM adhere to the law and apply the least restrictive stipulation from the alternatives in the EISs and SEISs.	All	BLM	emc0246GB
59.	Samson asks that the BLM refrain from including and evaluating the Citizen's Proposed Wilderness Areas (CPWA) as wilderness for GSG habitat protection as they have not been designated by Congress as such at this time. Many of these CWPA's have active 011 and gas leases and associated exploration and production activities at this time. Acknowledging any type of wilderness deSignation within the RMP amendment process for the further protection of the GSG would not be appropriate for inclusion In any of the EIS alternatives. The focus should be kept on the GSG and should not provide an opportunity to further advance the protection of the CPWA's within the RMP amendments until Congress acts on these proposed designations.	All	BLM	emc0246GB
60.	Balancing the development of natural gas and oil resources with the protection of local populations of greater sagegrouse and their habitat in the planning areas will provide significant benefits to local communities, the state, and the nation. Samson looks forward to working cooperatively with the BLM and other stakeholders in this planning effort to ensure the balanced use of the resources across the West.	All	Both	emc0246GB
61.	Any new conservation measures should allow for va ryi ng degrees of impact within lhe PPH areas. The third bullet on Page 23 of 74 of the NTT Conservation Measures document addresses this issue as it pertains to Leased Federal Fluid Mineral Estate . The conservation measure stales " ... Any development to be placed at the most distal part of the lease from lhe lek, or, depending on lopography and other habitat aspects, in an area that is less demonstratably harmful to sagegrouse." While an absolute requirement that sage-grouse preservation should trump all other siting considerations is obviously not palatable, the concept of considering the distance and terrain between disturbance and the sage-grouse habitat to be protected is very appropriate. As the distance increases from a known breeding location or complex of locations, increased	All	Both	emc0278GB

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	levels of disturbance should be allowed. For example, roads that intercept the edge of a PPH should be available for use during the breeding season. Impacts from this level of disturbance would be minimal and still allow for projects to move forward.			
62.	The IM states that Special Recreation Permits may be "canceled as appropriate to avoid or minimize habitat alterations or other physical disturbances to Greater Sage-Grouse ." El Paso has concerns that if these permits can be canceled, that the policy may be further extended into other Special Use Permits that are required for project implementation. This needs to be clarified .	All	Both	emc0278GB
63.	Non-renewable energy development is one of the most significant factors affecting sage-grouse populations and habitats today. Non-renewable energy development includes exploration and drilling for oil, gas, and coal-bed methane, and associated activities including road construction and use, seismic surveys, pipeline corridors, and powerlines. Such activities can result in direct habitat loss, fragmentation of important habitat, noise disturbance, and direct mortality to sagegrouse. Indirect effects may also include gaseous emissions, changes in water availability and quality, and human presence. The amount of direct habitat loss from the footprint of the activity—attributable generally to well pads, roads, pipelines, powerlines, and crushing of vegetation during seismic surveys—ultimately depends upon well densities and associated losses from ancillary facilities. Impacts are often felt well beyond the life of the activity, whereas roads associated with energy development are often used even after the termination of drilling and production.	All	Both	emc0276GB
64.	6. The BLM and Forest Service Should Manage Sage-Grouse Conservation as the Top Priority in Priority Sage-grouse Habitat. In order to ensure the persistence of sage-grouse across the West, the BLM and Forest Service must commit to managing sage-grouse as the top priority in priority sage-grouse habitat. This means that conservation of sage-grouse in these areas must be elevated among other land use management activities, and the agencies should ensure that all projects and activities do not go forward in a way that could potentially harm sage-grouse or sage-grouse habitat. The National Technical Team suggests managing priority areas so that at least 70% of the land cover provides adequate sagebrush habitat,17 but this does not go far enough. Because protection of this priority habitat is necessary for sage-grouse survival and persistence, the agencies should aim to protect all sagebrush across identified priority habitat. As it is evident that many of the activities described above as threats can seriously harm sage-grouse populations, the agencies should prohibit some of these most damaging activities in priority sage-grouse habitats and approach management of other threats in a manner that is consistent with sage-grouse and habitat protection. The agencies should not allow any new oil, gas, coal, or other mineral leases in priority sagegrouse habitats that are currently unleased. As the Technical Team Report states, There is strong evidence from the literature to support that surface-disturbing energy or mineral development within priority sage-grouse habitats is not consistent with a goal to maintain or increase populations or distribution."18 As described above, energy development is one of the most significant factors negatively impacting sage-grouse and sage-grouse habitat today. Energy development generally includes or leads to direct conversion of habitat, fragmentation of habitat, increased human presence, increased threat of predators, an increase in noise, pollutants, and potential harm to water resources. Additionally, cumulative impacts from energy development in connection with other activities, including the infrastructure associated with the development, create threats to sage-grouse that are incalculable. See infra Sections III.A & D for more information on the threats associated with energy development and mining. The Technical Team Report notes that No	All	Both	emc0276GB

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	Surface Occupancy buffers around leks will be ineffective in protecting sage grouse: Past BLM conservation measures have focused on 0.25 mile No Surface Occupancy (NSO) buffers around leks, and timing stipulations applied to 0.6 mile buffers around leks to protect both breeding and nesting activities. Given impacts of large scale disturbances described above that occur across seasons and impact all demographic rates, applying NSO or other buffers around leks at any distance is unlikely to be effective. Even if this approach were to be continued, it should be noted that protecting even 75 to >80% of nesting hens would require a 4-mile radius buffer . . . . Even a 4-mile NSO buffer would not be large enough to offset all the impacts reviewed above. A 4-mile NSO likely would not be practical given most leases are not large enough to accommodate a buffer of this size, and lek spacing within priority habitats is such that lek-based buffers may overlap and preclude all development.19 Buffers will not be effective enough to offset impacts and buffers of a substantial size would preclude development anyway. Furthermore, timing restrictions are ineffective because they do not prevent impacts of infrastructure at other times of year or during seasonal habitats that are crucial for population persistence. Thus, based on the science, the Technical Team Report recommend[s] excluding mineral development and other large scale disturbances from priority habitats where possible, and where it is not limit disturbance as much as possible. It concludes: We believe the conservation strategy most likely to meet the objectives of maintaining or increasing sage-grouse distribution and abundance is to exclude energy development and other large scale disturbances from priority habitats, and where valid existing rights exist, minimize those impacts by keeping disturbances to 1 per section with direct surface disturbance impacts held to 3% of the area or less.22 We support this recommendation and note that the only locations where prohibiting development may not be possible are where valid existing rights remain. In areas where 3% impact is permitted, we advise the BLM to define the "area" so that it is small enough for this to make an appreciable impact on protection of sage-grouse and habitat. Both alternatives offered by the Technical Team Report with respect to unleased federal fluid mineral estate, however, allow for exceptions for exploration, leasing, and/or development within priority habitat.23 We do not believe that such exceptions should be made within priority habitat. Additionally, proposing helicopter-portable drilling methods does not alleviate the noise and thus potential avoidance of sage-grouse that often comes with drilling, and thus should not be seen as a viable solution for protecting sage-grouse.24 Fluid mineral leasing should be prohibited in priority sage-grouse habitat areas and in a buffer area on lands directly adjacent to priority habitat.			
65.	8. BLM and the Forest Service Must Manage Energy Corridors in a Way That Minimizes Effects to Sage-Grouse. Energy corridors create a unique set of circumstances because they are linear and will likely cross boundaries determined as priority sage-grouse habitat as well as habitats occupied or suitable for sage-grouse. The agencies must develop and use consistent criteria and management guidelines to locate or site energy corridors, and must operate and maintain new and existing facilities within energy corridors in a manner that minimizes impacts to sage-grouse and sagebrush habitat. These corridors often cross jurisdictional boundaries and thus federal oversight and cooperation between states is necessary. The Technical Team Report recommends making priority sage-grouse habitat areas exclusions areas for new right-of-way permits, and we support that approach. Any exceptions to that measure should be extremely limited, and only necessary when valid, existing rights are in play. Although we are not entirely opposed to allowing new rights-of-way co-located with existing rights-of-way, we would add that the project should only be permitted if human access to the project is maintained within existing disturbance areas, and that all project impacts are limited to minimize impacts to nearby sage-grouse,	All	Both	emc0276GB

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	including limiting noise, dust, or other pollution. As explained above in regard to allowing 3% disturbance, we feel this exception would not adequately address habitat fragmentation issues. We support the measures to remove or bury existing power lines within priority sage-grouse habitat and reclaiming right-of-way sites no longer in use. We also support the measures for general sage-grouse habitat areas.			
66.	Suggest that –Page 22 Fluid Minerals and Solid Minerals sections. The language in the entire area of both of these sections should be edited to reflect the attitude of possible cooperative efforts to manage sage-grouse habitat and develop the energy types located in these areas. Removing energy exploration and development completely from these areas will have a severe impact on our local economy and also impact other areas of the country where habitat may be fragile but not regulated because of its effect on plant or animal species. This common sense approach would help our federal government continue to provide affordable energy to it's people.	All	Both	emc0291GB, emc0055RM, emc0119RM
67.	Limit new power lines, wind turbines, and other tall structures in or near sage grouse priority habitat.	All	Both	emc0297GB
68.	Rather than withdrawing the land to where there is no income coming into your agency by fees for exploration acres, both in the mining sector as well as the oil, gas & geothermal sectors, would it not have been more beneficial for you to allow the sale of the deferred leases and allowed the operators to aid in mitigating this problem in regard to the Sage Grouse? It seems to me the mining companies have done an excellent job in restoration projects throughout this State.	All	Both	emc0320GB
69.	On page 19, Minerals section, second paragraph, there is mention of abandonment of leks by male sage-grouse if leks are repeatedly disturbed by raptors perching on power lines near leks. The mitigation measure or conservation measure should include anti-perching devices on these structures and not prevent mining or energy development. Similarly, predator control of ravens, crows, and magpies (corvids) is possible in identified nesting areas where power lines provide perches for corvids to watch for sage-grouse hens to leave the nest.	All	Both	emc0322GB
70.	Based on the restrictions outlined in the Interim Guidance IM and the Report, we are concerned that BLM may ultimately violate Section 363 of the Energy Policy Act of 2005, which requires federal land management agencies to ensure that the least restrictive stipulations are utilized to protect resource values. Accordingly, we recommend that BLM adhere to the law and apply the least restrictive stipulation from the alternatives in the EISs and SEISs.	All	BLM	emc0312GB
71.	The oil and gas industry contributes significantly to local, state, and national economies, providing billions of dollars each year in royalties, bonuses, and severance taxes, besides other benefits of direct capital investment in local economies and high paying jobs. Accordingly, BLM needs to analyze the effect on the local, state and national governments from the loss revenue that will arise from the implementation of the new sage-grouse policies. The analysis should also include loss of jobs and the increase of unemployment compensation.	All	BLM	emc0312GB
72.	CLG is also concerned about the hostility to all oil and gas, coal and mineral development seen in the IM and Technical Team Report. The number of reports only document that sage grouse leave an active drill site or field. There is no research showing whether the birds relocated and no data suggesting that they died as a result of energy development. Relocation should be researched, especially any adjustments made by sage grouse. The Technical Team Report would greatly restrict oil and gas development through the 3% surface disturbance ceiling. Assuming this is applied throughout the identified sage grouse range, then oil and gas drilling would be shut down throughout much of the Rocky Mountain states. This is true for	All	BLM	emc0371GB

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	existing leases based on BLM's claimed authority to impose conditions of approval that change lease stipulations and operations. The impacts on natural gas and oil production would be significant. Moreover, the impacts on states' economies and the communities would be even more severe. Wyoming has seen an increase in energy development. That coincided in part with drought, West Nile Virus and high numbers of predators. Until all of the factors can be weighed, compared and considered this rush to judgment is unwarranted.			
73.	Uintah County is exercising its duty under our system of Federalism to try sound novel approaches to manage public lands within its boundaries. This approach can best be described as a sort of zoning exercise similar to the analysis used by local governments in determining where single family residences and industrial areas should be located within their community. Uintah County and the State of Utah have developed an Energy Zone which designates lands best used for extractive purposes. Uintah County is also currently in the process of adopting a local sage-grouse management plan. This plan will set forth those areas where sage-grouse populations can continue to thrive irrespective of extractive activities. Finally, it will outline those areas (similar to transition areas in local zoning maps) where extractive activities and sage-grouse populations converge. Blanket designations, like 4 mile radiuses around leks, are unworkable and not scientifically sound. This plan will include designated areas of proven sage-grouse habitat and populations where the habitat is of such quality were the populations are stable and growing; for example the Diamond Mountain area. Uintah County proposes to delineate the highest and best use of all land within the County to promote stable thoughtful growth. As part of this local plan mineral extraction should be allowed to proceed within our Energy Zone. Credit should be given to habitat rehabilitation work in certain areas of the county and extractive activities should be allowed in the other areas. Science shows that sage-grouse populations are fairly stable and perhaps even growing in our region where active State and local management techniques have already been implemented. The success of such local efforts must be reflected in the RMP amendments and the local sage-grouse working groups must be consulted.	All	Both	emc0376GB
74.	The BLM has a multiple use mandate under Federal Land Policy and Management Act (FLPMA). The existing Resource Management Plans (RMPs) were developed after many years of analysis and public input, resulting in land use plans that struck an acceptable balance between multiple uses. Yet, this latest effort illustrates the continued threat of political vagaries potentially shifting that balance in a manner that is detrimental to energy development, grazing, fuel and vegetation management, mineral development and recreation. Any selected alternative must minimize the .restrictions placed on these legitimate and important land uses. We encourage the BLM to follow through on its commitment to protect valid, existing rights; such as grazing and energy leases and RS 24 77 access rights. We encourage the BLM to look not only at habitat availability, but also habitat suitability given the energy and mineral potential and other multiple use potential of preliminary priority sagegrouse habitat areas. The adoption of sound consistent land use areas insures there is no risk of sage-grouse conservation efforts hampering the energy industry's ability to produce domestic natural resources	All	Both	emc0376GB
75.	We have reviewed the Preliminary Planning Criteria for the National Greater Sage-Grouse Strategy, dated January 2012 and offer the following comments: Any Land Use Plan (LUP) amendments that contain objectives and management action to restore, enhance, and improve greater sage-grouse habitat should to the maximum extent possible follow State and Local plans, including highest and best use of lands for extraction which may contemplate mitigation efforts to promote extraction and enhancement of habitat that is best suited for increasing sage-grouse populations.	All	Both	emc0376GB

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76.	The plan sould include protection of habitat from energy develpoment and road buliding	All	Both	rmc0008RM
77.	Oxy respectfully disagrees that preclusion of mineral development is a conservation measure. Rather, it is a de facto moratorium on currently lawful and authorized activity, and thus, a decision by BLM to arbitrarily prioritize conservation of sage-grouse habitat over other appropriate land uses. Cf. Union Oil Co. v. Morton, 512 F.2d 743, 751-52 (9th Cir. 1975) (holding, in the context of leasing under the Outer Continental Shelf Lands Act, that an indefinite suspension was subject to an injunction as an illegal cancellation; i.e., because the moratorium in question would have left Union Oil with a worthless drilling lease, the moratorium amounted to a taking). Oxy questions the appropriateness of any such moratorium, particularly because not even a listing of the greater sage-grouse as threatened or endangered under the Endangered Species Act ("ESA") would necessarily result in such a drastic, allencompassing curtailment of mineral development. If BLM in fact intends to preclude mineral development to protect sage-grouse habitat, the Sage-Grouse NOI does not fully reflect that intent and should be amended - reinitiating the scoping process and allowing the public to comment on BLM's newly articulated intent. If this is not in fact BLM's intent, then BLM's reliance on the Tech nical Reportas articulated above - should be reconsidered and BLM must invest in and utilize the NEPA process as the mechanism by which BLM evaluates potential conservation of sage-grouse habitat. It is through NEPA that BLM must provide full consideration of the impacts of such drastic conservation measures on valid existing rights, future mineral development, and BLM's mUltiple-use mandate, among others	All	Both	rmc0021RM
78.	In addition to the issues listed in the accompanying informationJ I encourage the evaluation4f1h,s of the following in all analyses of the environmental impacts of actions on federal landsConsider all current research results on the impacts of energy development to sage grouse. Please do not discount any peer reviewed literature because it does not support results pushed by industry research efforts.	All	Both	emc0338GB
79.	The conservation alternative would correctly require BLM and the Forest Service to identify and protect their breeding, brooding and winter habitats. In these habitats, the BLM and Forest Service must not allow human disturbance such as oil and gas drilling, power lines, and excessive cattle grazing that reduces the vegetation cover below what these animals require. The BLM and Forest Service have, for decades, found ways to evade and obfuscate out of their mandate to maintain viable and widespread populations of the Sage Grouse and other wildlife, rolling under a pseudo-legalistic rug each successive geographic and demographic vanquishing of the Sage Grouse. Over'the long saga of this species, each year has brought further population losses, with precious little acknowledgement by the BLM and Forest Service of this cumulative loss over time.	All	Both	rmc0037RM, rmc0070GB
80.	Coordination is essential in ensuring that fish and wildlife are properly managed, within and across administrative boundaries. All stakeholders must be involved, and experts that manage fish and wildlife at the local, state or national levels must be included in energy project planning and implementation. Coordination enables unanticipated or unforeseen actions that arise during development to be addressed in a timely and appropriate manner. A key stakeholder in the administration of public lands and fish and wildlife resources, the public must be included to build trust and brainstorm management tactics. TRCP recommends that you: · Foster broad-based coordination between fish and wildlife managers, landowners and affected stakeholders to ensure fish and wildlife sustainability. · Establish expanded coordination across geopolitical	All	Both	emc0380GB

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	boundaries between property owners (public and private). Coordination between the Wyoming Game & Fish Department, US Fish & Wildlife Services, and other federal and state land agencies must occur to ensure consistent and comprehensive management objectives across geo-political boundaries. · Ensure that managers consider the crucial habitats as well as movement or transitional corridors of fish and wildlife. · Coordinate among all affected stakeholders during planning and implementation of public-lands energy projects. · Include state fish and wildlife agencies in energy development planning and the monitoring of fish and wildlife during and after development. · Establish a process for annual review and adjustments of actions that affect fish and wildlife. An adaptive management strategy is appropriate if based on established adaptive management guidelines and science.			
81.	Transparency is essential to building trust among stakeholders and the general public. Transparency can prevent unnecessary delays, legal actions or bad press. Openness during energy development enables fish and wildlife management that benefits all stakeholders, not just project proponents. TRCP recommends that you: · Identify "special places" with exceptional resource concerns or values where energy development should not be allowed. Map these locations and incorporate these values into management plans. · Continue to provide up-to-date information through a range of media and informational outlets to the public and fish and wildlife managers regarding energy development projects. · Direct and manage leasing and development using complete and up-to-date baseline information on fish and wildlife resources. · Utilize coordinated plans for energy development and fish and wildlife management. · Provide the public with information about all proposed public-lands energy leases and development; allow sufficient time for public comment. · Ensure that all meetings related to publiclands use and energy development part of the public record.	All	Both	emc0380GB
82.	Science is the foundation of sustainable land and resource management. It is essential to understanding how fish and wildlife react to energy development and maintaining sustainable populations during and after development. Utilizing peer reviewed and published science enables a balanced approach that sustains both energy AND fish and wildlife instead of either energy OR fish and wildlife. TRCP recommends that you: · Utilize science, including most current published science in all fish and wildlife decisions, particularly when specific research has been conducted on the impacts of energy development. For your convenience, a list of recently published literature has been attached to this letter. · Assure that mitigation and monitoring based on new scientific information is implemented in the energy development process. · Incorporate science-based mitigation, using tested and proven methods of adaptive management, when making decisions about fish and wildlife management and energy development. Identify and address "gaps" in science prior to development and implement coordinated research to address these gaps. · If necessary, utilize a third-party review of development and mitigation proposals. · Establish a credible and qualified "science review team" and engage science-based organizations for fish and wildlife management and development decisions. · Establish a process to incorporate new information and science into planning and implementation of existing and new energy projects.	All	Both	emc0380GB
83.	Regarding energy development, we understand that on-shore energy consumption and production continues to be a major part of our nation's overall energy policy. This means that careful attention must be given to how industry can expand to satisfy increasing energy demands while ensuring the sustainability of sage grouse and their habitats.	All	Both	emc0380GB
84.	NV Energy is concerned that the renewal of existing right of way grants or special use permits for those transmission and distribution facilities within preliminary priority sage grouse habitat may require significant permitting and mitigation	All	Both	rmc0049GB

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	requirements including additional NEPA analysis; undergrounding of existing facilities; relocation of transmission and/or distribution corridors; etc. It is the opinion of NV Energy that these potential mitigation requirements could create greater disturbances and have a more negative effect than what exists presently. Therefore, NV Energy requests that proposed mitigation for existing transmission and distribution infrastructure be analyzed in the EIS. It should be noted mitigation measures including, but not limited to, the relocation of existing electrical infrastructure would directly impact Nevada rate payers.			
85.	NV Energy also expresses concern over language not allowing human disturbance to exceed 2.5% of the species' total habitat "regardless of surface ownership." Is it the federal agencies intent to regulate those proposed actions that are solely on private land? If so, where does this authority come from? NV Energy's concern is that the regulation of private lands may impede the development of high priority energy projects which in tum impacts Nevada rate payers.	All	Both	rmc0049GB
86.	Furthermore, sage-grouse habitat must be protected from land uses such as energy development and livestock overgrazing that can degrade the natural landscape. Consistent management standards for these and other industries must be adopted throughout the bird's range based on the best available science, and according to recommendations made by the National Technical Team in their sage-grouse report.	All	Both	fla0000GB
87.	E. EIS's Affected Environment Analysis The "affected environment" section of the EIS should describe "the existing condition and trend of issuerelated elements of the human environment that may be affected by implementing the proposed action or an alternative."143 Considering the close relationship of sage-grouse conservation and wind development, the "affected environment" section of the EIS should analyze the following issues: 1) Existing and proposed renewable energy projects on federal lands, and projects on non-federal lands, but that still are affected by federal land decisions (e.g., projects requiring federal right-of-ways grants); 2) Estimated acreage of sage-grouse habitat set for development and potential energy projection losses if proposed developments are prohibited or restricted; and 3) Effects on the environment if wind energy is not developed, such as the resulting need for less-attractive energy sources.	All	Both	emc0344GB
88.	In its list of Problem Statements, WAFWA (2006) outlined a daunting list of threats to sage grouse persistence: - The placement of energy corridors and associated facilities may lead to negative impacts to greater sage grouse and their habitats.	All	Both	emc0343GB
89.	We furthermore petition the BLM and Forest Service pursuant to 5 U.S.C. § 555(e) to defer all mineral sales and leasing as well as all project-level approvals within the bounds of the more robust Core Area boundaries we have recommended in these comments. The BLM has full authority and discretion to undertake this measure under IM 2004-110 Change 1, and doing so will preserve the decision space in the Plan Amendment process and prevent permitted actions that could undermine the effectiveness of alternative sage grouse Plan Amednment management direction that will be adopted at the end of this NEPA process.	All	Both	emc0343GB
90.	If sage-grouse are to be conserved, BLM's management paradigms and on-the-ground actions must immediately be changed. Habitats must not be sacrificed. The National Technical Team report underplays the serious ubiquitous pervasive threat to sage-grouse habitats posed by domestic livestock grazing across nearly all public lands. The Report and associated IMs continue near-status quo management for livestock and many other threats. The IM is riddled with loopholes, and very weak and ineffective provisions that are at times weaker than the NTT. For example, with livestock grazing where there is	All	Both	emc0411GB

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	no requirement that anything at all actually has to change on the ground. For other threats, the NTT and Memos fall back on largely the same lists of BMPs and Standard Operating Procedures that have helped caused the demise of sage-grouse habitats over the years. Some oil ad gas provisions may be better than BLM had previously put on paper but applied only in Priority areas.			
91.	A recent article exposes serious flaws in the Wyoming Core Model. http://yubanet.com/enviro/Powder-River-Basin-sage-grouse-at-risk-forextirpation. php#.T2TMsY79o6E The article Powder River Basin sage-grouse at risk for extirpation describes a BLM-commissioned report finding that: The study estimates that 27 percent of the pre-development sage grouse population has already been lost as a result of heavy coalbed methane and conventional drilling in the Powder River Basin, and predicts that only 39 percent of the original population will remain when the full build-out of coalbed methane wells reached 8 wells per square mile across the Basin, even in the absence of a West Nile outbreak. The study also found that large leks would be expected to decline by 70 percent from predevelopment numbers as well spacing reaches 4 wells per square mile, the standard density for conventional oil and gas but only half the density of coalbed methane fields. The effect of drilling on sage grouse was found in the study to be strong out to 12.4 miles from the lek itself, indicating that larger Core Areas are warranted. So clearly large blocks of habitat must be protected, and it really is all the landscape used by a population of grouse, not just some arbitrary 4 or 5 mile distance from some leks, as proposed in the Doherty Core that BLM is using as the basis for this highly flawed Priority and General Habitat segregation model. It's not that larger Core Areas are needed, it is the landscape that is used that must be protected	All	Both	emc0411GB
92.	BLM has a long history of making lofty promises of better management and conservation, then never implementing them. For example, in 2004, BLM's National Sage-grouse Habitat Conservation Strategy) promised under Guidance for the management of sagebrush plant communities for sagegrouse: - Avoid constructing livestock management facilities (i.e. corrals, tanks, troughs, pipelines, fences, etc.) next to leks. - Design and locate the placement of fences for livestock so as to not disturb important sagegrouse habitat areas. - Consider seasonal closures to protect priority sage-grouse habitat if other alternatives will not achieve desired objectives. - Use grazing practices that promote the growth and persistence of native shrubs, grasses and forbs needed by sage-grouse for seasonal food and concealment - Maintain seeps, springs, wet meadows, and riparian vegetation in a functional and diverse condition for young sage-grouse. - Maintain sagebrush understory and diversity adjacent to crucial season sage-grouse habitat unless removal is necessary to achieve sage-grouse habitat objective. - Where other grazing practices are not achieving, or cannot achieve, the desired objectives, a short term option may be livestock exclusion. There were also some measures for oil and gas and geothermal development that have also been routinely ignored by the agency: - Avoid the impact of construction and operations by not placing mines, oil and gas and geothermal drilling sites and facilities, roads, and mineral material disposal sites in or next to sensitive habitats such as sage-grouse leks, nesting, brood rearing, breeding, or wintering habitat. - Whenever feasible and environmentally preferred, avoid surface occupancy by roads powerlines, fences, or other structures adjacent to occupied leks - Consider seasonal closures to protect priority sage grouse habitat if other alternatives will not achieve the desired objective. So BLM had already adopted some requirements to protect sagebrush habitats in permits for grazing recreation, mining, and oil and gas. The first energy provision above has been significantly weakened in the most recent	All	Both	emc0411GB

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	iteration Priority scheme that allows more development to occur. The loose wording that always allows BLM an out so it can cave into industry has not been tightened up. Some of the provisions, such as relating to springs and seeps for Oil and Gas are not even included for geothermal in the IM. BLM's Conservation Plan appears to provide broader protection for these habitats (see above). Now BLM uses maintain enhance, or restore only for PPH. None of this wording applies to PGH in the IM. So the situation is immediately worse for General habitat than under the Conservation Plan. Now BLM is only supposed to reduce and mitigate to the extent practical. The IM's appalling General Habitat provisions appear to violate BLM's 2004 Conservation Plan.			
93.	The Plan amendments "will be limited to making land use plan decisions specific to the conservation of sage-grouse." This will only serve to cause more conflict. Many inadequate mining, energy, visual, transportation/OHV and other provisions of Land Use Plans come into direct conflict with sage-grouse habitat protection requirements, and it is very hard to understand just how BLM will split hairs here. See WWP Jarbidge RMP comments, explaining how weak VRM standards, lack of mineral withdrawals, energy accommodations and other RMP provisions would adversely affect management of sage-grouse habitats for sustainable populations. It will also serve to put more species in jeopardy - as sagebrush-dependent species with differing habitat requirements to some degree than sage-grouse get impacted as agencies shift and intensify all manner of degrading and disturbing uses (such as livestock) into the Sacrifice General occupied habitats or non-grouse areas.	All	BLM	emc0411GB
94.	The Scoping Notice states that the process will recognize "valid existing rights." What are these? How many "valid existing rights" are there currently located across the sagebrush biome? Including in all Key, General, Priority, Restoration habitat and discarded sagebrush biome areas? Please provide maps of all existing geothermal leases, oil and gas leases, wind ROWS, mining claims, mines, etc. and overlay them on all populations, as well as identified PMUs (Nevada, California) or other populations. What is considered a "right"? Can BLM revoke permits, leases, etc., or at least significantly amend them at any time?	All	Both	emc0411GB
95.	Reasonably Foreseeable Development Scenarios (RFDSs) are to be used. Regarding the BLM promise to prepare RFDSs: This must be a much more rigorous, honest, science-based analysis than other RFDSs we have seen the BLM and Forest Service prepare. These (for oil and gas, geothermal) have greatly under-estimated the amount of development that could occur, and very poorly considered impacts of development under the RFDSs to lands, waters, wildlife, and biodiversity.	All	BLM	emc0411GB
96.	This analysis must also include potential financial speculation associated with leasing and exploration (which can cause significant damage to vegetation, spread weeds, disturb wildlife during critical periods of the year, etc.), and other activities. BLM must consider and map in detail all the fluid mineral leases it has issued, and foreseeable new lease areas. By the time all oil and gas, geothermal, CBM and other leases are tallied, and mapped, nearly the entire public estate is held, or soon will be held, by some potential energy developer.	All	BLM	emc0411GB
97.	For the past couple of years, agencies have been using another category to try to separate out populations, and minimize the importance of losses to the sagebrush habitats. This is the effort to segregate greater sage-grouse into eastern vs. western portions of the range on the basis of claims that grouse face different threats in different parts of their range. USFWS used this artifice in defending its toothless Warranted but Precluded Finding in litigation, and took it to absurd lengths in its arguments there. First, many of the same threats occur across the range - livestock grazing, roads no matter	All	Both	emc0411GB

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	what the cause, invasive species, mining. Second, increasingly renewable energy threats with many of the same impacts as oil and gas are accelerating in the western portion of the species range, and mining is exploding in northern and central Nevada and some other western areas. Plus hundreds of thousands of acres are now being leased for oil and gas development all over Nevada. Renewable energy examples: Major industrial wind farm on Steens Mountain Oregon and new transmission lines, major new transmission lines like Gateway and MSTI, geothermal development often by foreign entities (McGinness Hills and other areas), massive geothermal leasing proposals are appearing - for over 500,000 acres on Bridgeport Ranger District lands and elsewhere in NV. Mining is expanding into new areas where sage-grouse populations are already barely hanging on, and new mining is proposed in areas with larger populations, as well. In the east, weeds like cheatgrass are increasing (see WBEA Assessment discussion). New and expanded mining, new transmission lines, and oil and gas harms are far exceeding those agencies claimed would occur from these new or recently expanded developments. See 2012 Yubanet article on failures of Wyoming Core Model in the Powder River Basin.			
98.	Is BLM just using public lands to fuel energy developer speculation schemes and exploration disturbance - and promoting the parties obtaining leases potentially bilking investors? Or is there a real threat of Oil and Gas? Detailed mapping of oil and gas leases, geothermal leases, wind and solar rights-of-ways and other leases/rows must be provided, so these questions can be answered. So must a map of mine claims.	All	BLM	emc0411GB
99.	It is essential that all ongoing activities, all leases /ROWs already issued - all get reviewed, altered, changed, amended and/or terminated where conflicts are identified with habitats in the interim and immediately upon completion of this process. Existing leases, rights-of-way, etc. must be immediately amended to at least comply with the terms of IMs that must be greatly strengthened and that should not be based on segregating habitat. This can be readily done. Simply overlay the land records of leases, rights-of-way, grazing permits, etc. with mapped habitats, and inform the lease/permit holder of new protective provisions.	All	Both	emc0411GB
100.	Road BMPs includes: Restrict traffic to only "authorized users" on new roads. This effectively privatizes the road and the public lands to benefit developers. It cuts off public access to public lands - so that the public cannot see what industry is doing to them and to sage-grouse habitats. This would allow wind developers, oil and gas and other interests to cut off public access to sites. It would give priority to users who profit from public lands - at the expense of the public. We note that the China Mountain DEIS contained just such a provision to block public access, and prevent the public from seeing the environmental damage (and avian and bat mortality) that development and operation of industrial wind facilities causes. This benefits developers who don't want the public to report dead golden eagles or dead sage-grouse killed by industrial wind or other energy facilities. Plus public lands ranchers who are abusing public lands have long sought to restrict public access (albeit at the same time that the rural county they are in is claiming every goat trail as an RS 2477 right of way). There is not even a requirement that an equal number of roads to those being built must be closed - for example. All these same old standard BLM BMPs do is to enable more disturbance to tear apart a landscape. There is no requirement for removal of existing disturbances from higher quality or other important habitats. Closing and rehabbing "duplicate" roads only does not reduce road density.	All	BLM	emc0411GB
101.	BLM states: "Apply a phased development approach with concurrent reclamation." Sagebrush ecosystems recover very slowly from disturbances. See Baker 2006, Baker 2011 in Knick and Connelly eds. Studies in Avian Biology. So in reality this	All	BLM	emc0411GB

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	measure is not likely to really have any positive effect in time to make much, if any, difference to the local sage-grouse population. We are seeing this placed in documents supporting industrial wind development too. For example, the China Mountain Wind EIS alternative where "phased" development would result in bulldozing, then rehabbing, then tearing up rehabbed lands again, as the next phase is built. And this "rip it up, re-seed, rip it up again" Phased Development action was claimed to be "mitigation" as part of a segmented Phase In the project approach. "Adaptive management" was also to be part of it, as BLM claimed it would "learn" from the first wave of phased development. This was put forth apparently so that a false analysis could claim that a Phased in project might have less impact.			
102.	BLM states that disturbance from motion [and reflections?] of industrial energy or other structures is a concern. BLM proposes to "design or site permanent structures that create movement ..to minimize disturbance to grouse." What other activities besides fluid mineral on public lands result in "movement"? What about low level military overflights? Startle effects? This is often coupled with sudden onset of loud noises. Why is there no section of this report to address the very loud noises and visual impacts of military training activities that occur across vast areas of Idaho, Oregon, Nevada, Utah and portions of other western states - with flights down to 100 ft, AGL (above ground level).	All	BLM	emc0411GB
103.	BLM merely lists washing vehicles to limit invasive species, a standard practice for decades now. BLM ignores integrated weed management actions like removing livestock disturbance that spreads weeds crosscountry affecting a landscape much beyond the bulldozed disturbance area weed infestation footprint of a typical energy project and its associated roading and other disturbances.	All	BLM	emc0411GB
104.	This section also includes: "restrict the construction of tall facilities and fences to the minimum number and amount needed." How is the "minimum number needed" to be determined? Developers will always ask for whatever makes their development the most profitable - i.e. maximizes profits. Why isn't BLM requiring removal of livestock grazing to minimize weed spread, mesopredators, etc.ad to enhance rehab success and prevent added disturbance of native species in the footprint of development and surrounding lands? BLM must avoid placing development in undisturbed sagebrush lands and habitats in the first place must be the first consideration. Why isn't there a requirement that livestock and other fencing be removed - if new fencing is to be added? What about nearly invisible electric fence wires - used by the Forest and at times BLM? We have seen these imposed under Categorical Exclusions on a temporary basis as band-aids that also serve to intensify livestock use in all mesic areas that are not within the fence perimeter. These must prohibited. As an example, in Challis BLM sage-grouse lands in the Pahsimeroi, Decisions have been issued allowing locations of such fencing to be shifted all over the place as a transitory band-aid so that BLM can claim "improvement" or "progress" toward rangeland health standards in small temporarily fenced off areas. Such fencing intensifies impacts in unfenced areas.	All	BLM	emc0411GB
105.	Why is there no discussion about protecting flows of all springs, seeps and streams affected by energy and mining activity? For example, cyanide heap leach mining causes aquifer declines and aquifer drawdown of springs/streams. Water sources critical for wildlife may be severely altered by mining activity, and watershed by associated surface disturbance. These systems in arid western lands are typically already under significant stress from degradation by ubiquitously grazed livestock, and livestock water developments that remove water from spring sources to promote livestock use, as well as gouge stock ponds in springs or drainages. See Sada et al. BLM Technical Bulletin 2003. This alters and disrupt drainage networks, flow patterns, and extent of riparian and meadow habitats. There is serious risk of declines in water levels or	All	Both	emc0411GB

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	cessation of flows altogether due to combined effects of mining, roading, grazing disturbances - all serving to desertify landscapes. Why are there no protections for such threats, especially given the breakneck speed of mining development in already fragmented areas of Nevada and other western states?			
106.	Road construction related to energy development is a primary impact on sage grouse habitat from habitat fragmentation and direct disturbance perspectives. Rowland et al. (2006) modeled sage grouse distribution, and reached the following conclusions: "The secondary road network is a highly significant factor influencing processes in this landscape and is being developed and expanded rapidly across much of the WBEA (Thomson et al. 2005). Secondary roads are being built as part of the infrastructure to support non-renewable energy extraction (Chapters 2, 4). For example, within the Jonah Field in the Upper Green River Valley, >95% of the area had road densities >2 mi/mi2 (Thomson et al. 2005)." p. 5-10. Furthermore, "The dominant feature affecting output of the sage-grouse disturbance model was secondary roads, which occupy nearly 8% of the study area (Table 5.2) and are presumed to negatively influence an even larger extent." Pp. 6-15 through 16. Holloran (2005) found significant impacts of road traffic on sage grouse habitat use, concluding that habitat effectiveness declined in areas adjacent to roads with increasing vehicle traffic, documenting the secondary effect referenced by Rowland et al.	All	Both	emc0343GB
107.	Areas of low biological value and low energy potential (19% of eastern range, Fig. 3) represent low conflict opportunities for sage-grouse. Our analyses document the importance of these areas in maintaining connectivity to high value core regions in Montana (Fig. 3). Core regions with low biological value and low energy potential will be important in this regard, with restoration being one of the key strategies … So this appears to be sacrificing areas important for connectivity if the habitat has high energy potential. How is "low biological value" being determined? By only relying on sage-grouse? Needs of a whole suite of other species may be minimized. See, for example, ICBEMP Wisdom Terrestrial Vertebrate analyses (2002) and species groups/suites. Agencies must apply integrated conservation planning, and not sacrifice other habitats, or displace damaging grazing like grazing into other habitats that are important for other rare or declining species.	All	Both	emc0411GB
108.	As a person who has spent time in the prairie lands of the west, I have been appalled at the wholesale habitat destruction that has already occurred from land uses by absentee landlords for energy development and lifestock overgrazing. One is hard-pressed to find any semblance of what the western prairies once looked like. Time to stop this land MIS-MANAGEMENT before we lose more than just the poor Sage-Grouse	All	Both	fla0005gb
109.	In my area the PSE Wild Horse Wind Farm near Ellensburg WA is an example of an energy facility built with restoring Sage Brush Steppe in mind. I suggest you look at that facilities habitat restoration activities.	All	Both	fla0012gb
110.	Unfortunately, the Greater Sage Grouse has fallen victim to that same westward expansion, but the culprits aren't really hunters--it's over development, be it housing or over grazing or the new pandemic-- gas & oil development.	All	Both	emc0182rm
111.	Only by requiring the strongest protective measures when considering new development proposals in sage-grouse habitat will you be able to ensure survival of this spectacular species. To that end, I ask that you require the following conservation measures in the relevant Resource Management Plans and Land Management Plans.- No new leasing of non-renewable energy resources within priority sage-grouse habitat.	All	Both	flb0000gb
112.	The planning process must address all degrading land uses in sage-grouse habitat, such as energy development and livestock grazing, and management standards must be based on the best available science. Federal planners must ensure that all	All	Both	flc0000gb

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	planning documents make the same prescriptions for land uses across sage-grouse range.			
113.	They have such specific requirements for habitat. Plowing through to put up power lines and roads will destroy the survival this charming and worthy species.	All	Both	fla0066gb
114.	As a person who has spent time in the prairie lands of the west, I have been appalled at the wholesale habitat destruction that has already occurred from land uses by absentee landlords for energy development and lifestock overgrazing! One is hard-pressed to find any semblance of what the western prairies once looked like. Time to stop this land MIS-MANAGEMENT before we lose more than just the poor Sage-Grouse	All	Both	fla0005GB
115.	Garfield County's concerns, more simply put, are that BLM's potential implementation of Conservation Measures from the GSGCM report are not warranted in Colorado, and such an approach would result in a virtual moratorium on energy development severely impacting the economy of the County and northwest Colorado, further exacerbating an already economically depressed and challenged area. NOTE: This comment includes Table 3: Impacts to Lease Sections in Garfield County	CO	BLM	emc0058RM
116.	The County recommends the BLM to continue supporting the primary goal it has already agreed to implement in the CPW Conservation Plan which is to "Maintain a viable population for GSG while developing energy & mineral resources" which is to be implemented by actions such as Investigate opportunities and provide incentives to promote cluster development in key GSG habitats. Cluster the development of roads, pipelines, electric lines, and other facilities, and use existing, combined corridors where possible." (See page 87 to 93 in the CPW Conservation Plan for the comprehensive set of goals, objectives, and actions relating to the energy industry and mineral development.)	CO	Both	emc0058RM
117.	As discussed above, North Park has a very stable sage-grouse population. Anthropogenic land uses have occurred on the BLM in the past and we have been able to maintain a healthy sagegrouse population. We have had oil and gas development (e.g. the McCallum Oil Field), strip mining, gravel pits, power lines and limited amount of road development. Sage-grouse are present even though there has been historical anthropogenic disturbance. We are requesting that analyses be conducted to show how the current BLM regulations are not adequate to maintain sage-grouse in North Park. We recommend that the BLM analyze disturbance through time, possibly through historic aerial photographs, in conjunction with historical sage-grouse population data to determine the historical amount of anthropogenic disturbance in North Park that has been consistent with the maintenance of a stable sage-grouse population.	CO	BLM	emc0060RM
118.	The lack of energy development in Middle Park has been beneficial to sustaining our current sage-grouse population levels. To sustain the Middle Park population the working group supports the NTT report recommendation of no leasing within PPH areas for the Middle Park population. The Middle Park population is the third largest in the state of Colorado after Northwest and North Park populations. These 3 populations account for 93% of the males counted. Of the three largest populations Middle Park is the only population that does not currently have any energy development activity. There are limited leases in Middle Park but at this point most of the lease sales have been deferred until the completion of the BLM Kremmling Field Office Resource Management Plan. The MPSGWG strongly encourages protection of the Middle Park population from future lease sales to assure that the Middle Park population is not further threatened by energy development. The EIS should include an analysis of the NTT recommendations in reference to Mineral Development as	CO	Both	emc0063RM

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	stated on pg 21 last paragraph of the NTT report and use the most current research to guide BLM in their planning. The CCP GrSG Disturbance Guidelines are attached in Appendix II as a reference for BLM to utilize while addressing the issues identified in this letter.			
119.	I think that the community should also be able to have an analysis of the impacts of predation and hunting on the sustainability of the Sage Grouse population in Jackson County.	CO	Both	emc0077RM
120.	The Meeker/White River and Parachute Piceance/Roan populations (Colorado Plateau MZ) are in the Uintah-Piceance geologic basin. These populations are small and isolated, and are threatened by demographic, genetic and environmental stochasticity due to small size and isolation. In addition, these populations are threatened by a suite of deterministic threats, including: housing and energy development, predation, disease, and conifer invasion. Based on projected habitat impacts (particularly energy development) under current management prescriptions, the FWS believes that all of the populations in the Colorado Plateau MZ will be reduced in size and isolated in the future.	CO	BLM	emc0070RM
121.	Because energy development is a leading concern in the eastern/Rocky Mountain region, the BLM needs to direct development to areas which have low conflicts with greater sage-grouse conservation in all alternatives. All alternatives should identify and map priority habitat that will be set-aside from development or protected via stringent and enduring management protections that meet the goal of maintaining and enhancing populations in these areas.	CO	BLM	emc0070RM
122.	In addition, each plan should preserve options to set areas that are currently subject to valid existing rights, but not intensively developed, aside from future development. All alternatives should include this provision in areas of contiguous priority habitat that have not yet been intensively developed. For example, all alternatives in each plan should specify that, when valid existing rights in contiguous priority habitat areas that are not intensely developed, expire (e.g. existing oil and gas leases), these areas will be set-aside from future development. This is especially important in areas where a substantial proportion of the priority habitat is under valid existing rights.	CO	BLM	emc0070RM
123.	Therefore, in order to maximize conservation benefit given other competing values, we recommend protective management of preliminary priority habitat delineated by Colorado Parks and Wildlife, along with designation of ACECs informed by the following additional criteria: Prioritize ACEC designation in relatively large contiguous areas that are: 1) within areas of high biological value, 2) currently undeveloped, and 3) unencumbered by valid existing rights, and/or have low potential for development (e.g., low wind or oil and gas potential)33. These areas where high biological value intersects with low energy development potential identify low conflict areas on which to immediately focus ACEC designation.	CO	BLM	emc0070RM
124.	Therefore, in order to maximize conservation benefit given other competing values, we recommend protective management of preliminary priority habitat delineated by Colorado Parks and Wildlife, along with designation of ACECs informed by the following additional criteria: Consider ACEC designation in high biological value areas that, although encumbered by valid existing rights, are not yet developed. This may be particularly feasible where actual development potential is low despite the existence of valid existing rights (e.g., due to speculative leasing in areas of low energy potential). It may also be feasible in areas where other constraints (e.g., lack of infrastructure, other resource conflicts) will make development relatively difficult and costly. Management of ACECs designated in such areas could include aggressive pursuit of available tools to increase the amount of protected habitat, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts. This is	CO	BLM	emc0070RM

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	important, as Doherty et. al. (2011) found that 1/3 of the 25% core areas have been leased for oil and gas development. Further, 44% of areas with high biological value are at risk for energy development.34			
125.	CPW believes the following range-wide threats pose the greatest risk to greater sage-grouse populations and their habitats (not in order of risk): Energy development and associated infrastructure have the potential to directly and indirectly negatively impact sage-grouse across the entire PPH area. Currently, these activities pose the largest risk in the Northwest Colorado, Piceance-Parachute-Roan (PPR), and North Park sage-grouse populations.	CO	Both	emc0072RM
126.	CPW is unclear how unanticipated future activities will be addressed in the PRMP? For instance, recent technological advances which allow for the exploration and recovery of fluid minerals from previously uneconomic oil and gas fields and/or geologic formations may result in unanticipated development in areas not previously considered economic. Undeveloped uranium mining in the Middle Park PPH may have a negative impact on Middle Park habitat conditions and populations. Solar, wind, biomass and geothermal resources should be fully explored in the context of threats and potential impacts to greater sage-grouse. CPW requests that BLM/USFS provide a robust investigation of future alternative energy development potentials and their resultant impacts.	CO	Both	emc0072RM
127.	Energy development on private land is also a potential off-property direct and indirect threat/impact. Several large coal mines are also operating in NW Colorado on privately owned land.	CO	Both	emc0072RM
128.	BLM should confirm that approval decisions related to federal minerals beneath private or state surface will not be conditioned with any proposed conservation measures or restrictions to protect the sage-grouse or its habitat. The Sage-Grouse NOI states that " [l]ands addressed in the RMP and LMP amendments/revisions will be public lands (including surface-estate split estate lands) managed by the BLM, and National Forest System lands, respectively, in greater sage-grouse habitats. Any decisions as to the RMP and LMP amendments/revisions will apply only to Federal lands administered by either the BLM or the FS." 76 Fed. Reg. at nOll. Based on this statement, Oxy understands that BLM will not be evaluating in the EIS/amendments to the RMPs, split estate lands in which BLM owns the minerals and a private surface owner or the State of Colorado owns the surface. Oxy agrees with such an approach. Specifically, Oxy respe ct fully requests that BLM confirm in any future NEPA documents, including any draft EISs, Final EISs and Records of Decision ("RODs"), and any revised or amended RMPs that approvals by BLM (including but not limited to Applications for Permits to Drill ("APDs")) for federal minerals beneath private or state surface will not be conditioned with any proposed conservation measures or restrictions to protect the sage-grouse.	CO	BLM	rmc0021RM
129.	The Nevada, Idaho, Utah, California, Oregon, Colorado sage-grouse habitats identified as "Priority" and "General" and Non Habitat must be overlaid on current lease and claim mapping. This is part of understanding what an area's RFDS might be.	CO	Both	emc0411GB
130.	As a North Park resident I believe that the BLM should curtail further oil and gas exploration and cease issuing permits on Federal lands in the North Park area. The existing wells and concomitant infrastructure should be used to help determine the extent of the depredation to the Greater Sage Grouse caused by the extractive industries. If it turns out that the impact is limited the BLM can always start leasing again.	CO	BLM	emc0183RM
131.	Because energy development is a leading concern in the eastern/Rocky Mountain region, the BLM and FS need to direct development to areas with low conflicts with greater sage-grouse conservation in all alternatives. All alternatives should identify and map priority habitat that will be set-aside from development or protected via stringent and enduring	East	Both	emc0089RM

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	management protections that meet the goal of maintaining and enhancing populations in these areas.			
132.	Therefore, in order to maximize conservation benefit given other competing values, we recommend protective management of priority habitat (which should include enough habitat to conserve at least 80-90% of the existing population), along with designation of ACECs informed by the following additional criteria: Prioritize ACEC designation in relatively large contiguous areas that are: 1) within areas of high biological value, 2) currently undeveloped, and 3) unencumbered by valid existing rights, and/or have low potential for development (e.g., low wind or oil and gas potential)17. These areas where high biological value intersects with low energy development potential identify low conflict areas on which to immediately focus ACEC designation.	East	Both	emc0089RM
133.	Therefore, in order to maximize conservation benefit given other competing values, we recommend protective management of priority habitat (which should include enough habitat to conserve at least 80-90% of the existing population), along with designation of ACECs informed by the following additional criteria: Consider ACEC designation in high biological value areas that, although encumbered by valid existing rights, are not yet developed. This may be particularly feasible where actual development potential is low despite the existence of valid existing rights (e.g., due to speculative leasing in areas of low energy potential). It may also be feasible in areas where other constraints (e.g., lack of infrastructure, other resource conflicts) will make development relatively difficult and costly. Management of ACECs designated in such areas could include aggressive pursuit of available tools to increase the amount of protected habitat, including fluid mineral lease retirements, voluntary grazing permit retirement (where beneficial), mineral withdrawal, coal unsuitability findings, and mineral claim buyouts. This is important, as Doherty et. al. (2011) found that 1/3 of the 25% core areas have been leased for oil and gas development. Further, 44% of areas with high biological value are at risk for energy development18.	East	Both	emc0089RM
134.	i. Lander, WY RMP Alternative B also requires anti-perching devices to be installed on all new overhead powerlines in greater sage-grouse, white-tailed prairie dog, mountain plover, and pygmy rabbit habitats to reduce predation from raptors. In addition, the BLM will work with ROW holders to identify conflict areas and get anti-perching devices installed on existing overhead powerlines in these same habitats. (DEIS 882) Because approximately 74-80% of sage-grouse females nest within 4 miles of leks (Moynahan 2004, Holloran and Anderson 2005), this measure may help to reduce predation pressures on nesting and foraging grouse. We recommend the use of deterrent devices on H-frame structures because recent research indicates they are effective tools in reducing perch use of such structures (Lammers and Collopy 2007, Slater and Smith 2010). The BLM and FS should consider not only anti-perching devices to reduce raptor predation on grouse, but also measures (not included in the Lander RMP) that would reduce conditions (e.g., nest substrates and anthropogenic attractants) that enhance local raven populations, to reduce potential raven predation on sage-grouse nests. Energy development in undeveloped sagebrush areas has been shown to facilitate increases in the abundance of breeding ravens, with concomitant negative effects on nest survival of sage-grouse (Bui et al. 2010, Coates and Delehanty 2010). Raven predation on grouse nests may have a significantly adverse impact on local grouse populations (Coates 2007). BLM and FS should recommend that any newly permitted permanent, highprofile structures will be outfitted with raven deterrents.	East	Both	emc0089RM
135.	Energy development was identified as the most significant extinction risk to the greater sage-grouse in the eastern portion of its range. Fossil fuel energy development includes exploration and drilling for oil, gas, and coal-bed methane, and	East	Both	emc0167RM

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	associated activities including road construction and use, seismic surveys, pipeline corridors, and powerlines. Such activities can result in direct habitat loss, fragmentation of important habitat, noise disturbance, and direct mortality to sage-grouse. Indirect effects may also include gaseous emissions, changes in water availability and quality, and human presence. The amount of direct habitat loss from the activity's footprint - attributable generally to well pads, roads, pipelines, powerlines, and crushing of vegetation during seismic surveys - ultimately depends upon well densities and associated losses from ancillary facilities. Impacts are often felt well beyond the life of the activity, as roads associated with energy development are often used well after the termination of drilling and production. Scientists have identified several impacts to sage-grouse and sagebrush habitat resulting from oil and gas development. On page 18, the NTT Report lists primary potential risks to sage-grouse from energy development as: • Direct disturbance, displacement, or mortality of grouse • Direct loss of habitat, or loss of effective habitat through fragmentation and reduced habitat patch-size and quality • Cumulative landscape-level impacts (Bergquist et al. 2007) The NTT Report goes on to summarize that a robust body of scientific literature agrees that "surface-disturbing energy or mineral development within priority sage-grouse habitats is not consistent with a goal to maintain or increase populations or distribution." (p.19) In fact, no single published scientific report demonstrates a positive influence of development on sage-grouse populations or habitats. "Breeding populations are severely reduced at well pad densities commonly permitted (Holloran 2005, Walker et al. 2007a). Magnitude of losses varies from one field to another, but findings suggest that impacts are universally negative and typically severe." (p.19)			
136.	Besides habitat fragmentation, other challenges to sage grouse conservation persist. Some threats are indirect effects from the mechanisms that create habitat fragmentation. For example, noise from drilling and associated activities can drive sage-grouse from the area, can cause physiological stress, and moreover may interfere with auditory cues and communication between individual birds. As the NTT Report points out, a recently completed research study in Wyoming revealed that noise from natural gas drilling and roads resulted in a 29 percent and 73 percent decline respectively in male peak attendance at leks relative to paired controls, and that declines were immediate and sustained throughout the experiment with low statistical support for a cumulative effect of noise over time.	East	Both	emc0167RM
137.	Mineral development, with associated infrastructure, thus poses a serious threat to protecting sage-grouse. Due to the profound aforementioned effects that energy development has on sage-grouse viability, GYC concurs with the NTT's strategy for future conservation. In order to maintain or increase sage-grouse distribution and abundance, land managers must "exclude energy development and other large scale disturbances from priority habitats, and where valid existing rights exist, minimize those impacts by keeping disturbances to 1 per section with direct surface disturbance impacts held to 3% of the area or less." (NTT, p. 21)	East	Both	emc0167RM
138.	H. BLM and the Forest Service Must Manage Energy Corridors in a Way That Minimizes Effects to Sage-Grouse Energy corridors create a unique set of circumstances because they are linear and will likely cross boundaries determined as priority sage-grouse habitat as well as habitats occupied or suitable for sage-grouse. The agencies must develop and use consistent criteria and management guidelines to locate or site energy corridors, and must operate and maintain new and existing facilities within energy corridors in a manner that minimizes impacts to sage-grouse and sagebrush habitat. These corridors often cross jurisdictional boundaries and thus federal oversight and cooperation between states is necessary. The NTT recommends making exclusion areas in priority sage-grouse habitat for new right-of-way permits, and we support that	East	Both	emc0167RM

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Comment No.	Comment	SubRegion ID	Agency	CmtLtrCode
	approach. Any exceptions to that measure should be limited and only necessary when valid, existing rights are in play. Although we are not entirely opposed to allowing new rights-of-way co-located with existing rights-of-way, we would add that the project should only be permitted if human access to the project is maintained within existing disturbance areas, and that all project impacts are limited to minimize impacts to nearby sage-grouse, including limiting noise, dust, or other pollution. In regard to allowing 3 percent disturbance, we are concerned that this exception would not adequately address habitat fragmentation issues. We support the measures to remove or bury existing power lines within priority sage-grouse habitat and reclaiming right-of-way sites no longer in use. We also support the measures for general sage-grouse habitat areas.			
139.	In the East where agencies say energy is the big threat to sage-grouse, important habitats in Oil and Gas were mapped away with the Core and Sacrifice habitat model. Plus the core scheme allows largescale intrusions by linear features, by transmission lines, by oil and gas wells at a "lower" density - all imposed on top of all the existing disturbances of grazing, roading, and existing energy development. Since many of the energy disturbances are well pads, pipelines, etc. – and linear or somewhat limited land disturbances, this diversionary tactic Core/Triage/Sacrifice tactic allows very significant development to continue. And the Footprint of the types of development that could occur – say an upgraded oil rig access road, or gas pipeline, or wind farm are large and extend over a vast land area. Roads = weed spread, noise, collision mortality. Wind = Visual intrusion over many square miles, noise over vast areas from turbines and roads, increased predation from powerline perches. Again here the powerline gets written off as disturbing "minimal" ground area. Example: China Mountain DEIS and Gateway West DEIS claims of disturbance when applied to mitigation.	East	Both	emc0411GB
140.	Address Impacts of Development: Industrial development, whether for fossil fuels or renewable sources, has habitat impacts. BLM should recognize the research demonstrating impacts from roads, noise, infrastructure, and increased predator access, and protect priority sage-grouse habitat accordingly.	GB	Both	emc0355GB
141.	It is critical that BLM take progressive steps to protect habitat from fragmentation and highlevel disturbance. The NTT report states: Existing and proposed developments for ROWs (such as powerlines, pipelines, and renewable energy projects) and access to various mineral claims or energy development locations have the potential to cause habitat loss and fragmentation that decreases habitat and population connectivity. (page 12) Because of these real threats associated with new energy development and transmission, BLM should adopt stringent guidelines regarding energy facility siting, that include large bufferzones around leks for associated nesting and early brood-rearing habitat, seasonal restrictions, advanced mitigation when development does occur, and no-development areas in priority habitat. In Wyoming, wind energy development is prohibited from core sage-grouse habitats. The 2010 Instruction Memorandum (No. WY-2010- 012), recommends Wyoming BLM Field Offices identify areas not available for energy development (including oil, gas, and wind) and leasing, and defer leasing when a lease expires; this should be incorporated into RMP modifications. This practice should be adopted range-wide to prevent anthropogenic disturbance in sagegrouse habitat. Summary: Industrial development, whether for fossil fuels or renewable sources, has habitat impacts. BLM should recognize the research demonstrating impacts from roads, noise, infrastructure,	GB	Both	emc0355GB
142.	As an example of peripheral damage referenced above please consider the following. When limitations regarding siting of power infrastructure disallow the use of public lands for infrastructure, the path of least resistance becomes private	GB	Both	emc0384GB

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	property. Energy companies are then forced to approach the FERC or State authorizing bodies to ask for the right of eminent domain for passage of their power lines or pipelines. This creates a terrible hardship on the private property owners who may not be compensated for anywhere near the value of the land they have lost.			
143.	The Nevada, Idaho, Utah, California, Oregon, Colorado sage-grouse habitats identified as "Priority" and "General" and Non Habitat must be overlaid on current lease and claim mapping. This is part of understanding what an area's RFDS might be.	GB	Both	emc0411GB
144.	New risk factors include: -Energy development and transmission infrastructure	IDMT	Both	rmc0028GB
145.	The BLM list of proposed Agency Plan amendments omits several key components of Land Use Plans and management activities conducted by federal agencies that must also be considered in this process. These include:Energy or other rights-of-way for Wind MET towers and any other energy devices or activities including oil and gas pipelines. Renewable energy and oil and gas development are not even listed. Communication towers, and other tall structures or developments are omitted. Such intrusions can have a huge Footprint ncluding visual, access roads, etc. Water pipelines and rights-of-way are not listed. This includes irrigation diversions that remove water from streams, ditches, and aquifer mining proposals like the Southern Nevada Water Authority's massive proposed pipeline for removal/mining and export of ground water from desert aquifers. The SNWA aquifer mining pipeline, for example, has a host of ancillary disturbance facilities associated with it. Right now in Idaho and Nevada, immense communications towers are being proposed. In Idaho, a tower over 700 ft. tall would be placed in wintering habitat for a very small and declining population of sage-grouse also threatened by wind energy development.	IDMT	Both	emc0411GB
146.	The history of the Northern Plains Resource Council shows that some farmers and ranchers are even willing to protect their land from energy development. If the oil boom is the greatest threat to sage grouse, then anything that encourages ranches to sell out must also be acknowledged as a threat.	MT-RM	Both	emc0013RM
147.	We agree with the state wildlife agencies that a buffer preventing energy development within 4 miles of active leks is preferred to protect as many nests as possible. The latest assessment suggests that Keystone is likely to implement a 3-mile buffer instead. We recommend that this not be permitted on BLM lands within sage-grouse core areas.	MT-RM	Both	emc0034RM
148.	On the other hand, the oil and gas companies have a documented history of destroying/raping our lands with chemicals that are polluting our lands, waters and air. It is beyond the scope of this letter to detail all of the findings of the land abuse these companies have hurled on Americans in recent years, however, if you do require details, I'll be delighted to oblige you with a list/document.	NVCA	Both	emc0019GB
149.	NV Energy also expresses concern over language not allowing human disturbance to exceed 2.5% of the species' total habitat "regardless of surface ownership." Is it the federal agencies intent to regulate those proposed actions that are solely on private land? If so, where does this authority come from? NV Energy's concern is that the regulation of private lands may impede the development of high priority energy projects which in turn impacts Nevada rate payers.	NVCA	Both	emc0198GB
150.	The BLM list of proposed Agency Plan amendments omits several key components of Land Use Plans and management activities conducted by federal agencies that must also be considered in this process. These include:Energy or other rights-of-way for Wind MET towers and any other energy devices or activities including oil and gas pipelines. Renewable energy and oil and gas development are not even listed. Communication towers, and other tall structures or developments	NVCA	Both	emc0411GB

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Comments Related to General Energy Development

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	are omitted. Such intrusions can have a huge Footprint ncluding visual, access roads, etc. Water pipelines and rights-of-way are not listed. This includes irrigation diversions that remove water from streams, ditches, and aquifer mining proposals like the Southern Nevada Water Authority's massive proposed pipeline for removal/mining and export of ground water from desert aquifers. The SNWA aquifer mining pipeline, for example, has a host of ancillary disturbance facilities associated with it. Right now in Idaho and Nevada, immense communications towers are being proposed. In Idaho, a tower over 700 ft. tall would be placed in wintering habitat for a very small and declining population of sage-grouse also threatened by wind energy development.			
151.	I have grave concerns about the rush of energy development on our high desert country in Oregon.	OR	Both	emc0107GB
152.	Finally, the BLM must consider the provisions of Utah's Senate Bill 83, passed during the 2012 General Session of the Utah Legislature, which established an Energy Zone for portions of Duehesne, Uintah and Daggett Counties, while also providing that a state sage grouse plan may be created and implemented.	UT	Both	emc0337GB
153.	The County's energy zone should be protected for extractive activities and the highest and best habitat should be protected for sustainable sage-grouse populations within the county.	UT	Both	emc0376GB
154.	In Utah, the Alton Coal Project has already eliminated a sage-grouse lek, and may destroy remaining habitat in the vicinity as the development expands greatly across BLM land.	UT	Both	fld0010rm, fld0010gb
155.	i. Lander, WY RMP Alternative B also requires anti-perching devices to be installed on all new overhead powerlines in greater sage-grouse, white-tailed prairie dog, mountain plover, and pygmy rabbit habitats to reduce predation from raptors. In addition, the BLM will work with ROW holders to identify conflict areas and get anti-perching devices installed on existing overhead powerlines in these same habitats. (DEIS 882) Because approximately 74-80% of sage-grouse females nest within 4 miles of leks (Moynahan 2004, Holloran and Anderson 2005), this measure may help to reduce predation pressures on nesting and foraging grouse. We recommend the use of deterrent devices on H-frame structures because recent research indicates they are effective tools in reducing perch use of such structures (Lammers and Collopy 2007, Slater and Smith 2010). The BLM and FS should consider not only anti-perching devices to reduce raptor predation on grouse, but also measures (not included in the Lander RMP) that would reduce conditions (e.g., nest substrates and anthropogenic attractants) that enhance local raven populations, to reduce potential raven predation on sage-grouse nests. Energy development in undeveloped sagebrush areas has been shown to facilitate increases in the abundance of breeding ravens, with concomitant negative effects on nest survival of sage-grouse (Bui et al. 2010, Coates and Delehanty 2010). Raven predation on grouse nests may have a significantly adverse impact on local grouse populations (Coates 2007). BLM and FS should recommend that any newly permitted permanent, highprofile structures will be outfitted with raven deterrents.	WY	Both	emc0089RM
156.	BLM is well aware of the dire status of sage grouse in the West and of the extensive devastating impacts to sage grouse habitat and populations caused by BLM permitting in the Powder River Basin. The most recent study by the University of Montana for the Buffalo Field Office on the population viability of sage grouse in the Powder River Basin is a strong evidence of how quickly uncontrolled permitting and development of federal minerals can result in the destruction and decline of critical sage grouse habitat and the species. BLM must heed the results of that study and implement additional actions and steps to conserve, protect and restore sagebrush habitat now.	WY	BLM	emc0129RM

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157.	BLM must implement policies to protect sage-grouse habitat on private split estate lands rather than permit BLM oil and gas drilling underlying important sagebrush habitat on private lands. BLM must also recognize that much of the sagebrush habitat that has been and is being eliminated and impacted in the Powder River Basin and Wyoming is from BLM permitted mineral development underlying private lands. BLM cannot simply ignore the impacts their permitting actions cause to millions of acres of sage grouse habitat by permitting mineral activity underlying millions of acres on private split estate surface that provides sage grouse habitat. BLM must implement measures to protect sage grouse habitat on all lands that they impact by their own permitting activity regarding BLM authorized mineral development. BLM must also restrict leasing of oil and gas and coal resources in high quality sage grouse habitat, regardless of surface ownership.	WY	BLM	emc0129RM
158.	BLM must require increased bonding for reclamation and implement more timely reclamation requirements to restore sagebrush habitat BLM has failed to hold oil and gas operators to a higher standard when it comes to requiring timely reclamation and establishing adequate bonding to ensure that reclamation. Landowners in Wyoming have BLM permitted oil and gas wells from 20 and 30 years ago that are still not reclaimed and restored. BLM has permitted thousands of CBM wells and associated infrastructure in the Powder River Basin that is now sitting idle and has not been reclaimed. BLM allows operators to let an oil and gas well and infrastructure remain idle with no reclamation for 7 years before any initial action is taken. What is BLM doing to ensure more timely reclamation and increase bonding to ensure reclamation? How is BLM prioritizing reclamation of sage grouse habitat, ensuring an appropriate seed mix, vegetation cover and density requirements, and reestablishment of brush vegetation communities? The recent sage grouse viability study conducted for the Buffalo Field Office emphasized the fact that sage grouse populations will not rebound or maintain viability unless habitat is restored. What plans does BLM have or what policies is BLM implementing to ensure and increase reclamation?	WY	BLM	emc0129RM
159.	In the EIS, BLM must fully disclose a comprehensive reasonably foreseeable development scenario that will allow the agency to analyze cumulative impacts. This analysis must include not only foreseeable extractive mineral development (resulting from past, present, and future leasing or mineral locating) but also the possibility of large industrial facilities such as processing facilities, refineries, coal fired-power plants, electrical substations and other transmission infrastructure, carbon sequestration facilities, wind energy, natural gas plants, pipelines, and a host of other activities on or near BLM lands. BLM should also consider non-BLM authorized activity and climatic impacts, such as drought, fire, and climate change. BLM's cumulative impacts analysis should not take place in a vacuum and must completely acknowledge the variety of threats facing sage-grouse populations throughout Wyoming. After this reasonably foreseeable development scenario disclosure, BLM must then take each alternative and disclose the incremental effects or benefits of the action in terms of reducing or increasing impacts from the foreseeable status quo. Cumulative impacts analysis is very important because cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. 40 CFR § 1508.7. In doing this analysis, BLM must consider the landscape-scale habitat needs of sage-grouse.	WY	BLM	emc0129RM
160.	15) Minimize and where possible avoid impacts of energy development and infrastructure such as transmission lines, roads, and compressor stations on sage-grouse habitat.	WY	USFS	emc0144RM
161.	Livestock grazing are important issues locally as is energy development in the Hoback Basin.	WY	USFS	emc0144RM
162.	As new science, information and data continue to emerge regarding populations, habitats and behaviors of the Greater	WY	Both	emc0167RM

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	Sage-Grouse, the state of Wyoming must continue to re-evaluate the original "core population areas" and protective stipulations for Greater Sage-Grouse. Currently, the NTT report recommends greater restrictions on land uses in priority habitat than is required under the Wyoming state strategy. With respect to oil and gas development and coal mining, we suggest the Wyoming state strategy and Wyoming BLM sage-grouse guidance incorporate management prescriptions recommended in the NTT report. Please note: from this point forward, we use the terms "priority sage-grouse habitat" and (Wyoming) "core area" interchangeably.			
163.	BCA attendance at several Sage Grouse Implementation Team meetings has shown how the Core Areas have shifted still farther from sage grouse protection than they were in their initial, badly flawed first draft. In the South-Central Local Working Group area, for example, the initial draft of Core Areas purportedly excluded only areas where existing development degraded key habitats, although many key habitats that were (and are) still virtually pristine were excluded because development was potentially planned. Then, the SGIT was instructed to revise the Core Areas, and one of the criteria was to exclude areas where development was permitted, but had not yet occurred. In the final analysis, lands were excluded where important habitats were neither extant nor permitted, but where permitting was in process but years away (such as the Chokecherry wind project), where permits had not yet been sought out were planned over the span of decades (such as APDs in the Atlantic Rim CBM project), and where mining interests were held but even the future intent to seek a permit was speculative (in the case of uranium claims). Not to mention a new coal-to-liquids plant proposal which was gerrymandered out of Core. The Sage Grouse Implementation Team plans to redraw Core Areas every 5 years, and has shown a willingness to exclude prime and pristine habitats from Core status on the basis of new industrial proposals. The result is that Core Areas have been defined simply as the lands that industry doesn't want, where threats are a remote possibility. Until the next round of industrial proposals, when heretofore "protected" lands, cause further redrawing of the boundaries. This is lunacy, not habitat management, and somebody needs to step in and fix it. That somebody, for federally owned lands and minerals, should be the BLM.	WY	Both	emc0343GB
164.	We furthermore petition the BLM and Forest Service pursuant to 5 U.S.C. § 555(e) to defer all mineral sales and leasing as well as all project-level approvals within the bounds of the more robust Core Area boundaries we have recommended in these comments. The BLM has full authority and discretion to undertake this measure under IM 2004-110 Change 1, and doing so will preserve the decision space in the Plan Amendment process and prevent permitted actions that could undermine the effectiveness of alternative sage grouse Plan Amednment management direction that will be adopted at the end of this NEPA process.	WY	Both	emc0343GB
165.	It is also of great concern that areas with impending oil and gas leases in Wyoming were often purposefully excluded from Core Area mapping. Oil and gas, geothermal leases, and wind and other rights-of-way are being gobbled up by industry and speculators across the West – including in areas that to date have had very little oil and gas or other energy development. Agencies must provide a map of all existing leases/rights-of-way – so the public and decision makers can understand the very large numbers of these leases that are held. Agencies must also provide detailed maps of additional areas where leasing is foreseeable. The same most be done for mining. This is necessary to understand the huge number of leases and claims that currently exist. In many areas of Nevada, for example, there is hardly an acre that does not have mine claims, and increasingly does not have geothermal or oil and gas leases. And we wonder - can multiple kinds of leases occur, one on top of another, in the same landscapes?	WY	Both	emc0411GB