

**Nevada and Northeastern California Greater Sage-Grouse Resource
Management Plan Amendment**

PLAN MAINTENANCE

Action #3

BLM Office: Nevada State Office and California State Office

Proposed Action/Type: Resource Management Plan Amendment Maintenance

Document Title: USDI BLM Nevada and Northeastern California Greater Sage-Grouse Resource Management Plan Amendment and Great Basin Region Record of Decision, September 2015

Existing EIS review: The Nevada and Northeastern California Greater Sage-Grouse Resource Management Plan Amendment and Great Basin Region Record of Decision, September 2015, are based on the Nevada and Northeastern California Greater Sage-Grouse Resource Management Plan Amendment Final Environmental Impact Statement (June 2015). The proposed action is administrative and is categorically excluded from further review under 43 CFR 46.205, 46.215 (extraordinary circumstances), 46.210 (f) Routine and continuing government business... having limited context and intensity, and 516 DM 11.9 J. (1) Maintaining land use plans in accordance with 43 CFR 1610.5-4.

The proposed action (plan maintenance) has been reviewed for conformance with the Nevada and Northeastern California Greater Sage-Grouse Resource Management Plan Amendment (as per 43 CFR 1610.5 and BLM MS 1601).

The overall goal of the Northeastern California Greater Sage-Grouse Resource Management Plan Amendment /ROD are to conserve, enhance, and restore the sagebrush ecosystem upon which Greater-sage Grouse populations depend in an effort to maintain and/or increase their abundance and distribution in cooperation with other conservation partners. In addition, this plan is based on the principles of adaptive management. Adaptive management is a continuing process of monitoring, research, evaluation and adjusting, as determined necessary, with the objectives of improving the implementation and achieving the goals of the RMPA/ROD. Under the concepts of adaptive management new information is evaluated and a decision is made to determine if adjustments or changes are deemed necessary.

As the BLM offices in the state of Nevada and California implement the plan amendment, it sometimes becomes necessary to make minor changes, refinements, or clarifications of the plan. Potential minor changes, refinements or clarifications in the plan may take the form of maintenance actions. Maintenance actions respond to minor data changes and incorporation of activity plans.

Maintenance actions are not considered a plan amendment and do not require the formal

public involvement and interagency coordination process undertaken for plan amendments.

I hereby approve the attached action as a Plan Maintenance Action #3 to the Nevada and Northeastern California Greater Sage-Grouse Resource Management Plan Amendment.



John F. Ruhs, Nevada State Director

30 December 2016

Date



Jerome E. Perez, California State Director

December 19, 2016.

Date

Plan Maintenance Action #3 for the
Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan
Amendment (September 2015)

Action: Replace the first paragraph of MD SSS 2 E.(PHMA) on page 2-8 and MD SSS 3 D. (GHMA) on page 2-10 of the *Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment (September 2015)* to include the following expounded language for clarity:

“Seasonal restrictions will be applied during the periods specified below to manage discretionary surface-disturbing activities and uses on public lands (i.e., anthropogenic disturbances) that are disruptive to GRSG, to prevent disturbances to GRSG during seasonal life-cycle periods.”

Rational: The current language under both of the Management Decisions reads:

“Seasonal restrictions will be applied during the period specified below to manage discretionary surface-disturbing activities and uses on public lands to prevent disturbances to GRSG during seasonal life-cycle periods:

1. In breeding habitat within 4 miles of active and pending GRSG leks from March 1 through June 30
 - a. Lek—March 1 to May 15
 - b. Lek hourly restrictions—6 p.m. to 9 a.m.
 - c. Nesting—April 1 to June 30
2. Brood-rearing habitat from May 15 to September 15
 - a. Early—May 15 to June 15
 - b. Late—June 15 to September 15
3. Winter habitat from November 1 to February 28

The seasonal dates may be modified due to documented local variations (e.g., higher/lower elevations) or annual climatic fluctuations (e.g., early/late spring, long/heavy winter), in coordination with NDOW and CDFW, on order to better protect GRSG and its habitat.”

The language in the first paragraph has caused confusion during the consideration of GRSG implementation activities in the District and Field Offices. The Nevada and California State Offices have encountered questions about whether the language could be interpreted to mean that BLM will need to apply seasonal timing restrictions for all “uses on public lands” that BLM authorizes in PHMA and GHMA, not just surface-disturbing activities (anthropogenic disturbances) or activities disruptive to GRSG, as intended.

By clarifying the language in the first paragraph, this change provides a clearer definition for “discretionary surface-disturbing activities and uses on public lands,” and would allow the BLM (in coordination with NDOW and CDFW) to determine if the activity will, in fact, be disruptive to GRSG (this information shall also be conveyed in the project’s NEPA analysis, project record,

and/or correspondence from NDOW and/or CDFW). This language unambiguously presents the intent of the Nevada and Northeastern California GRSG Plan Amendment so as to avoid misinterpretation.

Please be reminded that the plan maintenance action above will not address the applicability of shortening/extending seasonal timeframes or waiving them all together (collectively known as “seasonal timing restrictions” or “STRs”) for vegetation treatment projects, because the Nevada and Northeastern California GRSG Plan Amendment includes footnotes calling for STRs to be applied to vegetation treatment projects that enhance GRSG habitat. (See Footnote 2 on page 2-6 which is correlated with **MD SSS 2** (PHMA) and Footnote 3 on page 2-9 which is correlated with **MD SSS 3** (GHMA)).

However, the plan language does allow BLM to coordinate with NDOW and/or CDFW to modify the seasonal timing restrictions based on local variations and/or climatic fluctuations. BLM’s NEPA documents, project records, and correspondence from NDOW and/or CDFW, must ensure that any modifications to STRs (shortening/extending seasonal timeframes or waiving the STRs all together) is justified on the basis that it serves to better protect GRSG than if the strict application of STRs are implemented.