

Idaho and Southwestern Montana Greater Sage-Grouse

Land Use Plan Amendment and Environmental Impact Statement

Substantive Comments on the Draft LUPA/EIS



US Department of the Interior
Bureau of Land Management

US Department of Agriculture
Forest Service

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Forest Service

BLM



The Bureau of Land Management's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

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SUBSTANTIVE COMMENTS ON THE IDAHO AND SOUTHWESTERN MONTANA GREATER SAGE-GROUSE DRAFT LUPA/EIS

After publishing the Draft Land Use Plan Amendment (LUPA)/Environmental Impact Statement (EIS), the US Department of the Interior, Bureau of Land Management (BLM) and US Department of Agriculture, National Forest Service (Forest Service) held a 90-day public comment period to receive comments on the Draft LUPA/EIS. The BLM and Forest Service received written comments on the Draft LUPA/EIS by mail, email, and submissions at the public meetings and oral comments transcribed at public meetings. Comments covered a wide spectrum of thoughts, opinions, ideas, and concerns. The BLM and Forest Service recognize that commenters invested considerable time and effort to submit comments on the Draft LUPA/EIS and developed a comment analysis methodology to ensure that all comments were considered, as directed by the National Environmental Policy Act (NEPA) regulations.

According to NEPA, the BLM and Forest Service are required to identify and formally respond to all substantive public comments. The BLM and Forest Service developed a systematic process for responding to comments to ensure all substantive comments were tracked and considered. Upon receipt, each comment letter was assigned an identification number and logged into the BLM's comment analysis database, CommentWorks, which allowed the BLM and Forest Service to organize, categorize, and respond to comments. Substantive comments from each letter were coded to appropriate categories based on the content of the comment, retaining the link to the commenter. The categories generally follow the sections presented in the Draft LUPA/EIS, though some relate to the planning process or editorial concerns.

Comments similar to each other were grouped under a topic heading, and the BLM and Forest Service drafted a statement summarizing the issues contained in the comments. The responses were crafted to respond to the comments, and, if warranted, a change to the EIS was made.

Although each comment letter was diligently considered, the comment analysis process involved determining whether a comment was substantive or nonsubstantive in nature. In performing this

analysis, BLM and Forest Service relied on the Council on Environmental Quality's regulations to determine what constituted a substantive comment.

A substantive comment does one or more of the following:

- Questions, with a reasonable basis, the accuracy of the information and/or analysis in the Draft LUPA/EIS
- Questions, with a reasonable basis, the adequacy of the information and/or analysis in the Draft LUPA/EIS
- Presents reasonable alternatives other than those presented in the Draft LUPA/EIS that meet the purpose and need of the proposed action and addresses significant issues
- Questions, with a reasonable basis, the merits of an alternative or alternatives
- Causes changes in or revisions to the proposed action
- Questions, with a reasonable basis, the adequacy of the planning process itself

Additionally, the BLM's NEPA Handbook (H-1790-1) identifies the following types of substantive comments:

Comments on the Adequacy of the Analysis: Comments that express a professional disagreement with the conclusions of the analysis or assert that the analysis is inadequate are substantive in nature but may or may not lead to changes in the Proposed LUPA/Final EIS. Interpretations of analyses should be based on professional expertise. Where there is disagreement within a professional discipline, a careful review of the various interpretations is warranted. In some cases, public comments may necessitate a reevaluation of analytical conclusions. If, after reevaluation, the manager responsible for preparing the EIS (Authorized Officer) does not think that a change is warranted, the response should provide the rationale for that conclusion.

Comments That Identify New Impacts, Alternatives, or Mitigation Measures: Public comments on a Draft EIS that identify impacts, alternatives, or mitigation measures that were not addressed in the draft are substantive. This type of comment requires the Authorized Officer to determine whether it warrants further consideration. If it does, the Authorized Officer must determine whether the new impacts, new alternatives, or new mitigation measures should be analyzed in the Final EIS, a supplement to the Draft EIS, or a completely revised and recirculated Draft EIS.

Disagreements with Significance Determinations: Comments that directly or indirectly question, with a reasonable basis, determinations regarding the significance or severity of impacts are substantive. A reevaluation of these determinations may be warranted and may lead to changes in the Final EIS. If, after reevaluation, the Authorized Officer does not think that a change is warranted, the response should provide the rationale for that conclusion.

Comments that failed to meet the above description were considered nonsubstantive. Many comments received throughout the process expressed personal opinions or preferences, had little relevance to the adequacy or accuracy of the Draft LUPA/EIS, represented commentary regarding resource management and/or impacts without any real connection to the document being reviewed, or were considered out of scope because they dealt with existing law, rule, regulation, or policy. These comments did not provide specific information to assist the planning team in making changes to the alternatives or impact analysis in the Draft LUPA/EIS and are not addressed further in this document. Examples of nonsubstantive comments include the following:

- The best of the alternatives is Alternative D (or A, B, or C).
- The preferred alternative does not reflect balanced land management.
- More land should be protected as wilderness.
- BLM needs to change the Taylor Grazing Act and charge higher grazing fees.
- I want the EIS to reflect the following for this area: no grazing, no logging, no drilling, no mining, and no OHVs.
- More areas should be made available for multiple uses (e.g., drilling, OHVs, and ROWs) without severe restrictions.

Opinions, feelings, and preferences for one element or one alternative over another, and comments of a personal and/or philosophical nature, were all read, analyzed, and considered. However, because such comments are not substantive in nature, the BLM and Forest Service did not include them in the report and did not respond to them. While all comments were reviewed and considered, comments were not counted as “votes.” The NEPA public comment period is neither considered an election, nor does it result in a representative sampling of the population. Therefore, public comments are not appropriate to be used as a democratic decision-making tool or as a scientific sampling mechanism.

Comments citing editorial changes to the document were reviewed and incorporated. The Proposed LUPA/Final EIS has been technically edited and revised to fix typographic errors, missing references, definitions, and acronyms, and other clarifications as needed.

Copies of all comment documents received on the Draft LUPA/EIS are available by request from the BLM’s Idaho State Office. Comments received by mail, email, and at meetings, or delivered orally during the public meetings are tracked by commenter name and submission number.

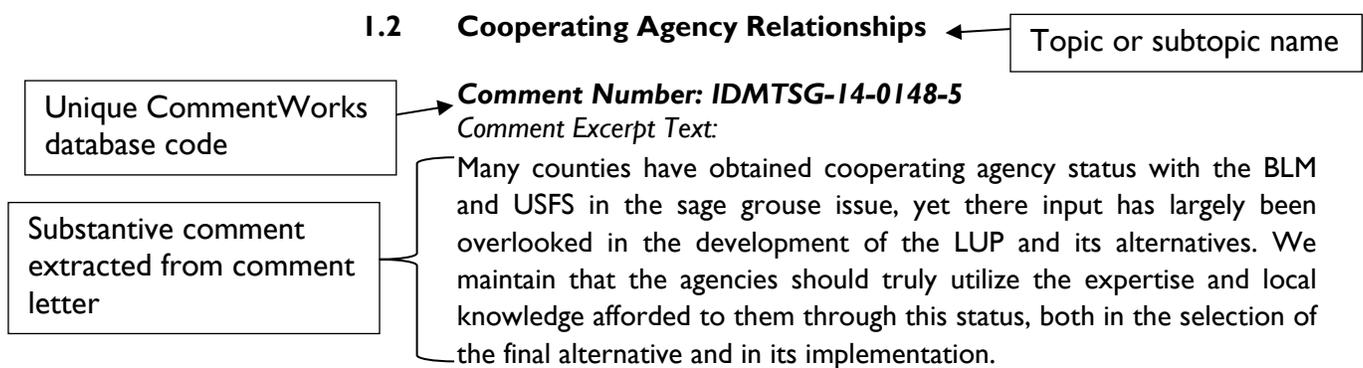
Campaign Letters

Several organizations and groups held standardized letter campaigns for the GRSG effort through which their constituents were able to submit the standard letter or a modified version of the letter indicating support for the group’s position on the BLM and Forest Service LUPA actions. Individuals who submitted a modified standard letter generally added new comments or information to the letter or edited it to reflect their main concern(s). Modified letters with unique comments were given their own letter number and coded appropriately. All commenters

who used an organization’s campaign letter were tracked in the BLM and Forest Service commenter list and are available from the BLM and Forest Service upon request.

How This Report is Organized

This report is organized by the primary topic and then by specific issue subtopics that relate to an aspect of NEPA, the BLM and Forest Service planning processes, or specific resources and resource uses. The topics are labeled Sections 1 through 25. For example, all substantive comments that relate to aspects of the alternatives fall under the heading, “Section 1.3, Range of Alternatives.” Comments for baseline information (such as the information found in Chapter 3, Affected Environment) and impact analysis (Chapter 4) of the Draft LUPA/EIS are found under the respective resource topic. For example, comments related to the affected environment and impact analysis on Fire and Fuels are under the “Section 7 – Fire and Fuels” heading. Each topic or subtopic contains the substantive comments identified for that topic area. See sample below.



They layout of this report corresponds with **Appendix T**, Response to Comments on the Draft Land Use Plan Amendment/Environmental Impact Statement, of the Proposed LUPA/Final EIS, available on the project website: <https://www.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=31652>

The terms preliminary priority management area (PPMA) and preliminary general management area (PGMA) were used in the Draft EIS to describe the relative prioritization of areas for GRSG conservation. These are BLM and Forest Service terms used to differentiate the degree of managerial emphasis a given area would have relative to GRSG. As the BLM and Forest Service moved from a Draft EIS to a Proposed LUPA/Final EIS, such prioritizations are necessarily no longer “preliminary” in nature. As such, they have been replaced with the terms Priority Habitat Management Area (PHMA) and General Habitat Management Area (GHMA). Comments on the Draft LUPA/EIS referred to PPMA and PGMA.

SECTION I - NEPA

Comment Number: IDMTSG-14-0180-39

Comment Excerpt Text:

BLM failed to state why further restrictions on infrastructure are necessary in the Great Basin region. Under existing RMPs, no large scale infrastructure has been built in CHZ. In fact the only potential project, known as the China Mountain Wind Energy project's EIS was put on hold, despite creating a sage-grouse conservation plan, an off-site mitigation plan with 1:3 and 1:5 ratios of acres lost and acres restored. This project is currently on hold. Another more recent example is the Gateway West Transmission project. The current proposal recommends building on private land to avoid what Alternative E maps as primarily IHZ, but is identified as PPH for BLM. This shows that existing regulations for site specific NEPA analysis works for restricting infrastructure development in the most important sage-grouse habitat in Idaho, and may already be overly restrictive. Yet, BLM does not address what existing infrastructure impacts on sage-grouse are and what, specifically, its regulations in Idaho are lacking.

Comment Number: IDMTSG-14-0257-13

Comment Excerpt Text:

To address our concerns, we are recommending that the Final LUPA FEIS identify an Environmentally Preferable Alternative, provide additional information to support evaluation of the conservation plan according to the USFWS's Evaluation Criteria for Conservation Plans, and, provide additional information to readily compare the action alternatives' population effects.

SECTION I.1 - PUBLIC NOTIFICATION

Comment Number: IDMTSG-14-0170-3

Comment Excerpt Text:

I urge BLM to publish the number of persons that respond to the Draft EIS. Show that you value every response on its own merits rather than labeling some as "form letters." The Constitution provides for the right of citizens to petition the Government for a

redress of grievances. The Constitution does not require each complainant to formulate a unique letter. Indeed, the very word "petition" connotes a document that multiple parties sign in agreement and solidarity regarding a particular issue. At court, there are even class-action suits, wherein many plaintiffs join together to seek justice regarding a matter of mutual concern. One action, many parties.

BLM should just state the facts:

- How many persons responded to the Draft EIS,
- How many and what percentage favored each alternative course of action and why,
- What different alternatives were proposed, and
- What modifications, corrections, improvements could BLM make per the public input.

SECTION I.2 - COOPERATING AGENCY RELATIONSHIPS

Comment Number: IDMTSG-14-0148-5

Comment Excerpt Text:

Collaboration

Many counties have obtained cooperating agency status with the BLM and USFS in the sage grouse issue, yet their input has largely been overlooked in the development of the LUP and its alternatives. We maintain that the agencies should truly utilize the expertise and local knowledge afforded to them through this status, both in the selection of the final alternative and in its implementation.

Comment Number: IDMTSG-14-0157-28

Comment Excerpt Text:

Finally, NEPA requires BLM to seek out and consider in the FEIS the special expertise of other federal agencies including the NRCS, APHIS Wildlife Services regarding predators, and other special expertise held by sister agencies of BLM. See 42 U.S.C. § 4332(2)(c); 40 C.F.R. § 1503.1(a)(1). This includes the expertise

of the USDA Agricultural Research Service. See, e.g., Western Land Managers will Need all Available Tools for Adapting to Climate Change, Including Grazing: A Critique of Beschta et al., Environmental Management, Jan.8, 2014 (available at <http://link.springer.com/article/10.1007%2Fs00267-013-0218-2/fulltext.html>) (The lead author is a senior research leader at ARS).

Comment Number: IDMTSG-14-0171-2

Comment Excerpt Text:

Wildfire: Wildfire suppression, prevention, and restoration on BLM lands affect the Air Force. Implementing the wildfire prevention and suppression measures in Alternative E provide the best benefit to the MHRC. The Air Force needs to be notified when BLM plans controlled burns in the vicinity of MHAFB and MHRC.

Comment Number: IDMTSG-14-0210-3

Comment Excerpt Text:

NorthWestern Energy is working other Western utilities through the Avian Power Line Interaction Committee (APLIC) and resource agencies (including the BLM, FWS, and state agencies) in the development of Best Management Practices (BMPs) for electric utilities in sage-grouse areas (see discussion below). While the Best Management Practices document is not yet complete, the Montana Governor's Council on Great Sage Grouse Habitat referenced this document and added a placeholder for this document in the final draft. NorthWestern Energy encourages BLM to recognize the leadership role their own agency is playing in developing these BMPs by referencing them in the Idaho and Southwestern Montana LUP EIS.

Comment Number: IDMTSG-14-0223-1

Comment Excerpt Text:

We recommend the BLM coordinate with the Idaho, Montana and Utah state wildlife agencies to ensure that 1) land use planning and habitat management objectives in the final RMP and ROD achieve and sustain the state wildlife agency's population management objectives for sage grouse; and 2) commitments made in the proposed RMP are flexible

enough to change if state needs require such management flexibility.

SECTION 1.3 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0025-1

Comment Excerpt Text:

The focus on conifer removal emphasized by Alternative E is too narrow. Conifer encroachment, particularly into aspen groves at higher altitudes, needs to be addressed on some of our allotments but only within the context of the larger landscape and overall habitat recovery planning.

Comment Number: IDMTSG-14-0025-3

Comment Excerpt Text:

The restrictions needed to maintain 65% of the birds, as proposed by the Idaho Office of Species Conservation may well fall to our region as we have reduced levels of many primary threats to sage grouse populations such as wildfire, habitat fragmentation, cheatgrass, energy and human infrastructures that the other regions have. If this population trigger is maintained will the remainder of the region look to us to maintain dwindling sage grouse populations? Under such an outcome, none of the Alternatives offer a specific remedy for us as ranchers. In such a case, one alternative is a third-party voluntary and permanent buyout of permits. Another is the compensation of ranchers for supplying and improving habitat on allotments. Each of these is preferable to having the value of the permit fall to nothing due to restrictions or further AUM cuts and the fragmentation of land ownership into smaller parcels with uncertain management goals. We would like to see language supporting future agency and Congressional language legalizing such options for BLM permits included in the final decision.

Comment Number: IDMTSG-14-0026-1

Comment Excerpt Text:

Under Alternative E we want to make sure the language from Appendix D is incorporated into the Alternative in regards to Conservation Areas. Current language in Chapter 2, including Table 2-18, does not have the level of detail that the Appendix

has on how the Conservation Areas work. For example, under the alternative description, it should state that there are four Conservation Areas. It should clearly state that if a trigger is reached in one Conservation Area, the adaptive management then only applies to that Conservation Area and not to the other three areas

Comment Number: IDMTSG-14-0026-10

Comment Excerpt Text:

Under Alternative E there is also language about an Implementation Commission. We would like more clarification on what their role is and who they are.

Comment Number: IDMTSG-14-0026-8

Comment Excerpt Text:

Alternative E talks about an Implementation Team. We would like to see more detail on who the team is and when they become involved. What is their role?

Comment Number: IDMTSG-14-0031-2

Comment Excerpt Text:

More sage grouse can be protected by banning sage grouse hunting and eliminating predators than all of the proposed actions. This is a reasonable alternative that must be evaluated and selected.

Comment Number: IDMTSG-14-0039-2

Comment Excerpt Text:

Alternatives described would allow the BLM too much discretion in forage allocations to private livestock and wild horses. It would allow BLM to decrease AUMS (Animal Unit Months), their forage allocations, and AUMS (Allowable Management Levels) for wild horses and burros even though these federally-protected species are vastly outnumbered by livestock in the planning area, including within their federally designated habitat areas, the HMAs.

Comment Number: IDMTSG-14-0039-4

Comment Excerpt Text:

In summary, the EIS is analyzing an inclusive management plan that will significantly impact protected wild horses and burros; thus, it is expected that all of these issues will be addressed in the final EIS.

Comment Number: IDMTSG-14-0046-1

Comment Excerpt Text:

To what extent can the BLM and FS set overmature sagebrush back to an early stage to intervene in the succession process to improve the grass/forb condition for hens and chicks? I believe this is the major policy decision you have to make. If succession is not identified as an issue, it will not be addressed in the alternatives, and if succession is not addressed in the alternatives it will not be addressed in the environmental consequences, and therefore will play no role in the decision making process to determine which alternative best meets the long-term survival of sage grouse. This is exactly what happened in your DEIS. Sage grouse was not identified as an issue, was not addressed in the alternatives, and was not addressed in the environmental consequences. This seems like a huge oversight since sagebrush is the primary habitat for sage grouse.

Comment Number: IDMTSG-14-0046-11

Comment Excerpt Text:

New Alternative Proposal

I hereby propose a new alternative, one that is focused primarily on creating a mosaic of species and age classes on the landscape. Direction in livestock grazing, wildfire management and predator control play a supporting role in accomplishing this goal.

A landscape is defined as an area of land over 100,000 acres with similar characteristics of climate, vegetation and geologic features. So, for example, a landscape might be the upper end of the Snake River drainage that receives more than 12 inches of rain per year.

I. Vegetation

The objective would be to, within the larger 100,000 acre landscape, focus on creating large openings (200 to 300 acres) in mature/overmature sagebrush, with smaller patches of sagebrush scattered through the open matrix. The small leave patches would be about 4 acres (400' by 400') which occupy about 10% of the total area (so within a 200 acre treatment area there might be 5 - four acre patches; 10% x 200 acres is 20

acres; 20 acres divided by 4 acre patch = 5 patches). A large patch is needed to protect sage grouse from predators.

In addition, there would be even smaller patches of sage approximately 25' x 25' up to 50' x 50', accounting for say, another 1% of the larger 200 acre area, or some 50 of these smaller patches per treatment area. These would provide temporary protection from predators.

The rest of the sagebrush in the treatment area would be removed by mechanical treatment. If necessary, the area should be seeded with grass and forbs following treatment. Also, thick patches of slash may have to be piled and burned to remove the greater concentrations of fuel. Roughly 89% of the 200 acre treatment area would be cleared of vegetation.

Overall, 30% of the sagebrush community, on a landscape basis, should be seedling age, 40% immature sagebrush, and 30 % mature/overmature vegetation.

Remove DF and pinyon-juniper that are encroaching into sagebrush to increase the total amount of sagebrush available to sage grouse.

2. Wildfire

Fight all wildfire in grouse habitat as soon as it is detected in June, July and August, the hottest part of the fire season. This will preserve as much of the sagebrush as possible for sage grouse.

Use prescribed fire outside of the June – August period whenever the window of opportunity for controlled burning allows. This would occur as a general maintenance program to keep sagebrush in a usable condition for grouse. Pre-approve a number of prescribed fire projects to take advantage of short windows of opportunity to burn.

3. Predator Control

Use predator control while hens are sitting on eggs and until the chicks can hatch and fly; do this the season following the 200 acre treatment. This generally is a 3 to 4 week period. This gives the chicks a chance to hatch and grow to a point where they can fend for themselves. I envision 2-3 people with shotguns walking through the 200 acre area and blasting away at ravens, hawks, coyotes and anything else that might want to eat a sage grouse. It might be necessary to do this for 2 or 3 seasons following the treatment.

4. Grazing

Allow grazing on all occupied GRSG habitat in order to remove fine fuels and keep large concentrations of fuel from accumulating in the habitat.

Also use the Alan Savory method of “stomp and poop” grazing on dry sites (and other sites where appropriate) to concentrate cattle for a brief time (3 to 20 days).” Cattle excretion inoculates the soil with key bacteria and fungi that are awakened in the soil by the influence of dung and urine. This works especially well in cheatgrass-invaded areas. Native seedlings simply wait for the cheatgrass to die in summer. The native plants then act as a water-conserving , sheltering mulch that mature on summer and fall rainfall. The following spring cheatgrass seeds (if present) do not even germinate in the presence of native perennials and their allied native bacteria and fungi” (quote from Stephen H. Rich, president of Rangeland Restoration Academy in Salt Lake City; steve@rangelandandrestoration.com).

5. Invasive Species

Implement noxious weed and invasive species control using integrated weed management in cooperation with State and Federal agencies, counties, and private landowners.

6. Internet Grouse Site

Create a nationwide grouse.com site where agency employees can post management practices they have tried and the result they had, good or bad. Other employees could visit the site to see what is working, and what is not. A sort of clearing house, so to speak, for what other employees are experiencing with adaptive management in sage grouse management.

Comment Number: IDMTSG-14-0046-5

Comment Excerpt Text:

There is a very small range between the alternatives, except for Alternative C, which eliminates all grazing. Otherwise, the alternatives all occur in a tight band that reflects little difference between them. For instance, there is only 1.4 million acres difference in GRSG habitat between the highest and lowest alternatives, out of 11.6 million acres total. This is only a 12% difference from best to worst. I doubt if that qualifies as a reasonable range of alternatives that produce feasible, distinct and implementable management scenarios that 1) address the full range of identifiable major planning issues, 2) explore opportunities to enhance management resources, 3) resolve conflicts between resources, and 4) meet the purpose and need for the LUPA.

Comment Number: IDMTSG-14-0050-15

Comment Excerpt Text:

Since the EIS is analyzing a plan that may significantly impact wild horse and burro management, providing for the protection of a viable wild population of wild horses and burros (a population capable of reproducing itself without human interference and the resources available to sustain that population) is not outside the scope of this document. The EIS is analyzing an all-inclusive management plan that will significantly impact protected wild horses and burros; as a result, I require all of these issues to be addressed in the final EIS.

Comment Number: IDMTSG-14-0050-16

Comment Excerpt Text:

All alternatives must include Animal Unit Months (AUMs) available for wild horses and burros to the

extent that a genetically viable population of wild horses and/or burros may be sustained. A written format must be included in the proposed EIS that activates increases of AUMs for wild horses and/or burro herds if information becomes available that the population is at risk of genetic loss. A current population of 200,000 sage grouse has generated this massive sage grouse management EIS endangered species listing document and yet the BLM estimates that only about 40,000 wild horses and burros are on their legal land – and to further underline the necessity of providing protection, independent estimates range near only 20,000 wild horses and burros on their legally designated land, much of which is fragmented below the accepted healthy genetic pool of at least 150 reproducing animals. Since wild horses and burros are managed only within the areas designated for their use, all alternatives must include language that protects wild horses and burros in any and all overlapping areas.

Comment Number: IDMTSG-14-0050-18

Comment Excerpt Text:

The EIS proposal must include:

1. Any alternative adopted must include language that provides guidance to all districts that wild horses and burros must be preserved above a level that allows appropriate genetic diversity.
2. Genetic diversity must be specifically defined.
3. Provisions that state that at no time should there be a reduction of current AUMs for wild horse and/or wild burro use. Wild horses and wild burros are currently managed at numbers less than 25% of that of the greater sage grouse. To reduce the numbers of wild horses and/or wild burros to accommodate protection of the sage grouse is not acceptable.
4. Provisions must be made to allow increases of AML/AUMs if data becomes available that demonstrates genetic viability of wild horses and burros is threatened.

As currently written and proposed, none of the alternatives within the EIS plan are acceptable. Although stated in the report that no direct change would occur to areas allocated as Herd Management Areas and Wild Horse and Burro Territories for wild horses and burros, all alternatives appear to restrict wild horse and burro use.

Comment Number: IDMTSG-14-0050-19

Comment Excerpt Text:

The proposed EIS must not combine animal unit months for privately owned domestic livestock with wild horse and burro animal unit months. Privately owned domestic livestock are “permitted” whereas wild horses and burros are designated by the 1971 Congressional law to use this public land. There is a big difference in these two uses and with the alternatives, as written, discretion given to districts actually creates a situation of contradiction that could result in discretionary interpretation district by district that would likely result in inconsistent management practices. Wild horses and burros have a legal land base of approximately 12% of BLM/FS managed land whereas private domestic livestock allotments exist on over 65% of that same base. To utilize the same equation to manage both uses is non-equitable under any of the proposed alternatives.

Comment Number: IDMTSG-14-0050-20

Comment Excerpt Text:

Providing for the safeguard of a viable population of wild horses and wild burros that is capable of reproducing without interference and the resources available to sustain that population is the law and is essential, critical and within the scope of this sage grouse EIS document. This proposed EIS is an all-inclusive management plan that will significantly impact legally protected wild horses and wild burros on their legally authorized land and thus is highly significant and must be seriously considered within this or any sage grouse protection plan.

Comment Number: IDMTSG-14-0108-10

Comment Excerpt Text:

Inexplicably, when responding to scoping comments the Draft LUPA EISs claim that analysis of greater

sage-grouse population levels is beyond the scope of the project, stating that comments “questioned population levels and the need to incorporate rangewide conservation measures” and concluding that such concerns “relate to decisions under the purview of the USFWS and are not (will not be) addressed” by the Draft LUPA EISs. See ID Draft LUPA/EIS, page 1-33 and NV Draft LUPA/EIS, page 1~18. Thus, the Draft LUPA EISs irrationally conclude that the overriding purpose and need identified for the project is itself beyond the scope of the project. As a result of this irrational decision, the Draft LUPA EISs devote little or no effort to disclose, discuss, or analyze greater sage-grouse population levels, viability, or persistence

Comment Number: IDMTSG-14-0108-11

Comment Excerpt Text:

the Draft LUPA EISs apparently accept the erroneous FWS Findings that the greater sage-grouse is warranted for listing under the ESA without undertaking any critical examination of such findings, and then choose to ignore analysis of population levels and trends in favor of a focus on habitat conditions and trends without any consideration for how such habitat factors ultimately affect the grouse populations. Such approach fails to conform to the overriding purpose and need identified for the Draft LUPA EISs which is specifically tied to the desire to avoid listing the greater sagegrouse under the ESA.

Comment Number: IDMTSG-14-0108-2

Comment Excerpt Text:

Because the evidence shows that there is no need to list the greater sage-grouse under the ESA, none of the action alternatives evaluated by the Draft LUPA EISs are necessary or reasonable. The only alternative that is reasonable and rational as a final decision in this case is a true no action alternative that continues the land use plan direction that was in place before the BLM imposed interim sage-grouse conservation measures through the 2011 BLM IMs

Comment Number: IDMTSG-14-0108-3

Comment Excerpt Text:

The ID Draft LUPA/EIS ignores the NOI purpose and substitutes a different purpose that merely seeks to “conserve, enhance, and restore GRSG (greater sage-grouse) habitat by reducing, eliminating, or minimizing threats to that habitat.” See ID Draft LUPA/EIS1, page 1-12. This substitution disregards the original purpose of the NOI that specifically ties the need for preparing the Draft LUPA EISs to the desire to avoid a potential listing of the greater sage-grouse under the ESA. However, the ID Draft LUPA/EIS implicitly acknowledges the NOI purpose and need by stating that this “effort responds to the USFWS’s 2010 Finding” (see ID Draft LUPA/EIS1, page 1-11).

Comment Number: IDMTSG-14-0108-5

Comment Excerpt Text:

Given that the overriding purpose and need identified by the NOI and Draft LUPA EISs specifically ties to the desire to avoid listing the greater sage-grouse under the ESA, the Draft LUPA EISs have a fundamental obligation to address the extent to which the greater sage-grouse populations meet the criteria of the ESA as an endangered species or as a threatened species under current land use plan management direction before proposing action alternatives to change such management direction. Both Draft LUPA EISs completely fail to meet this fundamental obligation. The Draft LUPA EISs contain virtually no information, discussion, or analysis regarding existing greater sage-grouse population levels anywhere within their range, so are unable to evaluate the extent to which the species meets the qualifications for listing under the ESA

Comment Number: IDMTSG-14-0125-1

Comment Excerpt Text:

The draft DEIS, Purpose and Need completely omits a major threat to the GESG habitat, and that is disease. According to the U of Montana study “West Nile Virus: Ecology and Impacts on Greater Sage Grouse Populations” West Nile Virus (WNV) outbreaks more common during drought”

Comment Number: IDMTSG-14-0130-13

Comment Excerpt Text:

Alternative D is silent on insuring that any conservation measures, allocations or prescriptions (Management Actions), to be imposed for any particular use will be predicated upon existing vegetation and be within the ecological potential of the site.

Comment Number: IDMTSG-14-0130-14

Comment Excerpt Text:

Arbitrarily mandating specific RDFs or BMPs at a land use planning level is unacceptable. These items should only be considered as a “tool box” to be used at the activity plan level and then only used after an impact assessment has been made.

Comment Number: IDMTSG-14-0130-19

Comment Excerpt Text:

Management actions relating to domestic sheep grazing within bighorn sheep habitat appear to be outside of the scope of this planning effort. (D-LG f RM -17, page 2-143).

Comment Number: IDMTSG-14-0130-9

Comment Excerpt Text:

The detailed description of Alternative A, found within the DEIS, fails to include reference to the numerous applicable laws, regulations, executive orders, departmental guidance, agency manuals, agency handbooks and instruction memos that must also be considered in concert with existing land use plan guidance.

Comment Number: IDMTSG-14-0131-17

Comment Excerpt Text:

Having a rigid disturbance cap that fails to account for habitat conditions and existing valid rights is arbitrary, unnecessarily harsh, and beyond BLM authority

Comment Number: IDMTSG-14-0131-2

Comment Excerpt Text:

Other examples include the disturbance caps and the establishment of Areas Critical of Ecological Concern (ACECs). The basis for the arbitrary 3% disturbance caps is not provided. Such disturbance thresholds (caps) ignore important distinctions such as habitat

quality, disturbance type and timing that are important in GSG conservation. Is there an analysis of different levels (say 10%, 20%, etc.) of percent disturbance? What are the specific outcomes expected to be achieved by the ACECs found in Alternatives C and F? Is there an analysis/study that shows setting aside such areas will result in a measurable increase in GSG populations?

Comment Number: IDMTSG-14-0131-24

Comment Excerpt Text:

Although no current banking systems exist in Idaho for sage-grouse, there are programs that could potentially provide benefit and regulatory certainty to landowners. These programs are currently available for sage-grouse, though none are listed in any of these alternatives. These programs need to be included in the final action selected for the LUPA. A short summary of these programs and how they work are discussed below.

The Working Lands for Wildlife Program

The Working Lands for Wildlife Program (WLFWP) was announced in September 2012 (USFWS, 2012; NRCS, 2012). This program is a partnership between NRCS and the USFWS. It was designed to create a long-term approach to help landowners take action to improve habitat for seven at-risk wildlife species. The sage-grouse is one of the species covered by this program. Landowners who participate in the program receive regulatory predictability from the USFWS should the at-risk species the landowner is helping become listed at a later date. This regulatory predictability can be for a term of up to 30 years.

WLFWP gains its authority through the conference report that was completed by the USFWS (USFWS, 2010). This report analyzes the impacts of NRCS's main conservation practices on sage-grouse. The report summarizes how NRCS practices can be implemented to not have adverse effects to sage-grouse. The WLFWP then uses these USFWS findings to develop conservation plans which, according to the conference report, will not have adverse impacts to sagegrouse.

The premise behind this voluntary program is for landowners to work with NRCS or Technical Service Providers to develop conservation plans on their agricultural operations to promote at-risk species conservation and habitat improvements. These plans, if followed, give the landowner the regulatory predictability that the USFWS has already analyzed the impacts of the conservation practices used in the conservation plan. This means that should the species become listed, any incidental take of the species through the approved conservation plan should be exempt through Section 7 of the ESA, if the landowner continues to follow the plan (USFWS, 2012). The regulatory predictability this provides could prove to be beneficial for agricultural operations within the sage-grouse range.

Candidate Conservation Agreements with Assurances

Candidate Conservation Agreements with Assurances (CCAAs) are a tool that is similar to the WLFWP program. CCAAs are agreements between the USFWS and landowners that provide regulatory assurances on private lands. CCAAs are developed for a candidate species, like the sage-grouse, prior to listing. These agreements provide landowners, who voluntarily manage their lands to remove threats to candidate species, assurances that their conservation efforts will not result in future regulatory requirements above and beyond what they already agreed to do. This assures landowners that they can enhance or restore habitat, create new habitat, and take measures to minimize risk for candidate species while protecting themselves from future regulatory actions should the species become listed as threatened or endangered.

These assurances give landowners guarantees that they can continue to manage their lands as agreed to in the CCAA even after the species becomes listed. Other benefits include the opportunity for authorizations of incidental take through the section 10(a)(1)(A) process of the ESA. This section authorizes issuance of permits that would allow participants to incidentally take individual animals or

modify habitat conditions as specified in the agreement.

There are two types of CCAAs available. One is an individual CCAA where a landowner enters into the agreement directly with the USFWS. The second option is an umbrella CCAA where a larger document is developed with a local government or non-profit and then landowners sign onto this larger document.

Comment Number: IDMTSG-14-0131-26

Comment Excerpt Text:

The six alternatives presented in the Draft LUPA/EIS are quite complex and most of them extremely prescriptive on uses other than sage-grouse habitat. Chapter 2 needs to provide adequate technical discussion to provide a legitimate basis for the prescriptive elements of the Alternatives; otherwise, the Alternatives should be modified to be less prescriptive. For example, for some of the alternatives there is an absolute cap of three (3) percent on anthropogenic disturbance, but no basis for the derivation of that number. Several Alternatives (B, C, D, and F) tend to treat each potential threat with a “one-size fits all” prescription; that prescription usually is the prohibition of other uses of the federal lands of interest. Finally, it is difficult to determine the consequences on specific locations, as the information in the Draft LUPA/EIS is not detailed enough. Examples include the exact locations of PPMA, PGMA, etc. and the status of anthropogenic disturbances (%) for each area.

Comment Number: IDMTSG-14-0131-9

Comment Excerpt Text:

The Draft LUPA/EIS does not disclose the disturbance values for each of the PPMAs or GRSG habit areas. Thus, it is not possible to determine for each PPMA the potential acres that might be available for anthropogenic activities. Without this information, it is impossible for stakeholders, including affected parties, to determine how each of the Alternatives affects specific federal parcels.

Comment Number: IDMTSG-14-0135-2

Comment Excerpt Text:

The proposed population and habitat triggers should be more clearly defined in the FEIS. The FEIS needs to identify minimum standards that will initiate triggers, and it should outline how the information will be gathered.

Comment Number: IDMTSG-14-0149-11

Comment Excerpt Text:

PPMA and PMMA areas with moderate and high potential in fluid minerals are open to leasing but are subject to a number of restrictive constraints, including a disturbance density not to exceed 1/640 acres with a maximum of 3% disturbance per section.⁵ In most cases, limiting disturbance to 3% or less in a section is unachievable. More importantly, the agencies have not provided sufficient scientific data to support the disturbance density limitation or its effectiveness in conserving GSG and its habitat.

Comment Number: IDMTSG-14-0150-4

Comment Excerpt Text:

The greater sage-grouse is not faced with imminent extinction, or extinction in the foreseeable future, and therefore does not meet the ESA definitions to be listed as either endangered or threatened. Thus, there is no need to change current management direction or to amend land use plans (BLM RMPs or USFS LRMPs) to avoid a potential listing under the ESA. Because the evidence shows that there is no need to list the greater sage-grouse under the ESA, none of the action alternatives evaluated by the Draft LUPA EISs are necessary or reasonable. The only alternative that is reasonable and rational as a final decision in this case is a true no action alternative that continues the land use plan direction that was in place before the BLM imposed interim sage-grouse conservation measures through the 2011 BLM IMs.

So, what should be done? Western Range Service urges that the following actions be taken:

1] the BLM should issue Records of Decision in this case enacting a true no action alternative that repeats

the 2011 BLM IMs and does not amend any land use plans;

2] the BLM should press for a final FWS listing decision that confirms that the greater sage-grouse does not qualify for listing under the ESA for the reasons discussed herein;

3] agencies should continue to monitor greater sage-grouse population numbers and trends within priority portions of its range, particularly within the southwest Wyoming Basin (a conservation priority, see FWS Findings⁶, page 1393), within the Owyhee Wilderness complex* in Idaho, and within the Black Rock Wilderness/Sheldon National Wildlife Refuge complex* [such wilderness/refuge areas already operate under regulatory mechanisms which minimize human disturbance and limit or prohibit development.] in Nevada, with the aim of implementing additional sage-grouse conservation and protection measures within any of these three areas if its population declines below 5,750 greater sage-grouse† [The population size at which the current rate of decline would result in numbers falling below the minimum effective population of 5,000 individuals within ten years.];

4] efforts to conserve and enhance the Gunnison Sage-Grouse (presently about 5,000 birds) should continue in order to preserve their unique genetic characteristics; and,

5] efforts to conserve and enhance the Bi-State population (presently about 3,000 birds) should continue in order to preserve their unique genetic characteristics.

Comment Number: IDMTSG-14-0150-7

Comment Excerpt Text:

Instead, the Draft LUPA EISs apparently accept the erroneous FWS Findings that the greater sage-grouse is warranted for listing under the ESA without undertaking any critical examination of such findings, and then choose to ignore analysis of population levels and trends in favor of a focus on habitat conditions and trends without any consideration for how such habitat factors ultimately affect the grouse

populations. Such approach fails to conform to the overriding purpose and need identified for the Draft LUPA EISs which is specifically tied to the desire to avoid listing the greater sage-grouse under the ESA. Because the evidence shows that the greater sage-grouse does not qualify for listing under the ESA, as discussed herein, there is no need for further action.

In order to fulfill the overriding purpose and need, the Final LUPA EISs must evaluate whether the greater sage-grouse meets the criteria of the ESA as an endangered species or as a threatened species under current land use plan management direction.

Comment Number: IDMTSG-14-0151-47

Comment Excerpt Text:

The DEIS states that the Purpose of the LUPA process is to identify and incorporate appropriate conservation measures into LUPs to conserve, enhance, restore GRSG habitat by reducing, eliminating, or minimizing threats to that habitat.

The Purpose should be expanded to provide for viable well-connected populations and to conserve, enhance, and restore occupied habitat. Sagebrush landscapes must be restored, and a strong effort must be made to support the survival of all existing populations.

Comment Number: IDMTSG-14-0151-67

Comment Excerpt Text:

The DEIS states that USFWS has identified threats including “installation or removal of fences, water developments (springs tanks, windmills)”. So why are these not considered earlier in the Key Issues discussion of infrastructure - on page 1-28, where the DEIS is describing : Livestock facilities be treated as infrastructure in these DEIS processes.

Comment Number: IDMTSG-14-0151-72

Comment Excerpt Text:

There is no alternative that analyzes a no new disturbance cap, and managing for no loss to the maximum extent possible.

Comment Number: IDMTSG-14-0153-12

Comment Excerpt Text:

68 Fed. Reg. 15115. Importantly, the BLM appears to rely heavily on discretionary measures such as “avoidance” rather than “exclusion” of activities known to be detrimental to sage grouse inside Priority Habitat areas, and offers exceptions to protections on a conditional basis. As BLM notes, “A ROW avoidance area may be available for ROW location but may require special stipulations.” DEIS at 4-160. There is no regulatory certainty in this approach. And even more importantly, BLM in many cases adopts measures that provide inadequate protections based on the available science, which outlines thresholds at which significant impacts can be expected.

Comment Number: IDMTSG-14-0153-17

Comment Excerpt Text:

According to BLM IM 2012-44, “The conservation measures developed by the NTT and contained in Attachment 3 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 must be done fully in the Idaho – Southwest Montana DEIS. IM 2012-44 does not provide an option not to analyze these measures in at least one alternative unless a clear finding is provided that the measure is not appropriate, and BLM has provided no such findings in the context of the Idaho – Southwest Montana RMP Amendment.

For example, the NTT Report calls for an unambiguous requirement that closed-loop drilling with no reserve pits be required within Core Areas, not incorporated into any alternative

Comment Number: IDMTSG-14-0153-19

Comment Excerpt Text:

Thus, in order to avoid the appearance of an arbitrary and capricious approach to sage grouse conservation between states or other jurisdictional boundaries that have no biological or ecological basis, BLM should have some common minimum requirements across RMPs that ensure that

conservation measures that cannot be shown to support the maintenance and recovery of sage grouse populations do not crop up in regional or local RMPs due to the whims of local politics.

Comment Number: IDMTSG-14-0153-22

Comment Excerpt Text:

We agree with 3% as the maximum allowable density of disturbance that should be allowed in Priority Habitats. It is not clear that these recommendations are applied in any alternative, even Alternative B (which is supposed to represent the National Technical Team recommendations), even though BLM’s own sage grouse experts have called for this course of action.

Comment Number: IDMTSG-14-0153-25

Comment Excerpt Text:

We further point out the need to manage all new rights-of-way to meet the minimum adequate standard, as implemented with a 4-mile lek buffer. This is a reasonable alternative, analyzed in detail across many if not most sage grouse RMP amendment EISs, but is not considered under any alternative in the Idaho – Southwest Montana DEIS. This is a NEPA ‘range of alternatives’ violation. Keeping roads to the minimum necessary standard is consistent with direction in the Gold Book, and should be standard practice.

Comment Number: IDMTSG-14-0153-64

Comment Excerpt Text:

The National Technical Team Report prescribes a number of conservation measures for sage grouse General Habitat, the lands outside priority habitat. These include avoidance for the purposes of rights-of-way and enhanced riparian area protections, for example. The Idaho – Southwest Montana DEIS does not appear to consider alternatives to provide enhanced protections for sage grouse General Habitats of the type recommended in the National Technical Team report. Under current BLM policy, the agency must fully consider implementing the recommendations of the National Technical Team in at least one alternative, and this direction applies to General Habitats as well. This shortcoming should be

addressed in the Final EIS, and General Habitats should be accorded the protections necessary to maintain viable populations of this BLM Sensitive Species.

Comment Number: IDMTSG-14-0153-65

Comment Excerpt Text:

We are concerned that the BLM has not fully considered the Sage-grouse Recovery Alternative or the National Technical Team recommendations in full, and has not provided sufficient explanation for why this has occurred. In particular, measures to protect sage grouse wintering habitat are almost entirely absent from all alternatives,

Comment Number: IDMTSG-14-0157-22

Comment Excerpt Text:

The Purpose and Need Statement as set forth in Section ES.2 and I.2 identifies grazing of domestic and wild animals as a major threat but does not differentiate between the two. Subsequence passages seem to refer to the threat of grazing as involving domestic livestock only. See, e.g., Table 2.1. The fact that wild horses' and burros' utilization of forage is the subject of great debate and concern is most recently attested to by the litigation filed by the Nevada Association of Counties against the Department of the Interior and BLM. See Nevada Ass'n of Counties v. US. Dep't of the Interior, 13-cv-712 (filed Dec. 30, 2013 D. Nevada).

Comment Number: IDMTSG-14-0157-23

Comment Excerpt Text:

The alternatives presented in the FEIS must be both technically and economically feasible for grazing. See BLM National Environmental Policy Act Handbook H-1790-1 at Section 6.6.1. The requirement for technically and economically feasible alternatives is not included in the preliminary planning criteria for the land use plan amendments other than by casual reference to the BLM NEPA Handbook. This requirement is particularly relevant to Alternative C, the cumulative effect of which would be to put ranches out of business, put more pressure on privately owned Sage-grouse habitat, and convert private habitat to other agriculture or non-native

grasses. See Section 4.16.7. For this reason alone, Alternative C must be dismissed from further analysis.

Comment Number: IDMTSG-14-0157-8

Comment Excerpt Text:

Y-3 II is concerned that some of the action alternatives and management actions within those alternatives are actually more restrictive than would be found on BLM lands should Sage-grouse be listed as threatened or endangered. Under the ESA, private parties may apply for an incidental take permit and, pending satisfaction of permit criteria, receive immunity for the take of wildlife associated with the permitted activity. 16 U.S.C. § 1539. The ESA also contemplates the submission of a habitat conservation plan that would allow an activity applicant to demonstrate mitigation measures and other means of minimizing wildlife impacts. Id. At § 1539(a)(2)(A). Conversely, Alternative C, which will be analyzed in further detail below, completely precludes livestock grazing with no opportunity for incidental take permits, habitat conservation plans, or other mitigation opportunities and thus, in this respect, is more restrictive than the ESA. For this and other reasons, outlined below, adoption of Alternative C or portions of other alternatives that would be more restrictive than the ESA is completely illogical and inappropriate in responding to the Service's request for additional regulatory mechanisms to avoid a listing under the ESA.

Comment Number: IDMTSG-14-0159-11

Comment Excerpt Text:

The Purpose and Need Statement is Fatally Flawed

The Purpose and Need Statement does not disclose that one of the main purposes of the DEIS is to respond to Instruction Memorandum (IM) 2012-044 (which expired prior to issuance of the DEIS) to analyze the impacts associated with implementing the conservation measures in the NT) Report.

Comment Number: IDMTSG-14-0159-12

Comment Excerpt Text:

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.

IM 2012-044. Although the DEIS complies with the IM directive to include at least one alternative based on the conservation measures in the NTT Report, the DEIS fails to respond to the second directive as stated in the second paragraph above: “BLM offices should ensure that implementation of any of the measures is consistent with applicable statute and regulation.” The “NTT-Only” Alternative contains many land use restrictions and prohibitions inconsistent with the multiple use mandates in FLPMA and NFMA and rights under the General Mining Law.

Comment Number: IDMTSG-14-0159-18

Comment Excerpt Text:

The DEIS fails to fully account for Federal regulatory mechanisms that are currently in place and are not only adequate to address the threats to the species, but are extremely robust. An example of the type of stipulations on mining operations that presently protect non-listed species and their habitat (in this case Wyoming), every Federal coal lessee is required to sign a stipulation from the BLM which says that:

“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 ground-disturbing 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 GRSG is presently a special status species, this stipulation authorizes BLM to modify the lease to avoid activity that will harm the GRSG, and prohibits the agency from approving any activity that would adversely affect such species if it would violate the ESA. 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 GRSG and its habitat.

Comment Number: IDMTSG-14-0168-13

Comment Excerpt Text:

A-20

H. No policies shall infringe on the private property rights of any landowner within Custer county. All

species and land coverage information gathered on private property shall be treated as the property of the landowner and shall not be used by any private or government entity for any purpose unless express, written permission has been obtained from the landowner." (Custer County Principle)

The DEIS states that this principle is outside the scope of the decisions within the DEIS because the policies are not implemented on private lands. However, this statement is false. Several of the alternatives include a disturbance cap for priority habitat, and the land coverage data used to determine whether or not this cap is met includes human disturbances on private property. The DEIS needs to explain how it is going to resolve the conflict between Custer County's private property policy and a proposed action that utilizes the disturbance cap analysis.

Comment Number: IDMTSG-14-0168-17

Comment Excerpt Text:

BLM and USFS failed to provide detailed analysis that supports why the No Action or Preferred Alternative is in the best interest of the agencies as well as the public.

BLM's Land Use Planning Manual and Land Use Planning Handbook, II.A.7, pg. 22 (Rel. I -1693 03/11/05) provides that BLM must identify how the Preferred Alternative best meets the multiple use and sustained yield requirements of FLPMA. BLM has failed to demonstrate how any of the Alternatives best satisfy statutory requirements; balance BLM goals, objectives, and policies; and which alternative represents the best way to satisfy the Purpose and Need, address key issues, and consider cooperating agencies' recommendations.

The USFS Land Use Planning Manual and Land Use Planning handbook procedures (FSM 1950 and FSH 1909.15) provide that USFS "must provide an evaluation of alternatives and identification of a preferred alternative to the extent required by NEPA, CEQ regulations, and Forest Service environmental policies." As discussed below, the

USFS failed to provide adequate evaluation of alternatives and adequately identify the preferred alternative as required by NEPA, CEQ and USFS policies.

Alternatives B, C, D, E and F do not satisfy statutory requirements, do not balance BLM and USFS goals, objectives and policies, and are not the best fit for the Purpose and Need. The lack of meaningful analysis contained in the EIS constitutes a serious shortcoming that must be addressed. Consequently, the EIS is "inadequate as to preclude meaningful analysis" (40 CFR §I 502.9(a)); and therefore the BLM and USFS must prepare and re-issue a revised draft which provides the analysis necessary to support each of the alternatives.

Comment Number: IDMTSG-14-0168-6

Comment Excerpt Text:

Alternative A is excluded from the discussion of "Elements Common to Alternatives B, C, D, E, and F," which implies that these elements are not present in the no action alternative. This misleads the public. For instance, one of the elements common to all but Alternative A is "adaptive management." This element is clearly part of the current management framework as is noted in Appendix A, page 21. In answering whether the Challis RMP Complies with the Custer County Sage-Grouse Management principle that includes the use of adaptive management, the document affirms that the Challis RMP is compliant with a clear "Yes." However, in this same discussion, under "inclusion in Amendment EIS" the document only refers to Alternatives B-F as having an adaptive management component. Either Alternative A does use the adaptive management principle and it should state this, or it does not and compliance with Custer County Plan should be noted as a "NO."

Comment Number: IDMTSG-14-0180-1

Comment Excerpt Text:

The other alternatives are either a laundry list of best management practices (BMPs), sometimes overly draconian, without a cogent strategy, or target a specific use that fails to address the primary threats identified by the Service. Accordingly, Alternatives B,

C, and F should be rejected for not meeting the purpose and need.

Alternative A and E are the only proposals that meet the purpose and need statement because they are the only ones that adequately respond to the 2010 Warranted but Precluded determination and meet BLM's multiple-use mandate. Alternative D gets closer to the purpose and need, but still locks up too much land without justification and lacks certainty. Despite adopting a similar adaptive management construct, Alternative D still relies on the overly restrictive BMPs from Alternative B, which are inconsistent with BLM's multiple use mandate.

Comment Number: IDMTSG-14-0180-25

Comment Excerpt Text:

Alternative D is unnecessarily restrictive for an additional 2.1 million acres in their Priority designated areas, and 700,000 additional acres in total.

Comment Number: IDMTSG-14-0180-3

Comment Excerpt Text:

This EIS has six alternatives. However, two of the alternatives are based on the NTT Report. One of these should be removed. Instead of putting together an alternative that addressed the specific needs of Idaho public lands, and based on the primary threats to the species, BLM used their NTT Report as the foundation of their sub-regional planning efforts. In some cases, such as infrastructure development, especially in BLM's priority habitat, the other co-preferred appears to be more restrictive than the NTT Report. This does not meaningfully solve the problems identified in the 2010 decision; rather these alternatives employ an unnecessary top-down, one-size-fits-all approach of the NTT Report. And it likely does not meet the COT as evidenced by Service's letter on DEIS. Instead, it creates redundancy, as analysis of both alternative B and D reaches nearly identical conclusions throughout the entire document, despite significant revisions to Alternative D to make it look more like Alternative E from the Administrative draft phase to the published draft phase. Alternatives C and F are no different. Environmental interest groups developed both of

those incomplete alternatives which do not address the primary threats to sage-grouse, opting instead to use the NTT report to fill in the gaps. Alternative C's exclusive focus is to eliminate grazing on public land. Eliminating grazing is not only inconsistent with BLM's multiple use mandate, it also would likely exacerbate the primary threat of wildfire by increasing fuels across the range. These alternatives are inappropriate for several reasons, including the most important, that it does not address the primary threats. And these alternatives are outside the scope of Secretary Salazar's December 2011 statement that BLM needed to preclude the need to list while maintaining predictable levels of land use. Alternative F falls short too, which means BLM is spending time and resources analyzing two incomplete alternatives from environmental interest groups.

Comment Number: IDMTSG-14-0180-30

Comment Excerpt Text:

BLM does not include existing conservation efforts, such as the Rangeland Fire Protection Associations when discussing the current status of sage-grouse conservation. These associations operated for the entire 2013 fire season; putting out fires before BLM could even arrive. Yet, this was not included in the Alternative A's discussion. BLM did not include any discussion of this effort, despite it being a collaborative process between the agency and landowners across Idaho. BLM's analysis should have included the impacts these associations already had on the ground.

Comment Number: IDMTSG-14-0180-4

Comment Excerpt Text:

BLM violated NEPA by developing two alternatives (B and D) based on a document severely lacking in scientific integrity and comprised of irrational assumptions and methodologies. Alternatives C and F also incorporate elements of Alternative B, so those components must be set aside as well.

Comment Number: IDMTSG-14-0182-1

Comment Excerpt Text:

The description of the "Purpose and Need for the Land Use Plan Amendments" in Volume I of the DEIS

omits key portions of Instructional Memorandum 2012-044, in particular this statement in the IM: "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." The DEIS fails to comply with FLPMA's requirement that there be coordination with local plans in order to resolve inconsistencies between plans, and the directive to ensure sustained multiple use. The DEIS does little to acknowledge or discuss how local information will be incorporated into conservation measures. The DEIS follows from on A Report on National Greater Sage-Grouse Conservation Measures (NIT 2011) ("the NTT Report"), and its alternatives are also derived from that document. The same is true of the Environmental Impact Statements regarding GRSG prepared or being prepared in other states. The action alternatives are remarkably similar in all of them. This bespeaks a failure to take into account local plans, and local variations in ecology.

Comment Number: IDMTSG-14-0182-7

Comment Excerpt Text:

The presumed need for a 3% disturbance cap originated with opinion expressed by Walker et al. (2007) in the discussion of their paper. They stated: "...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 habitat 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." However, Walker et al., like Holloran (2005), who had previously proposed a restriction of one well per section, never actually measured the effectiveness of these disturbance caps. Instead they modeled sage grouse response in lek attendance in terms of distance(s) from potential sources of disturbance. Therefore, the need for a 3% disturbance cap (or 1% or 5% caps, and one-well per section) stated in the NTI Report and the DEIS, is merely the untested opinion of Holloran and Walker.

Comment Number: IDMTSG-14-0183-24

Comment Excerpt Text:

The 3% disturbance cap that came out of the NTT report seems to be based entirely on professional judgment. Coincidentally, research by Knick et al. (2013) later came up with a 3% threshold. However, the scale at which Knick suggest a 3% disturbance threshold is at an entirely different scale than what the BLM is proposing. They modeled greater sage-grouse presence based on known greater sage-grouse leks and measured variables for the 1-km² cell within which the lek was located, as well as in a 5- and 18-km radii surrounding the lek. Variables measured at an 18-km radius (11.2 miles) did not perform well and were dropped in subsequent analyses. This suggests that measured variables at this latter scale did not influence lek persistence. At the 5 km radius scale Knick et al. (2013) found that 95% of all active leks were in landscapes with <3% developed acreage. However, such results were not reported within a 1 km² cell within which the lek was located or for each 1 km² comprising the PPMA (Vol II, pg. 2-62). According to Knick et al. (2013) an area of 2.4 km² (0.9 mi²) could be developed in a 5-mile radius around an active lek (78.5 km², or 30.3 mi²). This appears to be the smallest scale to be considered in PPMA. However, the LUPA/DEIS, considers the 1 mi² the smallest hierarchical arrangement allowing concentrated anthropogenic disturbance. Thus, Knick et al. (2013) study appears not to support the BLM's smallest scale at which anthropogenic disturbance is measured (30.3 mi² versus 1 mi² respectively). Furthermore, the LUPA/DEIS does not provide any guidance on how the 3% disturbance cap at either the smallest hierarchal scale or the largest scale (PPMA) should be spatially applied. Of particular concern is how the disturbance cap would be applied to long linear projects that could pass through multiple management areas or analysis zones.

Comment Number: IDMTSG-14-0186-1

Comment Excerpt Text:

Adequate regulatory mechanisms currently exist relative to the Greater Sage-grouse. Specifically, 43 CFR 4180 applies requirements relative to livestock grazing, and other similar regulatory mechanisms

exists relative to other resources and resource uses. Further, all of the subject Land Use Plans contain provisions for the protection of TES species.

Comment Number: IDMTSG-14-0186-2

Comment Excerpt Text:

The identification of “Preliminary Priority Management Area” (PPMA) and other zones is, in and of itself, a Land Use Plan – level decision that requires its own NEPA and Decision-making process. “Designation” of PPMA and other zones is akin to the agencies identifying de-facto “critical habitat” for the species, without the species having been listed. Such NEPA and appealable Decision-making relative to this “designation” is a necessary precursor to any decision-making process on how to manage the different zones.

The agencies should withdraw the proposed Land Use Plan Amendment until after completed a separate NEPA and decision-making process relative to what constitutes “priority habitat” that is of the “highest conservation value to maintaining or increasing GRSB populations” (and “other” habitat). This is particularly a necessary action because the “priority” habitat includes areas that are not sage-grouse habitat, i.e. perennial grasslands, annual grasslands, and juniper woodlands.

Comment Number: IDMTSG-14-0186-21

Comment Excerpt Text:

Page 2-136 [206]. D-LG/RM-5. As stated elsewhere herein, the failure of BLM Alternative D to recognize and employ Ecological Site Descriptions, which also define steady alternative states and potentials, should be rectified in the FEIS/LUPA. See ELG/RM-5, same page.

Comment Number: IDMTSG-14-0186-22

Comment Excerpt Text:

Page 2-137 [207]. D-LG/RM-6. This action is, at best, nebulous and subject to the whims of the authorized officer. As stated elsewhere herein, the failure of BLM Alternative D to recognize and employ Ecological Site Descriptions, which also define alternative steady-

state potentials, should be rectified in the FEIS/LUPA. See E-LG/RM-6, same page.

Comment Number: IDMTSG-14-0212-24

Comment Excerpt Text:

A. The purpose and need is inconsistent with the Agencies’ multiple use obligations.

The purpose and need statement in the Draft LUPA/EIS does not ensure proper implementation of the Agencies’ multiple-use obligations. The purpose and need statement directs the Agencies to incorporate new conservation measures into the LUPs and to consider directs the Agencies to incorporate new conservation measures into the LUPs and to consider such measures in the context of multiple-use. See Draft LUPA/EIS p. 1-12. This approach predetermines, however, that the affected public lands will be managed for sage-grouse conservation and all other uses may exist only where compatible with such conservation. In other words, the purpose and need statement improperly tips the scales in favor of one resource use over all other uses, rather than requiring the Agencies to consider each potential resource use on their merits and to provide “a combination of balanced and diverse resource uses” on BLM- managed lands. See 43 C.F.R. § 1702(c).

Although the Agencies mention the multiple-use mandate under FLPMA, the purpose and need statement does not provide for the consideration of the NFMA multiple-use requirements to provide for “harmonious and coordinated management of the various resources” on National Forest System lands. See 16 U.S.C. § 531(a). Because the purpose and need statement does not recognize the Agencies’ NFMA multiple use mandate, the Draft LUPA/EIS is fundamentally flawed.

Comment Number: IDMTSG-14-0212-25

Comment Excerpt Text:

The Agencies cite the Fish and Wildlife Service’s 2010 finding regarding the adequacy of the Agencies’ sage-grouse regulatory mechanisms as a threat to the species that possibly could warrant listing the bird

under the ESA. See Draft LUPA/EIS p. 1-12. If the potential ESA listing was the impetus for the LUP amendment process, the regulatory mechanisms resulting from the process should be no stricter than those potentially provided by an ESA listing. Otherwise, alternatives that are more stringent than the ESA would constitute regulatory mechanisms that are more than “adequate” and beyond the range of alternatives meeting the purpose and need. For example, because an ESA listing would not demand per se the closure of areas to phosphate leasing and rather the Fish and Wildlife Service would consider the merits of each proposed lease in sage-grouse habitat (including potential mitigation), the provisions of Alternatives B, C, D, and F that close areas to phosphate lease are more strict than an ESA listing. Therefore, these alternatives do not meet the purpose and need of the LUP process and do not constitute a reasonable range of alternatives and do not constitute a reasonable range of alternatives.

Comment Number: IDMTSG-14-0212-28

Comment Excerpt Text:

The Agencies failed to properly define the no action alternative.

By not considering BLM Manual 6840–Special Status Species Management as part of the existing management structure pursuant to Alternative A, the Agencies’ analysis did not include all reasonable alternatives that would address the purpose and need. Additionally, the Draft LUPA/EIS fails to provide an “apples-to-apples” comparison of alternatives because the level of analysis of Alternative A was limited without consideration of the management directions provided in Manual 6840.

Comment Number: IDMTSG-14-0212-9

Comment Excerpt Text:

Sub-objective B-SSS-3 provides a three percent disturbance cap on anthropogenic disturbances on lands in PPMAs. See Draft LUPA/EIS p. 2-100 (Sub-Objective B-SSS-3). The disturbance cap is flawed for at least the following reasons. First, it is arbitrary and inflexible. The disturbance cap does not appear to take into consideration site-specific conditions or

project- specific circumstances. It does not appear to allow for mitigation, which might provide a conservation benefit to the sage-grouse. In this way, the sub-objective B-SSS-3 does seem to be properly tailored to meet the Agencies’ goal of maintaining or increasing sage-grouse populations. See Draft LUPA/EIS p. 2-95 (Goal B-GOAL-1).

Second, it is unclear how the disturbance cap will be implemented. If it is implemented to close areas to phosphate mining after the three percent threshold is met, the disturbance cap possibly would be inconsistent with the Agencies’ multiple-use mandates, which suggest that the Agencies should seek to balance mining and conservation and not exclude mining completely from the public lands. At the very least, it should be a three percent unmitigated disturbance cap, allowing for continued development in sage-grouse habitat provided proper mitigation is implemented.

Comment Number: IDMTSG-14-0213-5

Comment Excerpt Text:

BLM Should Consider Interstate Planning Processes

Rocky Mountain Power is concerned that this LUP revision does not adequately consider all neighboring states in its planning process. Rocky Mountain Power requests that BLM consider how decisions made for this LUP would affect those decisions in neighboring states, particularly for inter-state projects such as electrical transmission lines.

Comment Number: IDMTSG-14-0213-6

Comment Excerpt Text:

Rocky Mountain Power is concerned that the BLM’s socioeconomic analysis in the DEIS is inadequate. Based on the current demand for energy in the Western United States, the benefits of transmission lines outweigh impacts associated with the construction, operation and maintenance of the proposed lines, particularly since efforts will be made to avoid, minimize, and mitigate impacts as appropriate. Rocky Mountain Power recommends that the BLM revise the socioeconomic section of the DEIS to include a discussion of the benefits of

enhancing the reliability and redundancy of high-voltage transmission in the west.

Comment Number: IDMTSG-14-0223-2

Comment Excerpt Text:

We would note that sage-grouse populations that occupy areas near state-lines covered under this draft EIS are biologically the same and that management should treat these populations similarly. We recommend close coordination with the state wildlife agencies in Idaho, Montana and Utah and federal agencies (BLM and USFS) in these states to ensure that management is coordinated, similar and compatible across political boundaries that are biologically irrelevant. For example, while we generally support Alternative E (in combination with various management actions identified in Alternative D), Alternative E is Idaho-specific and should be altered so as to ensure consistent management for populations near and across state borders.

Comment Number: IDMTSG-14-0242-1

Comment Excerpt Text:

We recognize that there are differences among the planning efforts of each of the sub-regions, including those which share Idaho and southwestern Montana planning boundaries. We encourage the BLM and FS to resolve any inconsistencies across planning boundaries where these differences do not have a clear basis. Where differences in management are warranted, the rationale for divergent management approaches should be fully explained as they pertain to meeting the COT objectives.

Comment Number: IDMTSG-14-0242-2

Comment Excerpt Text:

2.1 Disturbance Caps

a. Alternative D includes a requirement of "no net unmitigated loss of PPMAs" in lieu of a specific anthropogenic disturbance cap (pg. ES-15). The DEIS does not provide adequate specificity regarding how the "no net habitat loss" standard would be implemented to determine its consistency with the COT report or whether it would be a suitable replacement for a disturbance cap. Please provide

further clarification of how this approach would be consistent with the COT report.

Comment Number: IDMTSG-14-0242-3

Comment Excerpt Text:

Alternative E prescribes a 3 percent anthropogenic disturbance cap in the Core Habitat Zone (CHZ) and a 5 percent anthropogenic disturbance cap in the Important Habitat Zone (IHZ). Both of these caps would only apply to fluid mineral development (pg. 2-100). We recommend that a 3 percent disturbance cap be applied to the CHZ and the IHZ and that the cap include other anthropogenic disturbances (for example, Infrastructure as defined by Alternative E, pg D-33).

Comment Number: IDMTSG-14-0242-4

Comment Excerpt Text:

The available scientific literature discusses several different spatial scales and evaluates different land use activities than those assessed in the DEIS. Therefore, we recommend that you provide a clear analysis and rationale in the DEIS of the methods you will use to calculate disturbance to sage-grouse habitat

Comment Number: IDMTSG-14-0257-2

Comment Excerpt Text:

We recommend that the lead agencies develop an Environmentally Preferable Alternative and describe it in the Final LUPA FEIS so that citizens, stakeholders, interest groups and agencies can consider and comment on an alternative that is deemed most effective at alleviating threats to GRSG and their habitat

Comment Number: IDMTSG-14-0278-1

Comment Excerpt Text:

Alternative E provides for an exclusion on only 310,000 acres out of 13 million acres (DEIS Table 2.2 and 24) or roughly 2.0 percent. This small area is very unlikely to be effective, especially considering that GRSG are migratory and cover long distances. Connectivity among leking, nesting, brood rearing, and wintering areas is critical to the survival and perpetuation of the species and should be a major consideration. Unfortunately, Alternative E is not

effective in protecting this connectivity. Another indication of the minimal conservation efforts in Alternative E is the definition of Sage Grouse Management Areas (SGMAs). Its definition includes all "relevant" (the term is undefined) BLM and FS lands (DEIS Appendix D at 53). This definition omits 20 percent of the GRSB habitat that is on state or private property. Nowhere does Alternative E indicate what has been done or will be done to protect GRSB habitats and populations on state or private property. Thus, it violates the PECE criteria that requires certainty of effectiveness.

There is no scientific study or data provided that Alternative E would be effective, and there is certainly no indication that effective conservation efforts will be implemented. The appointment of an implementation task force is mentioned (DEIS at D-79) but there is no indication of how or when it will be comprised or how it will be funded, with these elements being crucial to any degree of effectiveness. The Alternative lacks any kind of implementation schedule which is also an important criterion under PECE

Comment Number: IDMTSG-14-0325-3

Comment Excerpt Text:

Alternative B proposes a 3% anthropogenic disturbance cap. Not all anthropogenic influences have the same impact. For example, a buried stockwater pipeline would have negligible effect on GRSB whereas an airport would present a much more significant interruption even though both might impact equal areal extents. Accordingly, this alternative could act to prevent insignificant (or even beneficial) disturbances while more detrimental uses could be permitted.

SECTION I.4 - BEST AVAILABLE INFO BASELINE DATA

Comment Number: IDMTSG-14-0008-3

Comment Excerpt Text:

The habitat Characteristics for Alternative D, set forth in tables 2-7 through 2-10 are not applicable in large areas of S. Lemhi and Custer County.

Comment Number: IDMTSG-14-0151-60

Comment Excerpt Text:

Appendix G – “Detailed” No Action Alternative

The No Action alternative is supposed to lay a firm foundation and provide substantive baseline conditions, with a hard look taken at environmental conditions. The No Action Alternative is presented in a way that makes it impossible to understand the current conditions on the lands, and the effects of the laundry list of actions in DEIS Appendix G. This DEIS refers a reader to an Appendix that is claimed to be the “detailed” No Action alternative. This Appendix is merely a long list of LUP provisions on pages G-1 to G-35. There are around 500 provisions of Land Use Plans. Some are very minimal – like the Magic MFP, others are far more elaborate. Some key provisions are missing altogether.

Appendix G is the “detailed” No Action Alt. It does not satisfy NEPA requirements for baseline information, a hard look, etc. Appendix G is a merely a list of existing LUP provisions by Plan. There is no analysis of how effective these are

Comment Number: IDMTSG-14-0159-15

Comment Excerpt Text:

The Agencies have artificially deflated Alternative A, the “No Action” Alternative because it fails to quantify the impacts associated with ongoing implementation of the many existing local, state and Federal conservation measures and the existing BLM policies designed to protect the GRSB and its habitat. The No Action Alternative must review the existing regulatory framework, including Federal, state, local and private efforts, including voluntary conservation measures, to determine what positive effects those measures will produce.

Comment Number: IDMTSG-14-0159-22

Comment Excerpt Text:

The USFWS has had a long-standing policy of working to conserve “candidate” species through several means, including a grants program funds conservation projects by private landowners, states and territories; and two voluntary programs - Candidate

Conservation Agreements (CCAs) and Candidate Conservation Agreements with Assurances (CCAAs) - engage participants to implement specific actions that remove or reduce the threats to candidate species, which helps stabilize or restore the species and can preclude the need for ESA listing.

2. Additionally, the Service is directed by Congress “make prompt use” of emergency listing authority under Section 7 of the ESA if warranted for candidate species, 16 U.S.C. § (b)(3)(C)(iii). None of these presently existing important ESA tools are accounted for in this NEPA process.

Comment Number: IDMTSG-14-0186-8

Comment Excerpt Text:

The document fails, except under Alternative E, to recognize State and Transition models (i.e. the best and latest science), but instead perpetuates under Alternative D the incorrect perception that any and all sagebrush areas or potential sagebrush areas can somehow become “ideal” sage-grouse habitat. Many of the subject rangelands in Idaho, particularly Wyoming big sagebrush sites, were altered even before the passage of the Taylor Grazing Act so that they may support sagebrush, but the understory is a virtual monoculture of Sandberg bluegrass; such understories lack any significant seed source of deep-rooted perennial grasses. While discussion of Alternative D touches on this condition, it should be more prominently and forthrightly discussed. This has ramifications relative to RHA’s, which often perpetuate the notion that Clementsian succession will proceed “if we just change the livestock management”. Numerous examples of this misperception (and therefore incorrect analysis of Rangeland Health capabilities) are evident in the RHAs for the “Owyhee 68” group of grazing allotments.

SECTION 1.5 - GIS DATA AND ANALYSIS

Comment Number: IDMTSG-14-0025-2

Comment Excerpt Text:

The mapping efforts of the Challis Local Working Group have been solid, and the Alt E map for the

Mountain Valleys region is more accurate than the map from Alternative D.

Comment Number: IDMTSG-14-0026-2

Comment Excerpt Text:

We suggest the portion of the Mountain Valley Conservation Area that is adjacent to the Desert Conservation Area between the Wood River and Mountain Home be included with the Desert Conservation Area. We feel that the issues are more similar with that conservation area than with Mountain Valleys.

Comment Number: IDMTSG-14-0151-30

Comment Excerpt Text:

The DEISs fail to map populations that extend into other states, if the land area is not being considered in the specific EIS. This thwarts an adequate cumulative effects analysis, and tracking of biologically functional populations spanning state lines.

Comment Number: IDMTSG-14-0151-69

Comment Excerpt Text:

Is the 9,260,000 acre BLM and 2,095,300 acre Forest figure here based on habitats identified in LUPs? On the 2006 ID sage-grouse conservation Plan? Please clarify. How much of the land in these categories has been identified for restoration in the 2006 plan, or has had sagebrush or sage-grouse habitat species planted post-fire? We also note that an earlier Table, ES-4 appears to omit Medial areas and seems to only represent Idaho.

Comment Number: IDMTSG-14-0151-83

Comment Excerpt Text:

The letter on ACEC maps telling a reader which Alternative the ACEC maps go with is missing in the DEIS Figures 2-46 and 2-47. So a reader cannot tell what Alternatives the mapping goes with.

Comment Number: IDMTSG-14-0151-84

Comment Excerpt Text:

The description of Alternative D states that "no additional ACECs would be designated under Alternative D". DEIS 2-66. The ACEC maps for Alts A and C are labeled with letters. There are two other maps, Figures 2-45 and 2-46 that lack letter

labels, so we cannot tell what Alternatives they go with

Comment Number: IDMTSG-14-0151-91

Comment Excerpt Text:

While the date under the table is 2013, it is unclear what the date of the vegetation layer is. In the recent Owyhee 68 permits, BLM relied on old, outdated 2002 data (PNNL) information. What is the data source and year used here?

Comment Number: IDMTSG-14-0157-27

Comment Excerpt Text:

BLM's duty to ensure the scientific integrity of the FEIS is found at 40 C.F.R. § 1502.24. The information presented in the DEIS and FEIS must be sufficiently quantified and detailed to support the scientific and other impact analysis conclusions and discussions in the FEIS. Of particular concern is whether the maps purporting to present PPMAs and PGMA's are sufficiently accurate and "ground-truthed." The maps presented in the DEIS are of such broad scale that it is difficult to determine whether they are accurate. They certainly are inaccurate to the extent that they cover lands known to be inhabitable to Sage-grouse including anthropogenic disturbances and physical barriers such as cliffs and water. The FEIS should provide that additional ground-truthing will take place prior to any site-specific implementation of projects and decisions and that amendments to land use plans may be undertaken without further NEPA analysis to avoid unnecessary delays in project approval.

Comment Number: IDMTSG-14-0168-22

Comment Excerpt Text:

I-36

"The most current approved BLM and Forest Service corporate spatial data will be supported by current metadata and will be used to ascertain GRS habitat extent and quality. Data will be consistent with the principles of the Information Quality Act of 2000."

Comment:

To comply with the Information Quality Act of 2000 (IQA), the GIS data including the metadata need to be available to the County and the public. The software must also be available for free download.

Comment Number: IDMTSG-14-0186-4

Comment Excerpt Text:

Likewise, PPH that is perennial grassland or annual grassland is not only non-habitat, it must also be considered not "occupied". Priority Habitats, if designated, should not include non-sage-grouse habitats such as crested wheatgrass and other perennial seedings or areas dominated by cheatgrass or areas of juniper encroachment and domination. While these areas may be important "restoration" zones, they should be so designated, but should not be considered "priority habitat" for a species of wildlife that does not occupy them. For example, according to Dr. Clait Braun, "crested wheatgrass is a biological desert and no value to sage grouse." (Braun testimony in Idaho U.S. Federal Court). In addition, whether to include them or not as "highest conservation value" is a LUP-level decision that should undergo its own analysis and decision-making, rather than being a "foregone conclusion" that serves as the basis for this DEIS.

Comment Number: IDMTSG-14-0186-5

Comment Excerpt Text:

Maps/habitats need to be updated to 2014, or whenever a LUPA is finalized, whichever is later. This includes actual ground-truthing, which apparently has not occurred, and this also has ramifications for "triggers" relative to changes in "baseline" conditions (see, for example, Vol. III, Appendix E which describes 2006 Landfire Maps). IRC has previously, relative to the Jarbidge Field Office, made known to BLM errors in its map depictions of sagebrush habitats based upon aerial or space-based imagery.

Comment Number: IDMTSG-14-0206-4

Comment Excerpt Text:

VI. The West Central (Weiser) and East Idaho Uplands Populations Do Not Need To Be Included in

the IHZ But Do Deserve a Heightened Level of Protection.

Alternative D proposes to include portions of the Weiser Basin and Upper Snake populations in PPMA, whereas Alternative E relegates both populations to the General Habitat Zone (GHZ). Both populations were included in the BLM's mapping of preliminary priority habitat and IDFG's mapping of key habitat for sage grouse in Idaho. Based on lek counts alone, these areas would likely qualify at least for inclusion in IHZ.

The State of Idaho downgraded these areas to GHZ because they are isolated from the main populations and are unlikely to influence the long-term viability of sage grouse populations in Idaho. We understand the State's reasoning for this decision. Keeping these areas in the GHZ is acceptable because roughly 95% of the sage grouse population is included in the more protective IHZ and CHZ designations.

However, we are concerned that the level of protection in GHZ is so low that little effort will be made to take reasonable steps to conserve these two populations. Therefore, we recommend that major infrastructure projects proposed in these areas be required to mitigate their impacts within polygons shown as PPMA or PMMA in Alternative D. In addition, reasonable conditions to avoid and minimize impacts proposed for the IHZ should be extended to these two areas.

Comment Number: IDMTSG-14-0242-18

Comment Excerpt Text:

One important difference between Alternatives D and E is that Alternative E's thematic mapping criteria are based upon a measurable population objective. If the BLM considers mapping changes, we recommend that the final map be closely coordinated with the State and reflect scientifically-based population objectives similar to those described in Alternative E. This should include habitats that provide essential connectivity, and habitat restoration and population expansion.

SECTION I.6 - INDIRECT IMPACTS

Comment Number: IDMTSG-14-0154-5

Comment Excerpt Text:

While BLM has considered various adaptive management proposals in land use plans, their efficacy is often compromised by a lack of baseline information, combined with undefined and indeterminate funding to conduct adequate monitoring and compliance. One of the foremost concerns with any reliance upon adaptive management as an integral part of any management plan is the inherent needs of additional funding to conduct additional monitoring, compliance and enforcement. The draft EIS does not illustrate when or where additional or new funding streams will be generated.

Comment Number: IDMTSG-14-0180-19

Comment Excerpt Text:

Further, if BLM adopts Alternative D's Population Areas as its method of delineating sage-grouse habitat, it may unwittingly give itself an unfunded mandate. Currently, little to no monitoring occurs in the East Central Idaho, Weiser, and the Sawtooth populations. This is for a variety of reasons, only one of which is funding. The primary reason for the lack of monitoring is that these populations are small and relatively unimportant to the overall sage-grouse population in Idaho. Thus, even if funding was available to monitor these areas, it would be very hard to justify diverting resources to these areas. Yet, Alternative D delineates all three of its zones in each of these populations, thus requiring monitoring to determine if triggers have been tripped. This is unnecessary and an unwise use of BLM resources. In contrast, Idaho Fish and Game currently monitors all of the lek routes in Alternative E's CHZ and IHZ, and has requested additional funding from the State to improve this monitoring. This means that Alternative E's trigger program can be implemented immediately, with no additional funding from the State or from BLM, because IDFG is already collecting the data required to do so.

Comment Number: IDMTSG-14-0180-46

Comment Excerpt Text:

Overall, BLM's Chapter 4 analysis is inadequate, vague, and often inaccurate. Many conclusions are without support. Even when the conclusion is correct, it is difficult to determine why. Alternatives are lumped together in groups for various stages in the analysis, where BLM determines they all have similar effects. This is unhelpful because this type of analysis does not allow the reader to distinguish between the effects of each individual alternative. It is also unlikely that 6 unique alternatives could all, at times, produce the exact same effects.

Comment Number: IDMTSG-14-0182-2

Comment Excerpt Text:

The DEIS Fails to fully evaluate the No Action Alternative.

40 CFR 1502.14(b) requires that an EIS "devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits." This includes the no action alternative. However, in this case, the no action alternative is sparsely described. In some cases, the policies detailed in the action alternatives are already authorized under current law, but the document fails to note this in the no action alternative. This may erroneously lead reviewers to believe existing laws do not contain conservation measures sufficient to protect the GRSG. The DEIS fails to acknowledge that existing laws, regulations and policies already direct the BLM and USFS manage habitat for candidate, sensitive, threatened, endangered and other special species designations.

Comment Number: IDMTSG-14-0322-3

Comment Excerpt Text:

To correct the deficiency [of missing a plan of action that will provide how BLM will accomplish the goals/objectives], a valid recommendation is that the final EIS and its proposed preferred alternative contain the lacking information identified as well as proposed actions of goals and objectives. Not doing so would be a great neglect or oversight that many

would find unacceptable and find the EIS very incomplete.

The addition of the following THREE items is suggested to correct the deficiency.

Item 1. Sage-Grouse Habitat

A significant discussion identifying that restoration of lost sage-grouse habitat through seeding of vegetation species that are important to good sage-grouse habitat will be a key component to reducing the current decline of sage-grouse numbers and move the sage-grouse numbers to an increasing trend. This discussion should include specific goals and objectives.

Item 2. Funding for Sage-Grouse Habitat Restoration

A discussion identifying how obtaining sufficient funding is a key issue of vital importance in restoring important sage-grouse habitat by seeding as stated in above Item 1. This discussion should include specific sources and amount of funding to be obtained to reach the desired goals and objectives. Currently the funding for this extremely important purpose is woefully inadequate.

A discussion detailing the woefully deficient funding currently available for sage-grouse habitat restoration being lost by yearly wildfires is presented in an article the SRM published in Rangelands Volume 35, Number 3, June 2013 authored by Tim Murphy, David E. Naugle, Randal Eardley, Jeremy D. Maestas, Tim Griffiths, Mike Pellant and Stan I. Stiver.

SECTION 1.7 - CUMULATIVE IMPACTS

Comment Number: IDMTSG-14-0105-1

Comment Excerpt Text:

Although these comments are generally to be directed to the above referenced Idaho and South West Montana Greater Sage-Grouse Draft Land Use Plan Amendment and Environmental Impact Statement dated October 2013, we would like to state for the record that we have serious concerns regarding this limitation. Owyhee County borders two other states that are also working on plans and

comments. Many of the land uses covered under the land use plans, as well as species that use this land such as the Sage Grouse, do not recognize nor are they limited to one state or area. Therefore, any inconsistencies in use, triggers, and/or restrictions, etc. from one state to another in their plans and /or comments may certainly have effects on Owyhee County. This is cause for concern. Further comment on this matter is difficult as it has not been clearly defined at this time as to how this will be addressed.

Comment Number: IDMTSG-14-0131-21

Comment Excerpt Text:

The cumulative effects of Alternatives need to be considered with other state plans. For example, the Draft LUMA/EIS for Utah has similar alternatives based on the NTT report. If those alternatives are selected for both Utah and Idaho, a considerable portion of the Western Phosphate Field KPLAs will be unavailable for American agriculture. To comply with NEPA obligations, the implications on national food security of such prohibitions on use must be thoroughly analyzed, discussed and given a “hard look” when choosing a final alternative.

Comment Number: IDMTSG-14-0151-22

Comment Excerpt Text:

The DEIS fails to sufficiently look outside of the planning area for cumulative impacts. The BLM’s National Sage-grouse Habitat Conservation Strategy calls for a regional analysis, and the DEIS should have looked outside of the RMP area in the cumulative impacts discussion. See *WWP v Salazar*, No. 04.08-cv-516-BLW (D. Idaho September 28, 2011). Populations must be the basis for management, not state lines. must be the Amendment goal, not sacrificing populations as the COT does.

Comment Number: IDMTSG-14-0157-25

Comment Excerpt Text:

Section 4.16 fails to adequately identify reasonably foreseeable future actions. For example, predator control is determined to be outside the scope of the DEIS. See Section 2.3.1. Yet, predation is "the most commonly identified cause of direct mortality for GRSG during all life stages." See Section 3.2.1, p. 3-

11. Given that predator control is a known, identified and foreseeable future action, it must be analyzed as part of the cumulative impacts analysis even though it is considered to be outside of the scope of the action alternatives themselves. As BLM properly notes, the cumulative impacts analysis takes into account all reasonably foreseeable actions regardless of land ownership and jurisdiction.

Comment Number: IDMTSG-14-0157-26

Comment Excerpt Text:

Similarly, of particular interest and importance to Y-3 II is the China Mountain Wind Project. It is identified in the Nevada DEIS at Table 5.8 as a possible future action but there is no mention of that wind project in the Idaho DEIS Section 4.16.2 or .3. Some 75% of the project would be in Idaho. BLM should fully explain the status of the China Mountain Project and confirm whether it may or may not be a reasonably foreseeable future action. This wind project, as set forth in right-of-way applications to BLM, could impact several of the allotments used by Y-3 II including Player Canyon and Player Butte. BLM should provide more information on the status of China Mountain as a reasonably foreseeable future action. The Jarbidge RMP DEIS is being formalized pursuant to Table 4.75 but the DEIS does not explain how this NEPA process relates to the Idaho and southwestern Montana greater Sage-grouse draft land use plan amendments and this DEIS.

Comment Number: IDMTSG-14-0159-13

Comment Excerpt Text:

The DEIS documents are part of several related NEPA documents, including the DEISs for Oregon, Idaho and southwestern Montana, Nevada and northeastern California, and Utah. The total potential acreage withdrawn and the contribution in this DEIS to a broader total number of acres proposed to be withdrawn from future public use is not discussed. This is a fatal NEPA analytical gap.

Comment Number: IDMTSG-14-0210-10

Comment Excerpt Text:

BLM Should Consider Interstate Planning Processes

NorthWestern Energy is concerned that this LUP revision does not adequately consider all neighboring states and adjoining BLM jurisdictions in its planning process. NorthWestern Energy requests that BLM consider how decisions made for this LUP would affect those decisions in neighboring states or BLM jurisdictions.

SECTION I.9 - MITIGATION MEASURES

Comment Number: IDMTSG-14-0056-11

Comment Excerpt Text:

Arbitrarily mandating specific RDF's or BMP's at a land use planning level is unacceptable. These items should only be considered as a "tool box" to be used at the activity plan level and then only used after an impact assessment has been made. This will avoid indiscriminant and unnecessary restrictions on land uses.

Comment Number: IDMTSG-14-0105-12

Comment Excerpt Text:

[Vol2]Page 2-14 Adaptive Management and Monitoring need a more discussion. The two alternatives, D and E, are dependent on a clear understanding of when those triggers are implemented. And how that data was collected and analyzed and all impacts are fully investigated.

Comment Number: IDMTSG-14-0105-9

Comment Excerpt Text:

Vol2

Page 1-21 There is a brief discussion about Monitoring to insure compliance with the desired goals of the LUP amendment. Other than that, there was very little discussion on what type of monitoring would occur for each of the alternatives.

Comment Number: IDMTSG-14-0157-21

Comment Excerpt Text:

Alternative [D] incorporates adaptive management using habitat and population triggers. When a trigger

is tripped, a management response in the form of further restrictions or exclusions is imposed. Section 4.6.7. These types of triggers with management responses are only imposed upon the regulated community, including ranchers. This approach is not well-suited to the two primary threats in Idaho from wildfire and invasive species. See Section 2.4.4.

Comment Number: IDMTSG-14-0168-21

Comment Excerpt Text:

1-26

"Regulations at 43 CFR 1610.4-9 require that the proposed LUPA establish intervals and standards, as appropriate, for monitoring and evaluation of the plan, based on the sensitivity of the resource decisions involved. Progress in meeting the plan objectives and adherence to the management framework established by the plan is reviewed periodically."

Comment: The statement should be expanded to include monitoring requirements specified in the BLM Sensitive Species Manual 6840 and FSM 2670. Under the No Action Alternative as well as any action alternative, BLM and the US Forest Service must monitor GRS habitat conditions as well as the habitat conditions of other sensitive and special status species.

As clearly stated in Manual 6840 and quoted verbatim herein:

C. Implementation. On BLM-administered lands, the BLM shall manage Bureau sensitive species and their habitats to minimize or eliminate threats affecting the status of the species or to improve the condition of the species habitat, by:

I. Determining, to the extent practicable, the distribution, abundance, population condition, current threats, and habitat needs for sensitive species, and evaluating the significance of BLM-administered lands and actions undertaken by the BLM in conserving those species.

2. Ensuring that BLM activities affecting Bureau sensitive species are carried out in a way that is consistent with its objectives for managing those species and their habitats at the appropriate spatial scale.

3. Monitoring populations and habitats of Bureau sensitive species to determine whether species management objectives are being met (emphasis added).

The US Forest Service lists sage-grouse as a sensitive species and has similar direction in Forest Service Manual 2670.

Additional evidence of statewide GRSG habitat monitoring can be found at

http://www.blm.gov/pgdata/etc/medialib/blm/wo/Comrnunications_Directorate/public_affairs/sage-grouse.Par.57380.File.dat/s-blmnevada.web.pdf

Please add an explanation in the EIS to explain how the BLM Manual 6840 explicitly directs BLM to manage GRSG and other sensitive species and habitat to promote their conservation and to minimize the likelihood and need for listing under the ESA... In compliance with existing laws, including the BLM multiple use mission as specified in the FLPMA, the BLM shall designate Bureau sensitive species and implement measures to conserve these species and their habitats, including ESA proposed critical habitat, to promote their conservation and reduce the likelihood and need for such species to be listed pursuant to the ESA."

The US Forest Service lists sage-grouse as a sensitive species and has similar direction in Forest Service Manual 2670

Comment Number: IDMTSG-14-0178-32

Comment Excerpt Text:

Site Specific Management (ES-13) – Specific or prescriptive RDFs and BMPs should not be delineated at this level, but rather at the allotment level.

Comment Number: IDMTSG-14-0179-11

Comment Excerpt Text:

We appreciate the intent of the “no net unmitigated loss of PPMA” in Alternative D but the lack of definition of this term is problematic. The Idaho Conservation League is very supportive of mitigation efforts when impacts have first been avoided and minimized and are guided by a larger mitigation framework. Because of the difficulty in accurately determining the negative effects of a project in advance and producing effective mitigation on the ground, a 3% disturbance cap in both CHZ and IHZ is a more protective measure.

Comment Number: IDMTSG-14-0179-16

Comment Excerpt Text:

Adequate Regulatory Mechanism Needed for Travel Planning

Even if travel plans are completed and travel is restricted to existing routes in the interim, we are concerned that travel plan implementation is not an adequate regulatory mechanism as it stands today. There are an extremely limited number of BLM enforcement officers available to educate and enforce user groups and compliance among user groups is problematic along designated routes. As such, we do not believe that the US Fish and Wildlife Service can make the determination that there is an adequate regulatory mechanism, funding, or agency commitment at this point.

As part of the implementation of the ROD, the State of Idaho and BLM are going to develop additional MOUs for implementation of various measures. We recommend that the BLM and State of Idaho also establish an MOU regarding enforcement actions on BLM lands. The Idaho Department of Fish and Game has a number of Conservation Officers who patrol BLM areas as part of their work. An MOU would enable Fish and Game Conservation Officers to help enforce travel management plans on BLM-managed lands. The Idaho Department of Fish and Game already has an MOU with the Forest Service for enforcement actions on National Forest property and

this has been very useful in protecting forest resources.

Comment Number: IDMTSG-14-0179-17

Comment Excerpt Text:

The BLM needs to clarify its authority to require compensatory mitigation as a condition for a permit and to deny such permits if mitigation is not possible or well-designed. An appropriate mitigation ratio needs to be developed which factors in the quality of habitat affected, direct and indirect effects, construction and operational impacts, and the time delay for beneficial result and the risk of failure, among other factors:

The effectiveness of restoration activities (ultimately determined by sage-grouse use and population trends) must be demonstrated prior to receiving any credit for mitigating losses. Restoration activities should be developed within a framework that allows for necessary adjustments.

- Greater Sage-Grouse Conservation Objectives Final Report, p. 32.

Comment Number: IDMTSG-14-0179-7

Comment Excerpt Text:

BLM needs to provide additional details on a comprehensive monitoring program regarding the efficacy of fire prevention, suppression and rehabilitation measures, fuel reduction programs, infrastructure avoidance and minimization, West Nile virus control efforts, habitat restoration projects, livestock grazing effects on rangeland conditions (particularly in riparian and upland areas), recreation impacts and efficacy of mitigation programs. The adaptive management triggers need to be based on conditions in both the CHZ and IHZ, and not just the CHZ as proposed in a more recent version of the State Alternative.

Comment Number: IDMTSG-14-0180-35

Comment Excerpt Text:

When measured in isolation any of the conservation measures outlined in Alternative E very likely produce similar results as those identified in Alternative B and D. However, these measures

cannot be assessed in a vacuum, as BLM did here. Instead, these measures should be analyzed in relationship to the triggers that make them operational. A conservation measure is just an idea, unless a management plan states how it will be implemented and then actually implements it.

Comment Number: IDMTSG-14-0181-2

Comment Excerpt Text:

Thus, in both the Section 10 and Section 7 context, there is no absolute prohibition on activities that might “take” a species. An ESA listing does not summarily put off limits mining projects that might adversely affect the species or its critical habitat. 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 allow the applicant’s project to move forward while conserving the species.

By contrast, the Agencies’ proposed phosphate lease and saleable minerals closures potentially would put up to nearly 11 million acres of public land off limits from such mineral development, regardless of site-specific species occurrence and habitat conditions or of mitigation opportunities that might be offered by the project proponent and authorized following ESA Section 7 consultation or pursuant to a Section 10 permit. 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 that the Agencies are attempting to avoid. Further, if the Agencies’ objective in this land use planning process is to provide “adequate” regulatory mechanisms in response to the Fish and Wildlife Services’ “warranted, but precluded” finding and to avoid an ESA listing, each alternative that would impose restrictions beyond what is required or adequate under the ESA should not be considered within a reasonable range of alternatives to serving that objective.

Comment Number: IDMTSG-14-0183-21

Comment Excerpt Text:

The brief description of what the BLM hopes to present as a mitigation strategy following the completion of the NEPA process is inadequate. The lack of detail does not allow reviewers the opportunity to determine if mitigation will be appropriate for potential impacts. At a minimum, the Draft EIS should provide a “menu” of mitigation project types; criteria for determining appropriate mitigation sites and priorities; expected benefits of each mitigation type; mitigation ratios; and monitoring and success criteria.

Comment Number: IDMTSG-14-0183-22

Comment Excerpt Text:

Pg. ES-12

Monitoring Strategy

The BLM and Forest Service are currently in the process of finalizing a Monitoring Framework which will be included in the Proposed LUP Amendment/FEIS; the major components of this Monitoring Framework can be found in Appendix E of this Draft EIS.

Only a draft of the Monitoring Framework is provided, with insufficient detail to provide a meaningful opportunity to comment. There is insufficient information provided to determine what monitoring efforts will be implemented by the BLM and if these monitoring efforts will support mitigation measures and to what extent. The Draft Monitoring Plan falls short of what can be reasonably expected of a DEIS to provide a meaningful opportunity to comment.

Comment Number: IDMTSG-14-0212-18

Comment Excerpt Text:

P4 Production appreciates the Agencies’ incorporation in Alternative D of the concept of no net unmitigated loss of PPMAs and recognition of a suite of actions to offset or restore disturbed sage-grouse habitat. See Draft LUPA/EIS p. 2-74. However, the Agencies provide no explanation of the measures that would be applied to implement the standard. The

Draft LUPA/EIS mentions “prescribed mitigation ratios” but goes no further to discuss the substance or calculation of such ratios. See Draft LUPA/EIS p. 2-75. In order for the public to fully evaluate the mitigation requirements proposed under this alternative, the Agencies should explain the ratio calculation that will be applied. Any such calculations should recognize that mitigation benefits may take years to develop. The temporal elements of a mitigation project should be incorporated into the mitigation credit calculation, however, there should be no blanket requirement that such benefits manifest before disturbance can proceed. Otherwise, the incentive for pursuing the mitigation project—i.e., to move forward with the development project—would be lost.

Comment Number: IDMTSG-14-0278-2

Comment Excerpt Text:

Adaptive regulatory triggers in Alternative E exclude GHZ and require that two of the following three factors occur in a conservation area before the CHZ restrictions apply within the IHZ:

- (1) The finite rate of population change over three years is significantly less than 1.0. The term "significantly" is not defined.
- (2) Number of males on lek routes declines by greater than 20 percent over a three-year period compared to 2011.
- (3) A 30 percent or greater loss of sagebrush habitat within defined breeding or winter habitat in a three year period. (DEIS at D. 31).

These triggers are ineffective to deal with declining GRSG habitat or populations for several reasons. First, Factor (2) does not provide a true population index when it is based on the "number of males on lek routes." That number could easily be manipulated by simply counting more leks. The better, and more scientific measure, is the average number of males per lek or the average number of males per occupied lek. (DEIS at 2-73, 2-74). Using these numbers, Fish and Game lek counts from 2011 to 2013 show that populations have declined by 25.5 percent and 41.3

percent respectively in Zone 1 (Attachment B) and by 15.0 percent and 22 percent in Zone 2 (Attachment C).

Second, if the soft triggers are reached, no additional restrictions in IHZs are required (DEIS at 2-80). The population could be declining at 20 percent a year, but the trigger is not tripped until after the third year. At that point, it may be too late to effectively respond. This is demonstrated by a study cited in Alternative E where 16 percent of an area was lost, and the population declined by 73 percent. (DEIS Appendix D at 180.)

Third, Attachments B and C show that the number of males counted has declined by 19 percent in Zone 1 in two years and by 26 percent in Zone 2.

Fourth, the 30 percent decline in breeding or wintering habitat used in Alternative E is not supported by the State's supporting material which states a hard trigger is set at a 20 percent loss of breeding or wintering habitat in a conservation area (DEIS Appendix D at 181.) By contrast, Alternative B sets the trigger at 20 percent habitat loss anywhere in a population area or a loss of 10 percent of the nesting or wintering habitat.

Fifth, the emergency clause proposed in Alternative E (DEIS Appendix D-32) is also inadequate because it only applies to the CHZ when 200,000 acres or more habitat is burned or when 50 percent or more of the important breeding or wintering habitat could be lost in the CHZ. If this loss occurs in the IHZ or GHZ, the emergency clause would not apply.

Finally, there is no scientific evidence provided that these adaptive triggers will be effective.

Comment Number: IDMTSG-14-0322-5

Comment Excerpt Text:

"Appendix C-Reclamation Plan" in the Wyoming Greater Sage-Grouse Draft EIS contained some very valuable ideas and direction for sage-grouse habitat restoration and may be worthwhile to incorporate a version of it in this EIS.

Comment Number: IDMTSG-14-0325-6

Comment Excerpt Text:

Adaptive Management.

NTT and USGS purport to be the "best available science", not only in broad or general terms, but to very minute and specific standards (e.g. the exact percentage of anthropogenic influence each finds permissible.) This LUPA proposes to make numerous regulatory changes that will affect BLM land users based on the "science" and assumptions set forth in the NTT and USGS reports. If the conclusions and resulting use amendments are not effective to the degree that a management plan or action should be changed, BLM should revisit the matter by amending the LUPA, not by a 'trial and error' process.

Adaptive management, as specified in Alternatives B, C, D and F should not be used where it results in more restrictive conditions to existing uses. If BLM desires to implement more restrictive management changes based on "new" scientific information, the new information should be subject to the same LUPA procedure as current information. BLM should also review the reasons the current science is being replaced and hold the author(s) accountable for any bias or inaccuracy.

SECTION 2 - FLPMA

Comment Number: IDMTSG-14-0131-11

Comment Excerpt Text:

Emphasizing one resource, sage-grouse, to the exclusion of all others, across an entire planning area is inconsistent with FLPMA, and BLM must resolve this issue before the Final EIS is published. The EIS must evaluate how the land use restrictions, prohibitions, and effective withdrawals that are in Alternatives achieve the required balance in managing the public lands.

Comment Number: IDMTSG-14-0131-12

Comment Excerpt Text:

BLM/USFS must acknowledge that it is required to fully consider the need for mineral development along with the need for conservation of other resources.

Simplot appreciates the difficult balancing act BLM/USFS must achieve when dealing with competing resources; however, prohibiting mineral development cannot be the mode of action. BLM/USFS must recognize that the need for mineral development (to reduce the Nation's reliance on foreign sources of the minerals, to maintain our way of life and to provide for food security), may in fact be greater than the need to uniformly conserve millions of acres of sage-grouse habitat. As such BLM/USFS must demonstrate its compliance with the mandate under the Mining and Minerals Policy Act (30 U.S.C. §21(a)), and FLPMA (43 U.S.C. §1701(a)(12)) to recognize the Nation's need for domestic minerals.

Comment Number: IDMTSG-14-0131-19

Comment Excerpt Text:

There is no consideration as to how these Alternatives meet or are consistent with valid existing rights or such statutes as FLPMA, multiple-use mandates and the Mineral Leasing Act.

Comment Number: IDMTSG-14-0131-28

Comment Excerpt Text:

Both the affected environment (Chapter 3) and environmental consequences (Chapter 4) of the Draft LUPA/EIS need to discuss how the various statutes that govern federal lands will be met, especially in relation to rights-of-ways and minerals. Alternatives B, C, D and F clearly do not meet the Multiple-Use Sustained Yield Act, the Federal Land Policy Act and Management Act and the Mineral Leasing Act. A clear definition of valid existing rights, along with how those rights will be maintained for both mineral developments and ROWs, needs to be provided in the LUPA/EIS.

Comment Number: IDMTSG-14-0149-9

Comment Excerpt Text:

FLPMA clearly identified mineral exploration and development as a principal or major use of the public lands. The Multiple-Use Sustained-Yield Act of 1960 specifically states: "Nothing herein shall be construed so as to affect the use or administration of the mineral resources of national forest lands ..."

The laws require the agencies to foster and develop mineral activities, not stifle and prohibit them. It does not appear this was a primary goal during the preparation of the LUPA/DEIS. The agencies must reconsider their view of oil, natural gas and mineral development when preparing the final LUPA/EIS and ROD.

Comment Number: IDMTSG-14-0151-59

Comment Excerpt Text:

FLPMA, NFMA, Sensitive Species Policy

While the EIS lists various local plans, it fails to adequately consider the power for making management changes that the agencies have - actually duties – under FLPMA, NFMA, and policies such as Sensitive species and other policies. The problem is they lack the political will to act.

What parts of Alternatives could be accomplished under this existing framework and the latitude agencies already have to manage lands and conserve species?

Comment Number: IDMTSG-14-0153-1

Comment Excerpt Text:

The failure to look at the full range of reasonable alternatives is related to BLM's duty in any environmental analysis to develop, study, analyze and adopt mitigation measures to protect other resources. The ability to adopt post-leasing mitigation measures – see 43 C.F.R. § 3101.1-2 – is quite broad, as all reasonable measures not inconsistent with a given lease may be imposed by BLM. This is particularly true given that BLM, pursuant to FLPMA, must manage public lands in a manner that does not cause either "undue" or "unnecessary" degradation. 43 U.S.C. § 1732(b). Put simply, the failure of BLM to study and adopt these types of mitigation measures – especially when feasible and economic – means that the agency is proposing to allow this project to go forward with unnecessary impacts to public lands, in violation of FLPMA.

Comment Number: IDMTSG-14-0153-11*Comment Excerpt Text:*

In the Idaho – Southwest Montana RMP Amendment EIS, BLM has failed to apply in its preferred Alternative D or E the recommended sage grouse protections presented to it by its own experts (the BLM National Technical Team), and as a result development approved under several of the alternatives analyzed (and particularly Alternatives A, D, and E) will result in both unnecessary and undue degradation of sage grouse Priority Habitats and result in sage grouse population declines in these areas, undermining the effectiveness of the Core Area strategy as an adequate regulatory mechanism in the context of the decision.

Comment Number: IDMTSG-14-0157-20*Comment Excerpt Text:*

This alternative is noted as an "individual or conservation group" alternative in the DEIS but is identified in the Nevada DEIS as the alternative written by Western Watersheds Project ("WWP"). Transparency of this authorship allows the public to critically assess Alternative C in the context within which it was offered and intended. Consistent with WWP's mission, it would close 11 million acres of habitat to grazing. WWP's mission is succinctly stated on its website: "The time has come to end public lands ranching." See www.westernwatersheds.org/issues/public-lands-ranching. This alternative cannot be adopted by BLM because doing so would violate FLPMA, the Taylor Grazing Act, 43 U.S.C. 315a, et seq., the Public Rangelands Improvement Act, 43 U.S.C. 1901, et seq., and the Multiple Use Sustained Yield Act, 16 U.S.C. 528, et seq., all of which call for multiple use of federal lands including lands for livestock grazing.

Comment Number: IDMTSG-14-0180-6*Comment Excerpt Text:*

We recognize the difficult task the BLM faces in managing public lands; however, three of the alternatives do not fit within BLM's mission as a land manager. Alternative B is overly restrictive for infrastructure development and oil and gas activities. Alternative C would eliminate livestock grazing

entirely and the addition of ACECs through Alternative F would restrict a variety of uses. Restricting uses or unnecessarily reducing agency discretion may seem to be the prudent course of action, but the result is BLM will lose the flexibility needed to anticipate future uses and needs of the country. Without a more complete analysis of how infrastructure projects in the past decade have impacted the population of the species, such an overreaching proposal is unnecessary.

Comment Number: IDMTSG-14-0212-13*Comment Excerpt Text:*

Given the Agencies' multiple-use mandates for land use planning, and the flexibility provided under ESA Section 10 and Section 7, the Final LUP Amendment should not provide restrictions that manage solely for sage-grouse conservation to the exclusion of leasable mineral development. In both the Section 10 and Section 7 context, there is no absolute prohibition on activities that might "take" a 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 Fish and Wildlife Service and the applicant to find solutions that allow the applicant's project to move forward while conserving the species. The Agencies should not, in an attempt to avoid an ESA-listing for the sage-grouse, make decisions that are more restrictive than if the species was listed under the ESA, and therefore, closing all federal nonenergy leasable minerals estate lands in PPMAs and PMMAs is unwarranted.

Comment Number: IDMTSG-14-0212-8*Comment Excerpt Text:*

In Alternative B, the Agencies would close the PPMAs to phosphate leasing. See Draft LUPA/EIS pp. 2-181 (Management Action B-MNL-1), 2-26 (Table 2-2 showing closures by acreage). This would result in 8,304,600 acres being closed to non-energy leasable minerals (compared to 621,300 acres closed to leasables under existing LUPs). See Draft LUPA/EIS p. 2-26 (Table 2-2).

These management actions would unreasonably restrict the use of public lands for phosphate mining exploration or operations contrary to FLPMA's requirement to manage "in a manner which recognizes the Nation's need for domestic sources of minerals." 43 U.S.C. § 1701(a)(12). It is also contrary to FLPMA's requirement that land use plans observe principles of multiple use, which it defines to include "a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and non-renewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values." Id. §§ 1702(c), 1712(c)(1) (emphasis added). Closing PPMAs to phosphate or other leaseable minerals entries would be contrary to the Agencies' multiple use obligations and would not serve the proper combination of balanced and diverse resource uses. It also would eliminate or discourage significant opportunities for the Agencies to work with the mining industry to develop offsite mitigation or conservation plans that could provide a net benefit to sage-grouse or their habitat in exchange for allowing some mineral development within PPMAs. Further, the Agencies have not shown that leaseable minerals operations have in the past negatively impacted the long-term viability of the sage-grouse, and accordingly, why it now makes sense to eliminate the industry on certain public lands where there is no demonstrated track record of such negative impacts by the industry.

SECTION 2.2 - CONSISTENCY WITH OTHER STATE, COUNTY, OR LOCAL PLANS

Comment Number: IDMTSG-14-0105-3

Comment Excerpt Text:

Owyhee County has made all of its plans known to and available to BLM officials yet this document has apparent inconsistencies with a number of those plans. Most notable are the County Sage Grouse Management Plan and the County Comprehensive Plan which addresses Planning and Zonings review of developmental impacts to species on private lands within the county.

Comment Number: IDMTSG-14-0105-4

Comment Excerpt Text:

Throughout the state, the 13 other LWG's have made similar LUP's and in the new EIS, only two counties are recognized. The work that has already been done is based on in-depth local knowledge and targeted to the specific aspects of each LWG. Each area has its own unique threats, and consequently effective management actions, and should be addressed as such.

Comment Number: IDMTSG-14-0105-8

Comment Excerpt Text:

While the EIS recognizes the existence of the Idaho Greater Sage-grouse Management Plan and local management plans, it does not provide an analysis of plan consistency as required by FLPMA. Any inconsistency or perceived inconsistency with State and local plans should be clearly identified and fully explained in the EIS.

Comment Number: IDMTSG-14-0149-1

Comment Excerpt Text:

The State of Idaho has developed a conservation plan for GSG and the State of Montana is in the process of developing a plan as well. We believe these plans should be more meaningfully incorporated into the final LUPA/EIS and Record of Decision (ROD).

Comment Number: IDMTSG-14-0149-16

Comment Excerpt Text:

Myriad local, state, tribal and federal conservation measures are already in place; and, it is essential that they be fully and clearly recognized in the planning process and more meaningfully incorporated into the final LUPA/EIS and ROD.

Comment Number: IDMTSG-14-0157-24

Comment Excerpt Text:

Consideration of federal, state, and local plans is required by 40 C.F.R. § 1502.16(c). While some statement is made to the effect that these plans are considered (Section ES.7 and I.7), there is no discussion of how the proposed alternatives may conflict with BLM Manual 6840 Special Status Species Management. Nor, as noted above, is there any clear

discussion of the conflict with most of the action alternatives and the Secretary's designation of these BLM lands as chiefly valuable for grazing.

Comment Number: IDMTSG-14-0159-15

Comment Excerpt Text:

The Agencies have artificially deflated Alternative A, the "No Action" Alternative because it fails to quantify the impacts associated with ongoing implementation of the many existing local, state and Federal conservation measures and the existing BLM policies designed to protect the GRSG and its habitat. The No Action Alternative must review the existing regulatory framework, including Federal, state, local and private efforts, including voluntary conservation measures, to determine what positive effects those measures will produce.

Comment Number: IDMTSG-14-0168-1

Comment Excerpt Text:

2-18

"Since the direction in these plans is already included within the existing range of alternatives these county plans were not included as additional unique alternatives for detailed analysis."

We disagree with this statement as the authors of the DEIS failed to capture the comprehensive nature of the Custer County Plan. It was not designed to function properly if policies are randomly selected for the purpose of justifying different agendas. Rather it is to be implemented comprehensively. Each of the principles and policies were deliberately designed to work together to ensure that the relationship between the cause of impacts and conservation measures implemented would never be separated and would always be guided by an active and current science based perspective. Pointing to different alternatives, each agreeing with one or two of the Counties policies is bad governance. It does not satisfy NEPA's requirement that conflicts with the County's plan and the agency's proposed action be resolved in the NEPA document. A Custer County Alternative should be developed that could be

selected as part of the proposed action for the area within the political boundaries of Custer County.

Comment Number: IDMTSG-14-0168-10

Comment Excerpt Text:

Apndx A

This Appendix includes a discussion of some of the policies and principles in the Custer County Sage-Grouse Comprehensive Plan. It notes whether the policy is: (1) already in Challis RMP Direction, (2) whether it is Challis RMP Compliant, and (3) whether Included in Amendment EIS. All of these are helpful for the public to compare the County's plan to existing alternatives, however, this analysis does not identify whether or not the specific principles and policies are consistent with the "proposed action." The Appendix needs to be revised to include an additional column which includes this analysis of all of the Counties specific principles and policies.

Comment Number: IDMTSG-14-0168-4

Comment Excerpt Text:

General

NEPA requires a discussion of "Possible conflicts between the proposed action and the objectives of Federal, regional, State and local land use plans, polices and controls for the area concerned." (40 CFR I 502.1 6(c)) It is the clear policy as stated in numerous County plans that the lands within the political boundaries of the county be maintained to ensure a vibrant local economy that is built on the historic use of and right to the productive use of these lands.

Restricting and in some alternatives, eliminating these uses conflicts with the Counties policies. These conflicts have not been identified, analyzed or resolved in the DEIS.

Comment Number: IDMTSG-14-0168-5

Comment Excerpt Text:

NEPA requires that "Where an inconsistency exists [with local plans] the statement should describe the extent to which the agency would reconcile its proposed action with the plan or law." (40 CFR

1506.2(d)) Because the agency has selected two possible alternatives, and plans to choose different parts of each, the parts of which are not specifically identified, then it becomes impossible for the county to comment on whether or not the proposed action is consistent with its plans. A proposed action should be clearly identified, and the draft document redistributed for comment to allow for adequate public and county input.

Comment Number: IDMTSG-14-0179-2

Comment Excerpt Text:

Certain passages in Alternative E focus solely on protecting the CHZ, emphasize the use of the IHZ as the “buffer zone” to protect the CHZ, and appear to diminish the State’s commitment to protecting the IHZ:

IHZ: Provide a population buffer to CHZ to minimize the risk of habitat loss from wildfire, invasive species while providing the opportunity to consider limited, high-value infrastructure development

- Idaho and Southwestern Montana Greater Sage-Grouse DEIS, E-Obj-2 on p. 2-95

This following citation appears to further demote the IHZ from a buffer zone to more of a sacrifice zone:

The State will be able to provide a level of protection to conserve at least 65% of the current known leks within the State, which are fully captured in the CHZ.

- State of Idaho Alternative, Idaho and Southwestern Montana Greater Sage-Grouse DEIS, Volume III-A, p. D-29.

We recommend that the BLM, Forest Service and State of Idaho commit to maintaining sage-grouse populations and habitat within the IHZ and restore habitat in strategic locations, as recommended:

In light of these significant uncertainties, impacts to sage-grouse and their habitats should be avoided to the maximum extent possible to retain conservation options. This approach will ensure that potentially unidentified key components to long-term viability of

sage-grouse are not lost, and that management flexibility and the ability to implement changes will be retained as current information gaps are filled.

- Greater Sage-Grouse Conservation Objectives Final Report, page 31.

Comment Number: IDMTSG-14-0198-4

Comment Excerpt Text:

Requirement that any land use policy changes resulting from the sage grouse plan be in conformance with the National Academy of Sciences’ 2013 recommendations for reform of federal wild horse management program.

Comment Number: IDMTSG-14-0205-1

Comment Excerpt Text:

There is little or no discussion in any of the proposed alternatives as to how those alternatives, if adopted, would conflict with existing state and local plans, such as the State of Montana’s sage-grouse management strategy.

SECTION 2.4 - PLANNING REGS 43 CFR 1600

Comment Number: IDMTSG-14-0130-4

Comment Excerpt Text:

No explanation is given for the delineation of the planning area boundary. The fluctuation between using state lines in some areas, Rocky Mountain/Great Basin Region lines in others and WAFWA Zone lines in yet others will ultimately result in ineptitude and confusion when implementing management decisions

Comment Number: IDMTSG-14-0159-37

Comment Excerpt Text:

Further, because mineral exploration and development are recognized and acceptable uses of public lands, the multiple use mandate requires BLM and the USFS to work diligently to find ways to remain flexible and ensure that resources can be developed in a manner that has minimal impacts to GRSG.

SECTION 3 - OTHER LAWS

Comment Number: IDMTSG-14-0056-19

Comment Excerpt Text:

As indicated within the discussion of Alternatives A, B, C, and F, indiscriminate retirement of grazing privileges is not in compliance with the Taylor Grazing Act or FLPMA. (DLG/ Rm-7, page 2-137)

Comment Number: IDMTSG-14-0056-4

Comment Excerpt Text:

Given the benefits shown above, any alternative that arbitrarily reduces, eliminates or allows retirement of livestock grazing AUMs is contradictory to the goal of long-term sage grouse conservation. In addition, there is statutory evidence and case law, that the BLM is overstepping its bounds in the DEIS by suggesting that grazing permits may be terminated permanently. The BLM is authorized to decrease or temporarily discontinue grazing through a decision process, but the Taylor Grazing Act and Federal Land Policy Management Act mandate that forage resources on grazing districts, if deemed healthy, are to be made available for livestock grazing. Eliminating grazing on public land will also result in reduced or eliminated grazing on intermingled state land and a subsequent decline in funding available to the endowed institutions of the state.

Comment Number: IDMTSG-14-0130-15

Comment Excerpt Text:

We question if expansion of HMAs is even legal under the Wild Horse and Burro Act. (D-WHE-4, page 2-116)

Comment Number: IDMTSG-14-0130-18

Comment Excerpt Text:

As indicated within the discussion of Alternatives A, B, C and F, indiscriminate retirement of grazing privileges is not in compliance with the Taylor Grazing Act or FLPMA. (D-LG/Rm-7, page 2-137)

Comment Number: IDMTSG-14-0149-12

Comment Excerpt Text:

Section 363 of the Energy Policy Act of 2005 (EPAAct) 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. The LUPA/DEIS ignores established BLM policy that states “the least restrictive stipulation that effectively accomplished the resource objectives or uses for a given alternative should be used.” Moreover, the agencies have failed to demonstrate that less restrictive measures were considered but found insufficient to protect the resources identified. A 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 natural gas activities must be provided.

Comment Number: IDMTSG-14-0159-1

Comment Excerpt Text:

Mining and Minerals Policy Act of 1970

The Mining and Minerals Policy Act of 1970, which declares that it “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, mineral, 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,” 30 U.S.C. § 21a. BLM’s planning criteria for the proposed LUPA omit any reference to this important Congressional policy statement. It is also evident that BLM and the Forest Service overlooked this important national policy in formulating LUPA elements and alternatives.⁹

Comment Number: IDMTSG-14-0168-27

Comment Excerpt Text:

Chapter 3, General

Too much of the chapter reads like a one-size fits all, cut and paste of Connelly. Connelly is cited at least 100 times in the EIS. Quoting Connelly’s summary of sage-grouse studies is NOT the best available science.

The original studies and publications that Connelly references are the best available science. Many of the documents referenced in Connelly are not available to the public. Some are available, but only for a fee.

Quoting Connelly's quotes of other authors violates the Information Quality Act of 2001 (Section 515 of Public Law 106-554).

Comment Number: IDMTSG-14-0169-29

Comment Excerpt Text:

[This comment refers specifically to Alternative D] The BLM should reconsider whether sage-grouse habitat is “chiefly valuable” for livestock grazing.

Most grazing on BLM lands occurs within grazing districts established by the Taylor Grazing Act of 1934 (43 U.S.C. § 315). The act required the Secretary of Interior to determine that lands within grazing districts were “chiefly valuable” for livestock grazing (43 U.S.C. § 315). However, the Secretary can also separately conclude that any lands within grazing districts are “more valuable or suitable for any other use than for [grazing]” (43 U.S.C. § 315f). To meet the purpose and need of the National Greater Sage-Grouse Planning Strategy (76 Fed. Reg. 77009) and the draft Idaho/SW Montana plan (ES-4), the Secretary should, as part of the current planning process, reconsider whether sage-grouse habitat, or a subset of extant habitat (e.g., priority habitat), in grazing districts is still “chiefly valuable” for grazing as opposed to other priorities, such as sage-grouse conservation. The Secretary can adjust boundaries of grazing districts to exclude grazing where it may continue to harm the species.

Comment Number: IDMTSG-14-0178-9

Comment Excerpt Text:

Alternative C “focuses on the complete removal of livestock grazing from all occupied sage grouse habitat...” (ES-15, 2-64) while Alternative F “focuses on restrictions...” (ES-16). For the reasons described above in the “Benefits of Livestock Grazing” section, these alternatives will prove to be disastrous to both the environment and the economy of the planning area.

Given the benefits shown above, any alternative that arbitrarily reduces, eliminates or allows retirement of livestock grazing AUMs is contradictory to the goal of long-term sage grouse conservation. In addition, there is statutory evidence and case law, that the BLM is overstepping its bounds in the LUPA/DEIS by suggesting that grazing permits may be terminated permanently. The BLM is authorized to decrease or temporarily discontinue grazing through a decision process, but the Taylor Grazing Act and Federal Land Policy Management Act (FLPMA) mandate that forage resources on grazing districts, if deemed healthy, are to be made available for livestock grazing.

Comment Number: IDMTSG-14-0181-4

Comment Excerpt Text:

It is unclear how the Agencies intend to apply the three percent disturbance cap to mining activities authorized under the Mining Law of 1872. BLM’s land use planning process “cannot be used to preclude mining or restrict certain types of mining activities.” BLM Surface Management Handbook, H-3809-1, at 8-14 (Sept. 17, 2012). Specifically, land use plans “cannot be used to ‘zone’ areas where open pit mining is not allowed . . . or generally place limits on the type or size of an operation.” Id. If the Agencies intend that the disturbance cap will be used to preclude locatable minerals activities in certain areas once the threshold is met, the disturbance cap would create de facto mineral entry withdrawal “zones” in violation of the Agencies’ mineral entry withdrawal regulations and policy. See Sw. Res. Council, 96 IBLA 105, 120 (1987); BLM Surface Management Handbook, at 8-14. In order to clarify that the three percent disturbance cap would not apply to locatable minerals activities, the Final LUP Amendment should clarify that the three percent cap would not be implemented in a manner to interfere with mining activities authorized under the Mining Law of 1872.

Comment Number: IDMTSG-14-0182-11

Comment Excerpt Text:

CEQ regulations at 40 CFR 1502.16(c) require BLM and USFS to include discussion of “[p]ossible conflicts between the proposed action and the objectives of Federal, regional, State, and local (and in the case of a

reservation, Indian tribe) land use plans, policies, and controls for the area concerned." The surface use restrictions and land withdrawals proposed under the actions alternatives described in the DEIS conflict with BLM's own policy in BLM Manual 6840, USFS's policies in USFS Manual 2670, the General Mining Law, and BLM's multiple use mandates under FLPMA. The DEIS makes no virtually no attempt to analyze and resolve these conflicts.

Comment Number: IDMTSG-14-0182-8

Comment Excerpt Text:

The Information Quality Act requires that information used by agencies be based upon verifiable data and reproducible results, and not based upon opinion. The NIT Report, and the DEIS following from it, cannot selectively use conclusions from studies such as Lyon and Anderson (2003) or Holloran (2005) to support their own conclusions, when those studies produced statistically insignificant data and/or were rebutted by more recent and comprehensive data.

Comment Number: IDMTSG-14-0216-2

Comment Excerpt Text:

The proposed standards and guidelines contravene the TGA because they myopically focus on sage-grouse range management to the detriment of livestock grazing and development of the range.

Comment Number: IDMTSG-14-0325-1

Comment Excerpt Text:

The following comments correspond to the order and headings in Table 2-17 and Table 2-18:

GOALS

Goals expressed in B-GOAL-1 and D-GOAL-1 should not be pursued to the detriment of existing legal uses, should not be contrary to the Taylor Grazing Act or FLPMA, and should not be pursued to the detriment of BLM/USFS multiple-use mandates.

Comment Number: IDMTSG-14-0325-16

Comment Excerpt Text:

Livestock grazing on BLM lands is regulated by the Taylor Grazing Act and FLPMA.

Livestock grazing is regulated on USFS and BLM lands by permit conditions which specify use dates, livestock stocking rates, exclosures, salt/supplement locations, etc ..

Livestock grazing is subject to detailed forage use and rangeland health standards.

Every aspect of livestock grazing on USFS and BLM lands is regulated.

Livestock permit retirement and/or relinquishment are regulated under relevant statute. D-LG/RM-7 should be deleted.

SECTION 4 - SAGE GROUSE

SECTION 4.1 - NTT REPORT/FINDINGS

Comment Number: IDMTSG-14-0056-5

Comment Excerpt Text:

The use of the BLM National Technical Team (NTT) report as a stand-alone alternative (Alternative B) is problematic in that it contains overly burdensome recommendations that are not based on local conditions. It appears the report contains many methodological and technical errors, selectively presents scientific information to justify recommended conservation measures, and was disproportionately influenced by a small group of specialist advocates. See (Ramey, 2013), which we incorporate by reference in its entirety to our comments.

Comment Number: IDMTSG-14-0130-6

Comment Excerpt Text:

The use of the BLM National Technical Team (NTT) report as a stand-alone alternative (Alternative B) is problematic in that it contains overly burdensome recommendations that are not based on local conditions. It appears the report contains many methodological and technical errors, selectively presents scientific information to justify recommended conservation measures, and was disproportionately influenced by a small group of specialist advocates. See (Ramey, 2013), which we

incorporate by reference in its entirety to our comments.

Comment Number: IDMTSG-14-0148-1

Comment Excerpt Text:

NTT report did not include input from

Any affected stakeholder or interdisciplinary experts aside from state and federal scientists and specialists, it ignores regional variances in sage grouse needs, is not a comprehensive representation of the literature and research surrounding livestock grazing and other uses, and has not been scientifically peer reviewed for accuracy. For these reasons, any alternative based on the NTT report is not justifiable.

Comment Number: IDMTSG-14-0149-15

Comment Excerpt Text:

Reliance upon the NTT Report and the COT Report is misplaced because these documents fail to meet established standards of scientific integrity under the ESA, the Data Quality Act, and Presidential and DOI memoranda and orders.

Comment Number: IDMTSG-14-0149-3

Comment Excerpt Text:

The NTT report asserts that oil and natural gas “impacts are universally negative and typically severe,”¹ but provides no scientific data to support that assertion. This statement is predicated upon a select few studies while ignoring other data and studies that clearly demonstrate impacts from oil and natural gas are not universally negative and typically severe. While we acknowledge there may be temporary decreases in lek counts within close proximity to initial well construction and other activities, this cannot be construed to indicate general population declines. Rather, it has been scientifically demonstrated that GSG are temporarily displaced to other areas with less activity until the initial area returns to a less active state.

Comment Number: IDMTSG-14-0149-4

Comment Excerpt Text:

The Department of the Interior (DOI) has been criticized by the Western Association of Fish and Wildlife Agencies (WAFWA) for using the NTT

report as BLM’s only source of GSG management direction. In a letter sent to the Interior Secretary on May 16, 2013, WAFWA member states made it clear they never endorsed the sole use of the NTT or any other scientific publication. Rather, they believe that a wide variety of peer reviewed publications that collectively provide the best available science for GSG should form BLM’s basis for conserving the species. They went on to recommend that management and regulatory mechanisms be centered upon the best available science which would provide the best strategy for near- and long-term management of GSG and provide the best opportunity for precluding a listing under ESA.

Comment Number: IDMTSG-14-0149-5

Comment Excerpt Text:

We are concerned that many of the Required Design Features (RDF) recommended by the NTT are included in the LUPA/DEIS. These features fail to reflect the complexity of oil and natural gas exploration and development and represent a one-size-fits-all management approach that disregards topography, local conditions, and practicality. We recommend that the agencies revisit the RDFs proposed in the LUPA/DEIS to ensure they are technically feasible and appropriate. Further, the agencies must maintain flexibility required when considering design features on a site-specific basis. For these reasons, we strongly urge the agencies to refrain from directly incorporating any of the NTT report recommendations into the preferred alternative in the final LUPA/EIS and ROD.

Comment Number: IDMTSG-14-0149-6

Comment Excerpt Text:

To further elucidate these concerns, attached to these comments is an independent review of the NTT report, entitled Review of Data Quality Issues in A Report on National Greater Sage-Grouse Conservation Measures Produced by the BLM Sage-Grouse National Technical Team (NTT).² [Full citation provided for this report: Review of Data Quality Issues in A Report on National Greater GRSG Conservation Measures Produced by the BLM GRSG National Technical Team (NTT) Dated

December 21, 2011. Dr. Rob Roy Ramey. (September 19, 2013)]

This review describes a number of shortcomings with the report, including:

- Failure to use the best available science
- Selective presentation of scientific information
- Misrepresentation of the impact of oil and natural gas operations on GSG
- Disproportionate influence from a small group of specialist advocates
- Bias against voluntary conservation
- Unnecessarily restrictive recommendations
- Undefined priority habitat
- Lack of credible peer review.

Comment Number: IDMTSG-14-0157-19

Comment Excerpt Text:

The NTT Report does not enjoy any presumption of validity; it never went through Administrative Procedure Act ("APA") rulemaking. The development of the NTT Report was a closed process lacking important insight and input from the public. When a federal agency issues a directive concerning the future exercise of discretionary power, APA notice and comment procedures are required if the directive constitutes a substantive rule. Even though BLM may have considered the NTT Report as a general statement of policy and not subject to the APA, the agency's label given to its exercise of administrative power is not determinative. The NTT Report constituted a legislative rule that should have been noticed for comment pursuant to APA Section 553 (5 U.S.C. § 553(b)-(c)). Because the NTT Report is a necessary element of BLM's planning pursuant to Instruction Memorandum 2012-044, the Report will determine the substantive outcome of the revisions of the land use plans and have a practical binding effect that will be applied to private parties including the delay or denial of applications or the imposition

of certain terms and conditions for use of Sage-grouse habitat.

In an opinion by Idaho Federal District Judge B. Lynn Winmill, he made a statement in dicta that the NTT Report is the best available science. See *Western Watersheds Project v. Salazar*, 2012 WL 5880658 at *2 (D. Idaho Nov. 20, 2012). But Judge Winmill's comment was not based on a thorough discussion of the merits of the NTT Report, especially in light of subsequent reports and scientific statements that throw into question the validity of the NTT Report and its creation. For example, the Service's Conservation Objectives Team ("COT") Report also purports to be the best available science. See Section I.I.I. The State of Nevada's plan purports to be the best available science. See Section ES.8.5.

WAFWA sent a letter to the Secretary of the Interior on May 16, 2013 cautioning against using the NTT Report's "one size fits all" approach. The NTT Report suffers from possible Federal Advisory Committee Act problems due to the constitution and makeup of the NTT Committee and the lack of compliance with Federal Advisory Committee Act's standards. 5 U.S.C. App. 2, §§ 1-16.

Peer review comments on the NTT Report dated December 18, 2012 also raise a number of concerns related to the scientific integrity of the Report. These reviewer comments were attached to correspondence from Secretary Salazar to Congressman Doc Hastings dated December 18, 2012. The review comments speak for themselves but specific comments raise significant concerns:

- "The approach taken in the document is rather short-term and narrow."
- "This seems a strange blend of policy loosely backed by citations, with no analysis of the science."
- "Lack of consideration of space, and particularly (in this document) time is a critical mistake that, to me, renders this document problematic, if not dangerous."

The FEIS should explain how these and other critical comments were incorporated into the final version of the NTT Report that was issued very shortly after this critical peer review.

Comment Number: IDMTSG-14-0157-2

Comment Excerpt Text:

The NTT Report was followed very shortly by BLM's Instruction Memorandum 2012-044 providing BLM's strategy for revision of the Idaho and other land use management plans. IM 2012-044 never went through the Administrative Procedure Act rulemaking process nor was it subjected to analysis under the National Environmental Policy Act. Therefore, it does not enjoy a presumption of validity. The same is true regarding the NTT Report. These concerns will be set forth below in the portion of these comments dedicated to a discussion of Alternative B that is based upon the NTT Report. Suffice it to say at this juncture that the concerns regarding the NTT Report both as to AP A and NEP A compliance and other concerns infect not only Alternative B but the other alternatives that are based in whole or in part upon the NTT Report including Alternative C, Alternative D, and Alternative F.

Comment Number: IDMTSG-14-0159-32

Comment Excerpt Text:

Alternative D, the BLM “Co-Preferred” Alternative, Fails to Appropriately Balance Resource Use and Resources under FLPMA

a. Alternative D is Fatally Tainted by the NTT Process and is Not Grounded in the Best Available Science

Alternative D, the Sub-regional “Adjusted” Alternative, would restrict large-scale infrastructure development across 8.3 million acres within Idaho and provides a laundry list of BMPs on the remainder of the identified threats. Alternative D also includes an additional 700,000 acres of habitat outside of what the USFWS called for the Priority Area Conservation areas, or PACs, under the COT approach.

The failure of the BLM Adjusted Sub-Regional Alternative is that it is dependent on assumptions

developed from the fatally-flawed NTT process. As described earlier, the NTT Report is based on stale science and otherwise fails to properly account for categorical statutory commands under the Mining Law and FLPMA. In short, if the “NTT-only” Alternative, (Alternative B) cannot meet the purpose and need of this LUPA process, Alternative D cannot meet the purpose and need either.

The NTT Report was published in December 2011. Nearly two years have passed since its publication. The last two years, both Governor’s Alternative and the Service’s final COT Report were published and reflect the current best available science. The WAFWA has agreed, stating in a letter that the NTT alone is not the best available science for sage-grouse. See Exhibit 7.

Further, the NTT Report has been used to support a four-mile buffer around active leks. This buffer size is far greater than necessary and relies upon suspect data, unfounded assumptions, and uncertain modeling. The presumed necessity of 4-mile radius NSO buffer around sage grouse leks is based upon the subjective opinion of the NTT and selected authors. The practical effect of such a restriction would be to “protect” vast areas of non-habitat and marginal habitat with no demonstrable benefit to sage grouse populations. The area of this 4-mile radius circle surrounding each lek is 50 square miles per breeding area. This scientifically unsupported land reservation element in the proposed Alternative is not supported. Further, 50 square miles is equivalent to about 32,000 acres per lek—a withdrawal of which far exceeds 5,000 acres and thus violates FLPMA’s Congressional approval requirement. thus violates FLPMA’s Congressional approval requirement.

Comment Number: IDMTSG-14-0159-4

Comment Excerpt Text:

The NTT Report evolved without adequate science, analysis of its legal adequacy, or analysis of the economic impacts these policies will have on local communities and the Nation’s economy.

Comment Number: IDMTSG-14-0159-5

Comment Excerpt Text:

The Instruction Memorandum Requiring Consideration of the NTT Report has Expired

In addition to having been overcome by subsequent scientific review and assessment of GRSG science, the use of the NTT Report to inform any “NTT-Only” Alternative or “Adjusted” Alternative is inappropriate because Instruction Memorandum (IM) 2012-044, directing consideration of the NTT Report, has expired. The IM expired September 9, 2013, well ahead of the publication date of the LUPA/DEIS reviewed here.

However, there is no acknowledgment in the DEIS documents of the expiration of the IM or explanation of any continuing authority to include any NTT Report recommendation for GRSG conservation into any proposed Alternative. This IM has apparently failed to continue as a policy directive for the agency. Additionally, the Purpose and Need Statement does not disclose that one of the main purposes of the DEIS to respond to Instruction Memorandum 2012-044, see discussion below.

Comment Number: IDMTSG-14-0159-6

Comment Excerpt Text:

The DLUPA/DEIS incorporates the NTT Report’s habitat management recommendations for GRSG priority habitat, including prescriptive restrictions and categorical prohibitions on access and use of lands within priority habitat including, among others: 1) 3% limit on surface disturbance; 2) 50-70% sagebrush cover threshold; 3) four-mile No Surface Occupancy (NSO); 4) Right-of-Way (ROW) exclusion and avoidance areas; 5) one disturbance per 640 acres; and 6) mineral withdrawals.

The DLUPA/DEIS proposes arbitrary conservation measures based on unproven assumptions that: 1) a minimum range of 50-70% of the acreage in sagebrush cover is required for long-term persistence of sage-grouse; 2) that discrete anthropogenic disturbances must be limited to less than 3% of the total sage-grouse habitat regardless of ownership, NTT Report

at 6-7; and 3) a 15-25% minimum canopy cover is necessary in all sage-grouse seasonal habitats.

These arbitrary measures conflict with studies that indicate sagebrush cover preference differs between seasons. Thus, using a single percent cover is inappropriate and is not supported by the literature. A one-size-fits-all limit on disturbance to less than 3% of the total habitat is arbitrary, which is discussed in detail below. The United States Geological Survey (USGS) Report indicates that habitat fragmentation “generally begins to have significant effects on wildlife when suitable habitat becomes less than 30 to 50 percent of the landscape”, which directly contradicts the threshold stating that 70% of the landscape must be suitable habitat in order for the sage-grouse to persist.¹⁸

Comment Number: IDMTSG-14-0159-7

Comment Excerpt Text:

Other deficiencies present in the NTT Report and associated studies include lack of independent authorship, methodological issues, and data quality issues such as failure to identify limiting factors, inadequate sampling, and use of inferior equipment.¹⁹ Accordingly, any element of an Alternative chosen by BLM that relies on NTT will be legally flawed.

Comment Number: IDMTSG-14-0159-8

Comment Excerpt Text:

While the NTT Report may have some experimental value, it must be narrowly considered in the context in which it was derived. Notably, at the time the NTT Report was prepared there was no USFWS directive to the states and Federal land management agencies. However, the landscape was fundamentally changed when the FWS issued the COT Report. The COT Report was designed to “serve as guidance to Federal land management agencies, state sage-grouse teams, and others in focusing efforts to achieve effective conservation for this species.”

Comment Number: IDMTSG-14-0168-23

Comment Excerpt Text:

The NTT Report and EIS Alternatives B and D, which are based on the NTT Report, are fatally flawed. The

EIS and NTT selectively presented information in support of certain pre-conceived conclusions, while ignoring contrary information. Key assertions in the EIS and the NTT report are both biased and in error, especially the frequently repeated. The NTT Report is not the best available science.

Comment Number: IDMTSG-14-0178-8

Comment Excerpt Text:

According to ES 14, Alternative B “focuses on restrictions on resource uses...”. Simply by reading the summary, it is clear that this alternative ignores the agencies’ multiple use mandates and proves that there is a predetermined desire to eliminate land use. Further, the use of the BLM National Technical Team (NTT) report is problematic as it contains overly burdensome recommendations that are not based on local conditions in Idaho. The NTT report fails to make use of the latest scientific and biological information available. According to an independent review of the report, it contains many methodological and technical errors, selectively presents scientific information to justify recommended conservation measures, and was disproportionately influenced by a small group of specialist advocates (Ramey, 2013). For these reasons, Alternative B and the NTT report should no longer be considered a suitable or appropriate management guide for sage grouse and no parts of the report should appear in the final LUPA/DEIS.

Comment Number: IDMTSG-14-0180-10

Comment Excerpt Text:

Failure to obtain the FACA letter in a timely manner coupled with such an implicit restriction on the Team’s ability to share the draft, provided governors no opportunity to evaluate whether appointees were actually adhering to the instructions of their sponsor states.

Comment Number: IDMTSG-14-0180-11

Comment Excerpt Text:

And, alarmingly, the NTT appears to tailor the recommendations to be consistent with legal settlements with environmental litigants, rather than an unbiased assessment of conservation alternatives.

Comment Number: IDMTSG-14-0180-12

Comment Excerpt Text:

Two of the four sub-objectives assert that 70% of the range within priority habitat needs to provide “adequate” sagebrush habitat to meet sage-grouse needs, and that discrete anthropogenic disturbances in priority habitat be limited to less than 3% of the total sage-grouse habitat regardless of ownership (NTT at 7). But the report does not address the issue of scale very clearly, so the accuracy of this data is questionable. Nor do these recommendations account for State specific differences as noted in Gov. Mead’s letter.⁵²

Comment Number: IDMTSG-14-0180-13

Comment Excerpt Text:

The outside science reviewers’ concerns related to the lack of discussion on limiting habitat does not appear to have been adequately addressed, and is a significant omission because it fails to provide a mechanism for prioritizing management efforts and assumes the same risks are representative across the entire range.⁵³

Comment Number: IDMTSG-14-0180-14

Comment Excerpt Text:

The NTT and “Appendix A” of the DEIS fail to provide reason or support for consolidating all sage-grouse seasonal habitat range-wide, regardless of relative importance or quality to sage-grouse populations.

Comment Number: IDMTSG-14-0180-15

Comment Excerpt Text:

If this is indeed was a “science” document comprised of “scientists” –the science underlying these “game-changing” measures should have been completely validated before releasing the document. Notwithstanding the fact that BLM had almost three more years until the RMP revisions were due, the agency nonetheless felt it mission critical to release a flawed document.

Comment Number: IDMTSG-14-0180-16*Comment Excerpt Text:***2. The NTT Report Does Not Provide Adequate Support for its Conclusions**

The NTT Report has been used to support anthropogenic disturbance caps of less than five percent and total disturbance caps of less than 30 percent without any scientific data that they are: (1) scientifically defensible; (2) achievable; (3) would result in stable GSG populations; (4) would not result in irreparable harm to other species; and (5) would not unnecessarily have a negative effect on local economies.

The NTT report recommended numerous one-size-fits-all regulatory prescriptions, and made no allowance for recommendations for including local sage grouse conservation plans (i.e. county-level, working group, or private land) that have tailored conservation measures to local conditions, including unique habitat and threats, and socio-economic factors.

The new best management practices (BMP) proposed by the NTT are unnecessarily restrictive, are not supported by scientific information, and do not address specific cause and effect mechanisms that are known to be deleterious to sage grouse. The imposition of new BMPs was made without any tracking and testing of the effectiveness of currently required BMPs.

Comment Number: IDMTSG-14-0180-17*Comment Excerpt Text:*

According to WAFWA, the NTT report provides valuable information, but it does not reflect all of the current science, especially that found in the Studies in Avian Biology volume “Greater Sage-Grouse: Ecology and Conservation of a Landscape Species and Its Habitats” and other recent peer-reviewed publications.⁵⁸

Comment Number: IDMTSG-14-0180-7*Comment Excerpt Text:*

The NTT Report is part of the BLM’s National Sage-Grouse Conservation Strategy. This strategy is highly

bureaucratic, relying on the development of 15 or more teams. It is led by a sage-grouse coordinator that appears to have no real experience with either sage-grouse or sagebrush. This approach is heavily dependent on the National Technical Team. The goal of the National Technical Team was to ensure BLM management actions were effective and based on the “best available science.” Should not the test isn’t best available science it’s the data that matters and that data comes from the species manager – the State. To achieve that end, logically, the team would be comprised of highly qualified and knowledgeable scientists that would largely be independent of BLM. Instead, 78% of this 23 member team were federal employees; with 61% coming directly from BLM. Of the 23 members, none have more than 15 years of experience with sage-grouse or sagebrush or a substantial publication record. This is not for lack of highly knowledgeable, independent scientists to call on for such a study. In fact, at least two state and two university biologists, one of which Idaho heavily relied on, with a combined total of more than 100 years of experience dealing with sage-grouse were not involved. Out of twenty senior authors of chapters in the SAB volume on sage-grouse, only two were on the Technical Team. Neither of those two team members has more than 15 years working on sage-grouse. There were four authors of sage-grouse management guidelines, which were used in Alternative E, but none of these authors were on the Technical Team. This seems to violate the decision in Western Watersheds where the court found that while the Service consulted experts, the agency excluded them from the listing decision, thus violating the statutory requirement that “best science” be applied.³⁶ This creates “opacity when transparency is required.”³⁷

Comment Number: IDMTSG-14-0180-8*Comment Excerpt Text:*

A December 21, 2011 email exchange between Dwight Fielder (BLM Washington Office, Chief of Fish and Wildlife Conservation) and Pat Deibert (Service; National Sage-Grouse Coordinator) recognizes that some of the measures in the report were legally flawed, as described in a December 20, 2011 email

from Jim Perry (BLM Washington Office, Senior Natural Resource Specialist). The BLM attempted to paper over this issue by adding a caveat that the document had not undergone policy or legal review.

Comment Number: IDMTSG-14-0180-9

Comment Excerpt Text:

To qualify for an exemption from FACA, the State representatives to the NTT Team must have a letter from their respective governor.⁴⁹ These letters were sent only after the NTT Team met, developed a draft, and the issue was identified by the Office of the Solicitor on or around September 22, 2011.

Comment Number: IDMTSG-14-0182-4

Comment Excerpt Text:

The key studies cited in the NTT Report, Lyon and Anderson (2003), erroneously characterized oil and gas development as having a negative effect on sage grouse nest initiation rates. That unsupported opinion has been cited by the BLM as a scientifically valid conclusion in the NTT Report. However, the authors acknowledged that the data they developed was not statistically significant, stating that their conclusions were based on subjective believe, stating: "Finally, even though nest initiation between disturbed and undisturbed hens was not statistically significant, we believe lower initiation rates for disturbed hens were biologically significant and could result in lower overall sage grouse productivity." Additionally, Holloran (2005) reported that nest success that was virtually identical and not significantly different between disturbed and undisturbed areas, using a much larger sample size compared to Lyon and Anderson (i.e., n=213 used by Holloran vs. n=77 used by Lyon and Anderson). Holloran also reported results indicating the probability of sage grouse survival was higher (61.5 +6.4%) in disturbed areas compared to less disturbed areas (29.6 +18.1%) or control areas (48.5 +14.4%).

Comment Number: IDMTSG-14-0182-5

Comment Excerpt Text:

The requirement of 4-mile buffers and surface disturbance caps (whether they are 3% or 5%) is based on the opinions of selected authors, some of

whom were NTT members⁶ and the erroneous assumption that a local and temporary displacement of sage grouse from an area of development establishes that a population decline has occurred. However, none of the cited studies actually ever documented a population decline. One of the most frequently cited reports, the unpublished dissertation by Holloran (2005), is outdated and proved incorrect in its prediction of population declines in the Pinedale area of -8.7 to -24.4% annually. More recent data from Wyoming has documented that the sage grouse population in Pinedale actually increased from 1990 to 2012. It has consistently been above statewide averages and has the highest density of sage grouse in the state.

⁶ The presence on the NIT of authors whose studies became the basis for the policy choices made in the NTI Report raises obvious questions regarding the quality and reliability of the analysis in the NTI Report, and consequently every NEPA document that relies upon it.

Comment Number: IDMTSG-14-0201-2

Comment Excerpt Text:

Development on previously existing oil and gas leases should be restricted to levels that will have no negative effect on sage grouse, in accordance with the recommendations of the BLM's own National Technical Team.

SECTION 4.2 - BER

Comment Number: IDMTSG-14-0151-34

Comment Excerpt Text:

It does not adequately address threats posed by livestock grazing disturbances to microbial crusts, whose destruction by livestock helps paves the way for cheatgrass invasion. USDI Belnap et al. Tech. Bull 2000, Masters and Sheley 2001, Deines et al. 2007, Ponzettii et al. 2007.

Comment Number: IDMTSG-14-0151-35

Comment Excerpt Text:

The Manier report also does not include a critical analysis of vegetation manipulation treatment harms.

Recent review papers summarize large-scale problems with aggressive treatments of both sagebrush and pinyon-juniper. See Hess and Beck 2010 and 2012, Jones et al. 2013.

SECTION 4.3 - COT

Comment Number: IDMTSG-14-0105-13

Comment Excerpt Text:

Vol2, Page 2-37: Regarding Alternative D- Habitat Triggers

1. A net 20 percent loss in mid-late sagebrush cover anywhere within the population area.
2. A net 10 percent loss of nesting habitat within the population area.
3. A net 10 percent loss of winter habitat within the population area.

It is unclear as to how these would be applied since there is no definition of "population area". It is entirely unclear as to how the status of the triggers would be discovered. The wording implies a far greater ability to precisely determine habitat loss than is the actual case. The methods and protocols for distinguishing population areas, seasonal habitats and for assessing the status of habitat triggers are not adequately defined and described.

The trigger would cause all PMMA areas to be managed as PPMA. Thus, the scope of the effect (in all PPMAs) of hitting a trigger is substantially greater than the assessment of trigger status in a "population area". Thus, a disastrous fire in some remote "population area" would trigger a change in management for the entire planning area. Such action is neither warranted nor productive.

The concept of habitat triggers, assessment of trigger status and resulting action or location of actions is unworkable and the ambiguity leaves future application of the concept to multiple interpretations and inconsistent application.

Comment Number: IDMTSG-14-0149-15

Comment Excerpt Text:

Reliance upon the NTT Report and the COT Report is misplaced because these documents fail to meet established standards of scientific integrity under the ESA, the Data Quality Act, and Presidential and DOI memoranda and orders.

Comment Number: IDMTSG-14-0149-7

Comment Excerpt Text:

While the COT Report is intended to serve as a guidance document to federal agencies, states, and others, there are several data quality issues that should be taken into consideration before it is used to guide conservation efforts for the species. An independent review of the COT Report, which is attached to these comments, found that it is a selective review of scientific literature and unpublished reports on GSG, was not adequately or legitimately peer-reviewed, presents outdated information, overstates some threats to GSG while downplaying others, and relies on a threats analysis that contains methodological bias and error. [Full citation provided for this report: Data Quality Issues in the Greater Sage-Grouse (*Centrocercus urophasianus*) Conservation Objectives: Final Report. Dr. Rob Roy Ramey. (October 16, 2013).]

Comment Number: IDMTSG-14-0149-8

Comment Excerpt Text:

The COT report does not represent a comprehensive scientific review; rather, it is simply an incomplete examination of limited literature and unpublished reports that were used to identify conservation objectives to ensure the long-term viability of the GSG. In fact, the COT report provides no original data or quantitative analyses and fails to review all of the available scientific literature on the GSG. Due to these significant flaws, we request that BLM reconsider its reliance on the COT report in the final LUPA/EIS and ROD.

Comment Number: IDMTSG-14-0151-106

Comment Excerpt Text:

If:

- Maximum number of males on lek routes [WHERE _ CHZ, or CHZ plus IHZ?] declines by greater than 20% over a three year period compared to 2011 values
- A 30% or greater loss of sagebrush habitat is documented within defined breeding or wintering range over a five year period. [Isn't this in conflict with Connelly et al. 2000 – where “treatments” are not to take out 20% over a 20 year period?]. This allows 30% in a five year period. This also means that even with a major fire or sage die-off in the best population remaining, action may not occur until a five year period is over].
- The infinite rate of change over 3 years starting with the baseline years 2009-2011 is significantly less than 1. [What does this mean?]. How does using these years affect the process? There is no science cited to back up the claim that declines greater than 20% over a 3 year period “compared to 2011 values” would indicate a problem, but less than that would not.

Comment Number: IDMTSG-14-0151-29

Comment Excerpt Text:

The Idaho State Plan does the following:

Divides ID sage-grouse habitat into Core (CHZ), Important (IHZ), Other (GHZ). It then takes the COT cuts one step further. It segregates the COT PAC area into two categories. These are Core and General. Yet the COT PACs are the areas where the COT report as it made the cuts then remonstrated that there can be no loss in PACs. It shrinks the highest value land area (Core) even further.

Comment Number: IDMTSG-14-0151-33

Comment Excerpt Text:

The DEIS at 1.1.2 fails to provide an adequate analysis and take a hard look at the negative impacts of the COT process and outcome. The COT did not

undergo NEPA. The DEIS fails to take NEPA's required hard look at the severe blow the COT habitat cuts dealt to sage-grouse conservation, habitats and population viability in Idaho – and that will have adverse effects on viability of populations shared with neighboring states. The DEIS cannot blindly accept the results of the COT group (various agency staff and a Wyoming operative). Prominent sage-grouse scientists distanced themselves from the COT. The harmful and negative aspects of the COT habitat cuts and segregation must be fully aired and subject to scrutiny under NEPA in this current DEIS process. They have not been.

Comment Number: IDMTSG-14-0151-39

Comment Excerpt Text:

The COT perpetuated the WAFWA categorization of sagebrush habitat that has been used to mask concerns about loss of increasingly isolated populations and openly track declines – the Management Zones. Grouse populations were lumped in SMZs – based on generalized vegetation communities. But the vegetation communities of the contrived MZs have no real relation to the health/condition of sage-grouse habitat, or the viability of the species. Sage-grouse can survive just fine in sagebrush vegetation in any of the SMZs – and can move between some of the SMZs. The use of this SMZ category allows agencies to overlook sharp declines (or the disappearance/extirpation) of entire populations (the Weiser population in ID or the Quinn PMU in NV for example), or overlook very low numbers until it is too late) The MZs typically lump several smaller or isolated populations in with a couple of larger ones in the 7 vegetation-based SMZs.

Comment Number: IDMTSG-14-0151-41

Comment Excerpt Text:

Sweeping claims were made in the COT, but habitat and population analysis necessary to understand actual habitat conditions, trajectory of habitats (including degree of degradation and vulnerability to cheatgrass/medusahead/brome expansion) degree and severity of stresses that actually exists, degree of habitat fragmentation (and along with this the needs to re-connect and restore habitats to provide for

viable populations), grazing disturbance load, etc. are not apparent in the report.

Comment Number: IDMTSG-14-0159-33

Comment Excerpt Text:

Alternative D's Population Areas are an unrealistic method of categorizing sage-grouse habitat. Alternative D's Priority zone contains 7 million acres and the medial zone has 1.3 million acres. This is in contrast to more balanced approach in the Governor's Alternative of 4.9 million acres in CHZ and 2.7 million acres in IHZ.

As Alternative D is written, its implementation is virtually irrelevant tripping a trigger only extends protection to an additional 1.3 million acres. By contrast, the Governor's Alternative is able to protect twice the acreage so triggers will actually have an impact on habitat protection. The Governor's Alternative includes 95% of the sage-grouse population in Idaho within CHZ and IHZ's 7.6 million acres. Thus, BLM's inclusion of an additional 700,000 acres equates to saving at best, a few more percentage points, without affecting a listing determination.

Alternative D delineates habitat outside of the COT Priority Areas of Conservation (PACs) into all three of its zones. This is unnecessary and inefficient. The Governor's Alternative's CHZ contains 73% of the male sage-grouse population, whereas GHZ contains 5%. However, through BLM's map, it would dedicate resources to areas outside of PACs because it has designated these areas as higher priority. It is unclear why it has done so, when both the USFWS and the State have not. The BLM should comply with the COT's directive and coordinate these designations with the State to ensure efficiency in both priorities and use of scarce public resources.

Comment Number: IDMTSG-14-0178-33

Comment Excerpt Text:

COT Report (1-6) – We are concerned about any management prescriptions based on the USFWS Conservation Objectives Team (COT) report. The COT provides no original data or quantitative

analysis. It fails to provide a comprehensive and unbiased review and perpetuates outdated information and beliefs. The COT proposed to regulate activities with little to no scientific support that those activities cause population declines.

Comment Number: IDMTSG-14-0179-8

Comment Excerpt Text:

Regarding the time period to look at changes relative to the 2011 baseline, Alternative E currently proposes a three-year period. It should not be necessary to wait three years to determine that a trigger has been reached. If a 20% decline is detected in the first or second year, a determination should be made that a trigger has been reached.

Regarding the soft triggers, additional details are needed on what type of review would be required, how long such a review might take, what role the Local Working Groups would play, what types of adaptive management adjustments could be implemented, and how long it might take to implement them.

Comment Number: IDMTSG-14-0179-9

Comment Excerpt Text:

We strongly recommend that the trigger incorporate additional protections that focus on other primary threats as well as secondary threats. The Conservation Objectives Report does not simply say focus on any one single issue:

Stop population declines and habitat loss. There is an urgent need to “stop the bleeding” of continued population declines and habitat losses by acting immediately or reduce the impacts contributing to population declines and range erosion.

- Greater Sage-Grouse Conservation Objectives Final Report, p. 31.

Comment Number: IDMTSG-14-0206-6

Comment Excerpt Text:

The adaptive management triggers should be based on habitat and population change in both IHZ and CHZ. As explained above, maintaining populations in IHZ is essential to accomplishing long-term

conservation of sage grouse. Expanding the area covered by the adaptive management mechanism helps ensure, that the plan is capable of “stopping the bleeding” should significant habitat losses or population declines occur in the IHZ.

Another reason we favor Alternative D’s approach to the trigger is that limiting the adaptive management mechanism to CHZ is a significant change from the State of Idaho’s Draft Alternative for Sage Grouse Conservation (June 29, 2012), which was issued after the Idaho Sage Grouse Task Force deliberations. That draft proposed linking the triggers to changes in both CHZ and IHZ. We are not aware of any justification for altering the State’s original recommendation.

Therefore, we recommend adding “IHZ” to the adaptive management triggers recommended in Alternative E.

Comment Number: IDMTSG-14-0206-7

Comment Excerpt Text:

The first “hard trigger” proposed in Alternative E should be edited for clarity. The current language would invoke the adaptive management response in the event of a: 20% decline in maximum number of males counted and a finite rate of change significantly below 1.0 within CHZ within a CA over a period of three years.

The final Plan should make it clear that the trigger is tripped in the event of a 20% decline in any three-year period relative to the 2011 baseline. Some might read the trigger as currently written to allow sequential three-year periods with population declines of up to 20% each. Such an interpretation, of course, would lead to a wholly insufficient level of protection.

Comment Number: IDMTSG-14-0232-2

Comment Excerpt Text:

There was no public process whatsoever associated with the COT. There was no public opportunity to provide comments or attend meetings held by the COT group. From what we have been able to determine, the USFWS COT group consisted of Bob Budd (who - as was shown in his talk in the State

Capitol building in Boise two years ago - pushes the core model as a way to exclude habitat from protection so development can occur, and who also casts aside and pretty much scorns controls on grazing), some state game departments, and a handpicked group of federal officials from various agencies.

Not only are we are concerned that the COT group violated FACA, it appears that politics and not conservation, enhancement and restoration of sage-grouse habitats, drove this process to a significant degree.

In Idaho, nearly all sage-grouse habitat and populations in eastern Idaho were cut by the COT. This is mirrored by the ID Gov Plan. This area is targeted, as you may know, for large-scale phosphate development by Simplot and others with very close ties to the state of Idaho and the Governor (Simplot's former son-in-law).

Elsewhere in the state, areas with several occupied leks are inexplicably cut from the COT. The Weiser population, though small, has persisted for a considerable period of time - notably without hunting and (like the sharptail pop. occupying the same habitat,) relies significantly on CRP lands which had not been being grazed much. It is written off by the COT. This Weiser area just so happens to coincide with the area of Idaho now targeted for potential oil and gas leasing and where it is reported that 100,000 acres or more of leases are already held by energy interests.

In the area of Craters of the Moon, a very large portion of the Big Desert area was also cut by the COT and mirrored by ID- despite numerous very important active leks. I note that this and some other inexplicable cuts by the COT may be favoritism shown to a large group of woolgrowers or other grazing interests whose livestock annually inundate this Big Desert area in spring when sage-grouse are nesting.

Comment Number: IDMTSG-14-0242-5

Comment Excerpt Text:

We recommend that the FEIS include both a hard and a soft trigger. Fire primarily impacts sage-grouse through the direct loss of sagebrush cover. Land cover of sagebrush has been identified through various research methodologies as one of the primary factors affecting the long-term persistence of sage-grouse within a landscape (Walker et al. 2007, Aldridge et al. 2008, Wisdom et al., 2011, Knick et al. 2013). Wisdom et al. (2011) found that "preferably 65% of the landscape needed to be dominated by sagebrush for long-term sage-grouse persistence." Similarly, Aldridge et al. (2008) found that a high probability (>0.9) of long-term sage-grouse persistence required 65% sagebrush cover within a 30.77-km radius scale and Knick et al. (2013) found that "90% of the active leks had at least 40% of the large-scale landscape dominated by sagebrush."

SECTION 4.4 - POLICY GUIDANCE

Comment Number: IDMTSG-14-0257-6

Comment Excerpt Text:

We recommend that the Final LUPA/EIS include additional information on the action alternatives' consistency with the USFWS's Evaluation Criteria for Conservation Plans. The evaluation criteria are (i) the certainty that the conservation effort will be implemented, and, (ii) the certainty that the conservation effort will be effective. Consider including the following information:

- the relative certainty of adequate resources for full implementation (i.e., funding, conservation partners etc.) under the alternatives;
- the relative consistency of the alternatives with existing management practices and regulations;
- indications of where procedural requirements, like further Land Use Plan amendments or acts of congress, would be required to implement a conservation measure;

- the relative reliance on voluntary participation to meet conservation objectives;
- a comparison of implementation schedules;
- indications that all necessary parties will approve required agreements - such as for collaborative monitoring efforts;
- more detailed comparisons of how the alternatives' conservation measures would reduce identified threats;
- incremental conservation objectives and dates for achieving them;
- quantifiable and scientifically defensible parameters that will demonstrate achievement of objectives;
- provisions for implementation and effectiveness monitoring

SECTION 4.5 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0030-1

Comment Excerpt Text:

The Final draft strategy should include adequate buffers to occupied leks in order to conserve the species. The proposed 1-mile no surface occupancy buffer is not large enough to encourage the use of leks. (Strategy 14) 1 mile is too close to encourage breeding. According to the (NTT) report a buffer of 4 miles is necessary to provide adequate protection from surface disturbance. Four miles should be the surface disturbance buffer for surface disturbance of leks.

Comment Number: IDMTSG-14-0030-2

Comment Excerpt Text:

The NTT report recommends limiting surface disturbance to no more than 3 percent per section (SGNTT 2011:8) Knick (2013) found that 99 percent of active Greater Sage- Grouse leks are in landscapes with less than 3 percent disturbance within 5km of the lek. D has no limits (ES.6.5) and the E alternative recommends a 5% limit (ES.6.6). These alternatives allow for too great of disturbance levels and will lead to a further decline in Greater Sage-Grouse numbers.

Comment Number: IDMTSG-14-0046-3

Comment Excerpt Text:

The other planning issue that is missing is predator control. Predator control is an integral part of protecting and conserving sage grouse. Studies in Idaho show predators account for 26 to 76 percent of lost sage grouse nesting sites annually.

Comment Number: IDMTSG-14-0049-2

Comment Excerpt Text:

We note that the DEIS identifies Alternatives D and E as co-Preferred Alternatives. We do not believe that either of these alternatives do enough to truly protect sage-grouse and sage-grouse habitat, and we believe that implementation of either of these alternatives would not rise to the level of adequate regulatory mechanisms sufficient to prevent listing of the sage-grouse under the Endangered Species Act. These two alternatives, in fact, are the weakest action alternatives in the DEIS and are not supported by the best available science. We thus urge the BLM and USFS to go further in adopting amendments that will truly benefit and help recover sage-grouse in this region.

Comment Number: IDMTSG-14-0049-21

Comment Excerpt Text:

Structural range improvements can also cause negative impacts to sage-grouse. Water infrastructure and fences to manage livestock pose increased mortality risks to sage-grouse. Within specially designated priority sage-grouse habitats, development or modification of water infrastructure should be done in a way that minimizes the potential propagation of West Nile virus. Existing and new fencing should be marked, modified or removed to reduce sage-grouse strikes and mortality, particularly near leks, in known flight paths, in concentrated winter range, or where fence strikes have been documented.

Comment Number: IDMTSG-14-0049-23

Comment Excerpt Text:

Based on the science, we propose that anthropogenic disturbances in general sage-grouse habitat are also limited to 3% of a square mile or section of habitat.

Moreover, although we have proposed to designate all priority habitat as special designations for sage-grouse that would not allow for any discrete anthropogenic disturbances, if the agencies do not adopt that recommendation, we support applying this 3% cap to priority habitat. In both priority and general habitat, where the 3% cap is already exceeded, no new disturbances should be allowed and restoration activities should be employed.

Comment Number: IDMTSG-14-0049-3

Comment Excerpt Text:

we now slightly alter this request to propose that all lands identified as preliminary priority habitat in the DEIS in the Pocatello, Upper Snake, and Dillon Field Offices receive some form of special management designation for the protection of sage-grouse and sage-grouse habitat. Thus, we request a total of 2,590,351 acres of preliminary priority habitat for sagegrouse on BLM lands in the Pocatello, Upper Snake, and Dillon Field Offices be specially designated for sage-grouse

Comment Number: IDMTSG-14-0049-32

Comment Excerpt Text:

As with specially designated priority sage-grouse habitats, management of livestock grazing in general habitat should incorporate sage-grouse habitat objectives in all grazing allotments or permit renewals. Allotments not in compliance with rangeland health standards must be brought back to a healthy condition that continues to function as sage-grouse habitat.

Comment Number: IDMTSG-14-0053-3

Comment Excerpt Text:

Attempts have been made in recent published studies by various individuals to identify the impact of various activities on the GRSG and their behavior. These studies are then used to develop regulations designed to mitigate the activity or disturbance. Some activities may even be prohibited in core habitat. This exercise is necessary to satisfy the USFWS and the court that a plan has the structure necessary to mitigate an activity's threat to the GRSG and its habitat. These recent studies are short term and may not reflect the

bird's ability to adapt to changes in its environment. The bird has been adapting for centuries and will continue to do so. It is important that regulations be made, but essential to recognize we need to better define, measure and monitor these disturbances and study how the bird adapts on a long term basis. This is where the adaptive management discussions in the plan become so important. The plan must allow the regulations designed to mitigate disturbances to be adjusted as we better understand all the threats and their impacts. It seems like regulations are easy to make, but hard to change.

Comment Number: IDMTSG-14-0056-17

Comment Excerpt Text:

There is no published research that supports restricting or closing grazing, in areas adjacent to burns, in order to compensate for loss of habitat attributable to wildfire. (DESR- 5, page 2-134). This proposed management action makes an assumption that grazing has negative impacts to grouse, but there are no compelling data to support such an assertion.

Comment Number: IDMTSG-14-0056-6

Comment Excerpt Text:

Alternative B also puts sage grouse at the center of nearly every management decision. While avoiding a listing of the bird is commendable, BLM must not forget its statutory multiple-use mandate. Furthermore, multiple-use management is a wise management approach in that "Successful management of ecosystems threatened by multiple stressors requires development of ecosystem conservation plans rather than single species plans." (Davies et al. 2011). That being said, adaptive management action B-SSS-5 (outlined in Table 2-18, page 2-101) that provides for certainty to address unintended negative consequences on sage grouse is an acceptable strategy that would be beneficial if employed in any selected alternative.

Comment Number: IDMTSG-14-0056-9

Comment Excerpt Text:

- Alternative E includes the requirement for any assessment to determine whether or not a given area has the ability to provide sage

grouse habitat (See Appendix D, page D-36). This is critical because as the maps are difficult to decipher on the large scale, and personal knowledge of the area reflects that some areas identified as within PPGH or Core habitat do not have the ability to provide for sage grouse needs.

Comment Number: IDMTSG-14-0088-1

Comment Excerpt Text:

Reduce the recommended buffer area around lek areas from one mile to 0.6 miles. No scientific data exists to justify a greater distance and the USFWS has accepted this in Wyoming. Also existing in USFWS policy is the recommendation to restrict overall surface disturbance to 5% per 640 acres.

Comment Number: IDMTSG-14-0088-2

Comment Excerpt Text:

Eliminate the three-year cessation of development activities if grouse populations fall regardless of the cause and through no fault of human or development activity. Drought, disease, wildfire and other natural disasters are beyond human control.

Comment Number: IDMTSG-14-0098-1

Comment Excerpt Text:

Given that Alternative D requires no net unmitigated loss of priority habitat, FWP recommends local, professional consultation when determining acceptable areas for habitat loss and appropriate compensatory mitigation.

Comment Number: IDMTSG-14-0098-2

Comment Excerpt Text:

Montana FWP recognizes some restoration potential on BLM land that was historically seeded to nonnative grasses in the Dillon area. FWP supports the restoration recommended in the 2013 Upper Horse Prairie Watershed EA as an experiment to determine how effective various treatments are at restoring and enhancing sage-grouse habitat. We also recognize that not all non-native seeded areas are good candidates for restoration and suggest the BLM consult with experts in the field of restoration

ecology before attempting any large-scale restoration effort.

Comment Number: IDMTSG-14-0098-4

Comment Excerpt Text:

Research specifically on wind energy is still developing; however impacts to sage-grouse from wind development are expected to be similar to impacts from oil and gas development and anthropogenic surface disturbance. The BLM may want to consider excluding rather than avoiding wind energy in priority habitats until additional information becomes available. This would be consistent with recommendations in the U.S. Fish and Wildlife Conservation Objectives Report and other current management guidance.

Comment Number: IDMTSG-14-0100-1

Comment Excerpt Text:

None of the alternatives as proposed will prevent sage grouse listing over the long term because they propose no active habitat restoration. As written the alternatives may delay listing for a few years but as sage grouse habitat continues to fragment, and decline in quality, sage grouse numbers and distribution will also continue to decline. Therefore, whatever alternative is chosen it must include a section on active habitat restoration to minimize listing over the long term.

Comment Number: IDMTSG-14-0105-14

Comment Excerpt Text:

Vol 2, Page 2-37 & 38: Regarding Alternative D - Population Triggers

A net 20% decline in the average maximum count of males per lek within a consecutive 3 to 5 year period, relative to the appropriate 3 to 5 year baseline average (2009-2011).

A finite rate of population change significantly below 1.0 within the population area for a given 3 to 5 year period, relative to the appropriate 3 to 5 year baseline average (2009-2011).

It is unclear how any particular percentage decline in hard count numbers under the first trigger would

translate to a downward trend relative to the second trigger. Thus, there is no rational basis for having two triggers based on the same information but simply analyzed differently.

While the second trigger may seem more "scientific and precise" it is limited by application to imprecise data. The second "population trend" trigger is unnecessary and burdensome. Placing the first trigger on a 5 year rolling average would provide both direct population change and trend information that would also account for short term climatic variation and events. When coupled with a habitat trigger, population data would provide all information necessary to adjust management strategies. This approach may require some adjustment of the trigger point.

The triggers do not distinguish the area to which they would apply. Since they do not mention a "population area" it is assumed they apply to changes occurring within the entire planning area. Accordingly, management strategy changes based thereon would also apply to the entire planning area. Such action would be inefficient and ineffective.

Comment Number: IDMTSG-14-0130-10

Comment Excerpt Text:

The management prescriptions for Alternative D fail to recognize that located within designated PPMA, PMMA and PGMA habitat there are sites that will not or cannot support sage grouse. Mandating management actions, guidance and restrictions across the entire area without acknowledging and giving consideration for flexibility within these "sites of incapability /unsuitability" is unacceptable.

Comment Number: IDMTSG-14-0130-21

Comment Excerpt Text:

"Impacts from transmission lines constructed before 2002 are likely fully manifested." It is probable this same manifestation applies to Range Improvements and the need to modify projects constructed prior to 2002 is questionable. Also, as stated previously, the DEIS fails to recognize the benefits range improvements provide.

Comment Number: IDMTSG-14-0130-3

Comment Excerpt Text:

Within the Goals and Objectives listed for All Alternatives, there is no rationale or basis for determining what constitutes acceptable numbers, acceptable levels or acceptable thresholds necessary to maintain abundance and distribution of sage grouse.

Comment Number: IDMTSG-14-0131-1

Comment Excerpt Text:

The Draft LUMA/EIS does not provide a detailed technical basis for these prescriptive recommendations. Furthermore, there is no or little discussion of the “science” that is the basis of conservation of the GSG and also the uncertainty of such “science”. For example, the NTT report has the objective of a minimum 50-70% of the acreage in sagebrush cover for long-term persistence of the GSG. However, other studies, such as a USGS review of the GSG (USGS 2013) states that fragmentation “generally begins to have significant effects on wildlife when suitable habitat becomes less than 30 to 50 percent of the landscape” (page 26).

Comment Number: IDMTSG-14-0151-10

Comment Excerpt Text:

In addition to failing to take a “hard look” at the range of ecological and socioeconomic issues identified in the preceding section, the analysis in the DRMPA/DEIS contains a number of flaws that must be remedied before the final plan amendment is issued.

The DEIS segregates habitat that BLM itself found to meet the Priority habitat requirements into a lesser “Medial” category, and otherwise minimizes conservation to levels far below the NTT. Varying habitat categories between the BLM and the state confuse the matter more.

The DEIS presents insufficient baseline information and an inadequate range of alternatives.

Comment Number: IDMTSG-14-0151-19

Comment Excerpt Text:

In addition, within any percentage limits on anthropogenic disturbance, fire should be included as was recently recommended by USFWS in its comments on the Northwest Colorado Greater Sage-grouse DLUPA/DEIS. TAILS 06E24100-2014-CPA-0001 at p. 1. The preferred alternative excludes fire from anthropogenic disturbance. Fences, small roads, and water developments must also be included in “anthropogenic disturbance.” BLM’s definition does not explicitly include fences, water developments /water haul sites, supplement sites or small roads often related to livestock facilities.

A major problem with the DEIS is its failure to define livestock grazing as a surface-disturbing activity. The NTT report defines grazing as a “diffuse disturbance,” which is also the way that fire is classified. Like fire, grazing should be considered as a surface-disturbing activity in the DEIS.

Comment Number: IDMTSG-14-0151-87

Comment Excerpt Text:

In D, there would be a “no net unmitigated” loss of PPMA and PGMA. [Note: At times, this is stated as no net loss]. This means there could be large-scale loss as long as there was some kind of mitigation of uncertain effectiveness. Does no net loss means you actually make up for the loss, not just go through the motions of doing something, vs. no net unmitigated loss? How will effectiveness be gauged? vs. no unmitigated loss. Please explain this under all Alternatives.

Comment Number: IDMTSG-14-0151-90

Comment Excerpt Text:

What is meant (DEIS 2-200) by “in addition to avoidance and exclusion in Alt A, all GRS habitat would be managed as avoidance”?

Comment Number: IDMTSG-14-0153-26

Comment Excerpt Text:

In Idaho, noise from military overflights can create noise in excess of 100 dBA. Disturbance from low-altitude military overflights from Mountain Home Air

Force Base has been raised as a concern in this EIS. DEIS at 4-15. Please analyze the frequency and number of low-level overflights historically and currently over identified sage grouse habitats, the altitude at which these overflights occur, the types of aircraft making such low-level overflights, and the estimated decibel noise levels at affected leks. Sage grouse Priority and General Habitats should thus be closed to low-level military overflights during the breeding and nesting season for sage grouse. We recommend that noise limits be imposed in the RMP, allowing no greater than 32 dBA noise levels in sage grouse nesting and breeding habitats.

Comment Number: IDMTSG-14-0153-27

Comment Excerpt Text:

Of course, eliminating fences has the effect of reducing collisions to zero. With this in mind, fences in sage grouse Preliminary Priority and General Habitats should be inventoried to identify the minimum necessary fencing required for livestock management. In the Idaho – Southwest Montana planning area, there are 12,600 miles of fences within Preliminary Priority Habitat, and 6,200 miles of fences within Preliminary General Habitat. DEIS at 3-74. Fences determined to be unnecessary should be removed, especially in flat areas near leks, and remaining fences should be outfitted with reflectors or other visibility devices to reduce sage grouse collisions. No new fences should be permitted in sage grouse habitats within Priority Areas. New fences should be precluded on all lands within Priority Habitats, and the RMP should include language to prioritize dismantlement of existing fences and addition of visibility markers for those that remain.

Comment Number: IDMTSG-14-0153-28

Comment Excerpt Text:

In Priority Habitat, the NSO Condition of Approval of 4 miles from a lek is prescribed in the NTT recommendations but does not appear in any of the alternatives for this EIS. The lack of any lek buffer as a COA in sage grouse habitats will result in major impacts to active leks within the PPMA and PMMA areas (where applicable) themselves, as this proximity results in significant impacts to breeding grouse on

the lek and will result in development occurring in the midst of the most prime nesting habitats that surround the affected lek.

Comment Number: IDMTSG-14-0153-30

Comment Excerpt Text:

BLM must ensure that all Core Area/Priority Habitat and/or ACEC protections are nondiscretionary standards, so the agency can rely on them as conservation measures that are adequate and reliable in the context of Endangered Species decisionmaking by the U.S. Fish and Wildlife Service.

Comment Number: IDMTSG-14-0153-38

Comment Excerpt Text:

Connectivity Areas need to be established to connect Priority Habitats. In addition, it is critically important for BLM to identify and protect winter concentration areas. These lands, once identified under the RMP supplement, should be withdrawn from future mineral leasing and entry of all kinds, with Conditions of Approval applying NSO stipulations inside and within 2 miles of these areas, disturbance limits of 3% per square mile and one wellpad per 640-acre section, exclusion of overhead powerlines, and seasonal road closures within the winter habitats.

Comment Number: IDMTSG-14-0159-20

Comment Excerpt Text:

The No Action Alternative fails to properly analyze the existing conservation measures and authorities the BLM is already using to conserve the GRSG and its habitat. The No-Action Alternative proffered by the Agencies must acknowledge Manual 6840 as the status quo, baseline policy governing present GRSG conservation. If BLM believes that such existing regulatory mechanisms are inadequate, then the burden is on the agency to explain how and why this is so.

Comment Number: IDMTSG-14-0159-21

Comment Excerpt Text:

If BLM does not believe the conservation measures prescribed in Manual 6840 are sufficient, then it must explain and quantify those deficiencies. Otherwise, the public cannot gauge and understand the need (if

any) for land use management changes in BLM's Preferred Alternative.

Comment Number: IDMTSG-14-0159-34

Comment Excerpt Text:

Alternative D's Approach to the "Threat" To Infrastructure is Overly Restrictive

Alternative D is unnecessarily restrictive for an additional 2.1 million acres in their Priority designated areas, and 700,000 additional total acres. In contrast to the Governor's Alternative, in CHZ, infrastructure is generally precluded except for valid existing rights, rights and/or incremental upgrade and/or capacity increase of existing subject to some limitations. Essentially, CHZ is as restrictive as is legally allowed.

The CHZ protects 73% of the male lek population. Infrastructure is generally permitted subject to certain criteria in IHZ. This is a practical approach, reflective of what sage-grouse actually need, in contrast to blanket restrictive policies across a large landscape. The CHZ and IHZ were the result of Dr. Jack Connelly's extensive study of sage-grouse and his determination of how resources could be prioritized to ensure maximum viability and long-term preservation. This is also a realistic approach to future economic development in Idaho, being flexible to accommodate the needs of Idaho as its population grows.

Comment Number: IDMTSG-14-0159-36

Comment Excerpt Text:

As discussed earlier, although the "No-Action" Alternative is required by NEPA, it is nonetheless required to accurately portray the proposed environmental baseline to anchor the NEPA analysis. Notwithstanding that the GRSG has been in some state of official administrative status at the Department of the Interior since 2002, the No-Action Alternative fails to account for a key preexisting BLM tool: Manual 6840.

Additionally, Alternative A fails to catalog and calibrate the several voluntary candidate conservation agreements in existence in the proposed action area as they may be providing momentum to GRSG

conservation. The Final EIS documents should not be published without a full, detailed and accurate No-Action Alternative that incorporates and analyzes a full range of conservation measures, including existing strategies, and will provide future monitoring data that will satisfy USFWS' requirements. This will better fit the Purpose, Need, and Objectives of the LUPA DEIS and would be consistent with FLPMA, the Mining Law of 1872, the Mining, Minerals and Policy Act, and BLM's sage-grouse conservation goals and objectives.

Comment Number: IDMTSG-14-0166-3

Comment Excerpt Text:

Alternative D states that its goal is to "Maintain and/or increase GRSG abundance and distribution by conserving, enhancing or restoring the sagebrush ecosystem upon which populations depend in cooperation with other conservation partners," and Alternative E states that its goal is to "Conserve the GRSG and its habitat to avoid a listing under the ESA."²⁷ However, the appropriate goal, used in Alternatives C and F should be "to maintain and increase abundance and distribution of greater sage grouse".

Maintaining current populations, which have been in a continuous decline, will not provide secure long term populations well distributed across the range. Indeed, if current populations were adequate, the greater sage grouse would not have been found to be warranted for listing under the Endangered Species Act. Given current levels of habitat fragmentation, individual populations will become increasingly isolated reducing genetic interchange. Smaller populations are at greater risk of extirpation. Further, given the pervasive spread of highly flammable invasive plants (cheatgrass) largely from grazing and the resulting increase in wildfire, sage brush habitat will be lost to fires over the next several decades. Therefore, recovery efforts must take stochastic events into account and aim to increase, rather than maintain sage grouse populations.

Comment Number: IDMTSG-14-0166-4

Comment Excerpt Text:

The Preferred Alternatives fails to incorporate measures that would result in exclusion of activities known to be detrimental to sage-grouse or sage-grouse habitats, relies on discretionary measures such as “avoidance” rather than “exclusion” of activities, includes numerous exceptions and exemptions where protective measures will only apply on a conditional basis. This is particularly relevant to the BLM objective of initiating “proactive conservation measures that reduce or eliminate threats to Bureau sensitive species to minimize the likelihood of and need for listing of these species under the ESA” (Manual 6840.02(B)), since the lack of adequate regulatory mechanisms to conserve sage-grouse and their habitats was identified as a primary threat leading to the FWS’ warranted but precluded finding for the species.

Comment Number: IDMTSG-14-0166-5

Comment Excerpt Text:

The agencies recognize that management techniques will not be implemented uniformly across the planning region. Instead, the agency will “focus on the highest quality GRSg habitat [and] limit any impacts of disturbance from development in these areas.”³⁹ As noted by the BLM and the Forest Service, a consequence of this action is it could result in “shifting disturbance and related forage loss to nonhabitat on BLM-administered and other lands.” First, the term “highest quality” GRSg is undefined in the LUPA/EIS, making it impossible for us to determine how much GRSg habitats are actually covered under this criterion. Furthermore, the BLM fails to acknowledge that by focusing on the “highest quality” GRSg habitat it will essentially neglect all other GRSg habitats it does not deem to meet this standard. In providing that temporary or longer-term adjustments “may” be required Alternative D allows BLM to implement grazing adjustment at its discretion upon unsatisfactory allotment evaluations. Thus this discretionary approach will fail to improve sage-grouse habitats on all grazing allotments, which is necessary to conserve and recover sage-grouse populations in the Sub-Region’s grazing allotments.⁴⁰

Comment Number: IDMTSG-14-0166-8

Comment Excerpt Text:

A coalition of environmental organizations⁷³ developed and previously submitted a new alternative for consideration entitled, the Sage-Grouse Recovery Alternative.⁷⁴ Our recommendations build upon some of the proposed actions contained in the Sage-Grouse Recovery Alternative (Alternative “F” in the DEIS, although the DEIS did not faithfully follow all of the recommendations), and so they are not identical. For instance, our recommendations also incorporate very recent research results on the impacts of noise and ravens on sage grouse. In addition, our proposed system of sage grouse conservation areas system includes winter

distribution habitat and does not solely focus on mapping breeding and brood-rearing areas; within sage grouse conservation areas we generally buffer active leks with a 10 km buffer for surface occupancy and new roads, and 7.6 km for new trails, while Alternative F uses more conservative buffers.

A. The BLM Should Designate a System of Sage Grouse Conservation Areas (“SGCA”)

The Center requests that the agencies map and implement a conservation reserve system for the recovery of the sage grouse. Tools to implement and sustain such as system are limited however the agencies should take advantage of all existing land designations to do so, and pursue more durable and lasting designations through rule-making and Congressional actions.⁷⁵ Primary among existing designations are the Area of Critical Environmental Concern authorized in the BLM’s regulations, and the USFS may “adopt special designations through plan amendment or revision” to conserve natural resources (36 CFR § 219.27). The USFWS should administratively designate sage grouse conservation areas in the current planning process with similar purpose and management as BLM ACECs to conserve sage-grouse and other sagebrush dependent species on National Wildlife Refuges in the planning area.

A primary concern is that none of the administrative designations now in existence provide for long term assurances that the lands will be managed for the recovery and conservation of the grouse. As a parallel effort, the Center urges the agencies to pursue new authorities to enter into long term conservation for the grouse another species that provide for durable protections.

73 Including the American Bird Conservancy, Defenders of Wildlife, the Sierra Club, and Wild Earth Guardians.

74 Attached

75 For fuller discussion, refer to the Sage-Grouse Recovery Alternative, pages 28-31.

At the heart of the effort to avoid the extirpation and extinction of the sage grouse, there must be a profound and fundamental recognition that further habitat declines are very serious in nature. Early conservationist Aldo Leopold once said, “To keep every cog and wheel is the first precaution of intelligent tinkering.”⁷⁶ Due to the heavy impacts of man, fire and climate change on the landscape, we are facing a crisis of losing the “cogs” that form an intact and functional sage grouse ecosystem. Immediate steps are needed to stabilize the losses and lay the foundation for future recovery.⁷⁷

Towards this end, the Center and others are proposing a system of habitat reserves to provide for the conservation and recovery of the grouse. Rationale and details for this proposed reserve system are now provided.

Greater sage grouse are a landscape species.⁷⁸ Migratory populations have large annual ranges that can encompass >2,700 km² / 667,184 ac.⁷⁹ Large-bodied birds like sage grouse are generally more strongly affected by habitat loss and fragmentation.⁸⁰ Although conclusive data on minimum patch size is unavailable, conserving large expanses of sagebrush steppe is the highest priority to conserve sage-grouse.⁸¹ ⁸² One study identified ten lek complexes that were >5,000 km² / 1,235,526 ac) (range 5,395–

100,288 km²) and 8 of them contained >100 leks (range 143–1,139).⁸³ 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.

Preserving large habitat islands in itself is not enough – these centers must be inner-connected for several reasons.

76 Leopold, Aldo. In: Round River: From the Journals of Aldo Leopold (published 1953) by Oxford University

Press, page 147.

77 Knick, Steven T., Hanser, Steven E., and Kristine L. Preston. 2013. Modeling ecological minimum requirements for distribution of greater sage-grouse leks: implications for population connectivity across their western range, U.S.A. Ecology and Evolution. John Wiley & Sons Ltd., page 2,

78 Connelly et al. 2011a.

79 Knick, S. T. and J. W. Connelly. 2011b. Greater Sage-grouse and sagebrush: an introduction to

the landscape. Pages 1-9 in S. T. Knick and J. W. Connelly (eds). Greater Sage-Grouse: ecology and conservation of a landscape species and its habitats. Studies in Avian Biol. Series, vol. 38, Univ. Calif. Press. Berkeley, CA.

80 Winter, M., D. H. Johnson, J. A Shaffer. 2006. Does body size affect a bird’s sensitivity to patch size and landscape structure? Condor 108(4): 808-816.

81 Aldridge, C. L., S. E. Nielsen, H. L. Beyer, M. S. Boyce, J. W. Connelly, S. T. Knick, M. A. Schroeder. 2008. Range-wide patterns of Greater Sage-grouse persistence. Diversity and Distrib. 14(6): 983–994.

82 Connelly et al. 2011b.

83 Knick, S. T. and S. E. Hanser. 2011. Connecting pattern and process in Greater Sage-grouse populations and sagebrush landscapes. Pages 383-405 in S. T. Knick and J. W. Connelly (eds). Greater Sage-Grouse: ecology and conservation of a landscape species and its habitats. Studies in Avian Biol. Series, vol. 38, Univ. Calif. Press. Berkeley, CA.

Knick et al. stated that, “Species that have multiple interconnected populations are more likely to persist because risk of extirpation caused by regional events...connectivity among populations ensures that recolonization can occur following local extirpation assuming that sufficient habitat remains.”⁸⁴

In addition, some sage grouse populations (known as “migratory”) move long distances between seasonal habitats, sometimes in two distinct movements.⁸⁵ Annual movements of 40-160 km by sage grouse along established routes have been reported.⁸⁶ Thus Beck et al. recommended conserving habitat corridors to facilitate easier movement for migratory sage grouse.⁸⁷

Protecting smaller habitat patches can help connect larger areas. Successful conservation strategies for sage grouse would preserve networks of populations and/or habitat patches, including connecting smaller lek complexes within 18 km that could serve as intermediary islands of habitat for dispersing sage grouse.⁸⁸

a. Reserve Components

Several habitat characteristics capable of being mapped are included as components in the reserve system- courtship, breeding and nesting areas, brood rearing areas, winter habitats and linkages.

i. Courtship, breeding and nesting areas

In the spring, during the breeding season, sage-grouse males seek out courtship areas, known as “leks” that are open areas of bare soil, short grass steppe, windswept ridges, or exposed knolls in which to gather and perform their ritualized mating displays and breed with females.⁸⁹ An important factor

affecting lek location appears to be proximity to as well as configuration and abundance of nesting habitat.⁹⁰

Leks are normally “traditional”, and occur in the same location each year. Some leks studied by early investigators have persisted for 28–67 years since first counted. The presence of broken bird-point arrowheads on some leks suggests that sage-grouse had used those sites for at least 85 years. Leks and the number of attending males are regularly used to monitor the long-term status of populations because of their traditional locations.⁹¹

84 Knick et al. 2013.

85 Connelly et al. 2011a.

86 Ibid.

87 Beck, J. L., K. P. Reese, J. W. Connelly, M. B. Lucia. 2006. Movements and survival of juvenile greater sage---grouse in southeastern Idaho. Wildl. Soc. Bull. 34(4): 1070---1078.

88 Knick and Hanser. 2011.

89 Manier et al. 2013.

90 Connelly, J.W., C.A. Hagen, and M.A. Schroeder. 2011c. Characteristics and dynamics of greater sage-grouse populations. Pages 53-67 in S. T. Knick and J. W. Connelly (eds). Greater Sage-Grouse: ecology and conservation of a landscape species and its habitats. Studies in Avian Biol. Series, vol. 38, Univ. Calif. Press. Berkeley, CA.

91 Ibid.

Although the actual lek sites are typically open areas, they are usually located in the midst of denser shrub stands, which together provide the necessary combination of visibility, protection, food, and thermal regulation.⁹²

In a recent study looking at greater sage grouse across six western states, it was reported that

90% of the active leks were surrounded by areas having greater than 40% sagebrush cover. Further, 99% of the active leks were in landscapes with less than 3 % of the area in human development.⁹³ Successful leks occurred in areas with low road densities – less than 1 km/km² of secondary roads, less than .05km/km² of highways, and less than .01 km/km² of interstate highways. Another pertinent finding was that habitat suitability was highest when power line densities were less than .06 km/km²; leks were absent where power line densities exceeded .2 km/km². With respect to communication/cellular towers, leks were absent when tower densities exceeded .08 km/km².⁹⁴

Wisdom et al. reported that areas extirpated of sage grouse had 27 times the human density, 3 times more area in agriculture, were 60% closer to highways, and had 25% higher density of roads than what was found in occupied habitat. Also, it was found that power lines and cellular towers had significant impacts on whether or not a habitat was occupied.⁹⁵

Studies published by Braun in 1977 and Connelly in 2000 initially set the standard that leks should be buffered by a 3.2 km or 3.1 mile radius, both to provide security for the grouse and to acknowledge the fact that many, but by no means all, female grouse will nest in the immediate area of the lek.⁹⁶

However, more recent studies have suggested that the 3.2 km is questionable as to whether or not it adequately provides for the conditions needed for successful breeding and nesting.

It was found in one study that a 3 km buffer encompassed only 45% of the nesting females associated with that lek, while a 5 km buffer accommodated 64% of the nests. It was also reported that nests located within 1 km of another nest tended to have lower nesting success likely due to enhanced prey detection by predators.⁹⁷ The same study further suggests that to protect and maintain sage grouse populations residing in relatively contiguous sagebrush habitats, managers should minimize or halt actions that reduce the suitability of nesting habitats

within 5 km of a lek until detailed site specific monitoring suggested otherwise. It also noted that a substantial number of females nested distances greater than 5 km from a lek and that this additional increment of individual recruitment could be important for population viability.⁹⁸

⁹² Manier et al. 2013.

⁹³ Knick et al. 2013.

⁹⁴ Ibid.

⁹⁵ Wisdom et al. 2011.

⁹⁶ Connelly, J. W., M. A. Schroeder, A. R. Sands, C. E. Braun. 2000. Guidelines to manage sagegrouse populations and their habitats. *Wildl. Soc’y Bull.* 28(4): 967-985.

⁹⁷ Holloram, Matthew J. and Stanley H. Anderson. 2005. Spatial distribution of greater sage-grouse nests in relatively contiguous sagebrush habitats. *The Condor* 107:742-752.

⁹⁸ Ibid.

For a related grouse, the U.S. Fish and Wildlife Service recommended “... avoiding placing wind turbines within 5 miles [8 km] of known leks (communal pair formation grounds) in known prairie grouse habitat”.⁹⁹

Johnsgard indicated that there was no obvious relationship between lek location and nest site. In 5 different studies involving more than 300 nests the average distance between lek and Sage-grouse nest where the females was first seen or captured was 3.5 mi (5.6 km).¹⁰⁰

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.¹⁰¹

Walker et al. in another study found that the impacts from energy development on lek persistence and nesting were still apparent at a distance of 6.4 km from the disturbance.¹⁰²

Connelly et al. reported in their assessment for the Western Governors' Association that road traffic within 7.6 km had adverse impacts on male grouse attendance at leks.¹⁰³

ii. Brood-raising areas

Brood rearing habitats are a very important component of sage-grouse habitats. A mosaic of upland sagebrush vegetation intermixed with mountain meadows and spring systems compose brood rearing habitat.

Placing a heavy focus on habitat protection around leks is not suitable for ensuring the viability of sage grouse populations. Studies have shown that both nest and brood rearing habitats are on average 6 km from leks, and it is not until 10 km from leks that one reaches the threshold where 90% of the habitat occurs.¹⁰⁴

Brood occurrence is greater in more heterogeneous sagebrush stands, where patchy cover reduces predator efficiency but still affords necessary forb resources. Sage grouse are more abundant in patchy habitats containing a mix of mesic, forb-rich foraging areas interspersed within suitable sagebrush escape cover.¹⁰⁵

⁹⁹ Manville, A.M., II. 2004. Prairie grouse leks and wind turbines: U.S. Fish and Wildlife Service justification for a 5-mile buffer from leks; additional grassland songbird recommendations. Division of Migratory Bird Management USFWS, Arlington, VA, peer-reviewed briefing paper. 17 pp.

¹⁰⁰ Johnsgard, P.A. 2002. Grassland grouse and their conservation. Smithsonian Institution Press, Washington and London, cited in Manville, A.M., II. 2004, page 11.

¹⁰¹ Doherty, K. E., D. E. Naugle, B. L. Walker. 2010. Greater Sage-grouse nesting habitat: the importance of managing at multiple scales. *J. Wildl. Manage.* 74(7): 1544-1553.

¹⁰² Walker et al. cited in Naugle et al. 2011.

¹⁰³ Connelly et al. 2004.

¹⁰⁴ Aldridge, Cameron L. and Mark S. Boyce. 2007. Linking Occurrence and Fitness to Persistence: Habitat-Based

Approach for Endangered Greater Sage-Grouse. *Ecological Applications* 17(2):508-526.

¹⁰⁵ Manier et al. 2013. Page 21.

Broods are typically found in areas near nest sites for the first 2–3 weeks after hatching. Such habitat needs to provide adequate cover and areas with sufficient forbs and insects to ensure chick survival in this life stage. ¹⁰⁶

As the chicks get older, sage-grouse tend to move into more moist areas (streambeds or wet meadows) because as herbaceous vegetation dries out, wetter areas provide more forbs and insects for hens and their chicks.¹⁰⁷ Droughts resulting in reduced cover can make these habitats risky for sage grouse chicks, particularly if livestock grazing intensities have exacerbated the vegetative declines.¹⁰⁸

iii. Wintering habitat

As previous mentioned, although leks are important focal points for breeding and subsequent nesting in the surrounding region, other seasonal use areas and habitat requirements may be equally limiting to sage-grouse populations.¹⁰⁹

Suitable and diverse winter habitats are critical to the long-term persistence of grouse populations.¹¹⁰ As summer ends, the diet of sage grouse shifts from a diet of insects, forbs and sagebrush to one comprised almost entirely of sagebrush.¹¹¹ In winter, the grouse depends heavily on sagebrush for cover, habitat

selection being driven by snow depth, the availability of sagebrush above the snow, and topographic patterns that favorable mitigate the weather. I12

Abundance of sagebrush at the landscape scale greatly influences the choice of wintering habitat. One study found that the grouse selected for landscapes where sagebrush dominate over 75% of the landscape with little tolerance for other cover types. I13 Because appropriate wintering habitat occurs on a limited basis and because yearly weather conditions influence its availability, impacts to wintering habitat can have large disproportional effects on regional populations. One study in Colorado found that 80% of the wintering use occurred on only 7% of the area of sagebrush available. I14 Additionally, some degree of site fidelity to winter areas is suspected to exist, and wintering areas not utilized in typical years may become critical in severe winters. I15

I06 Ibid.

I07 Ibid.

I08 Aldridge and Boyce, 2007.

I09 Knick et al. 2013.

I10 NDOW 2012.

I11 Doherty, Kevin E., David E. Naugle, Brett L. Walker, and Jon M. Graham. 2008. Greater Sage-Grouse Winter habitat Selection and Energy Development. *J. of Wildlife Management* 72(1):187/195.

I12 Manier et al. 2013. Page 21.

I13 Doherty et al. 2008.

I14 Ibid.

I15 Caudill, Danny, Terry A. Messmer, Brent Bibles, and Michael R. Guttery. 2013. Winter habitat use by juvenile greater sage-grouse on Parker Mountain, Utah: implications for sagebrush management. *Human-Wildlife Interactions* 7(2):250-259, Fall 2013.

Lower elevation sagebrush winter habitat used by sage grouse may also constitute important winter areas for big game and early spring forage areas for domestic livestock. Due to differing vegetative condition requirements, land treatments on lower elevation sagebrush areas to increase big game or livestock forage at the expense of sagebrush cover and density could have long-term negative consequences for the grouse. I16

Sage grouse in the Powder River Basin were 1.3 times less likely to use otherwise suitable winter habitats that have been developed for energy (12 wells/4 km²), and avoidance was most pronounced in high-quality winter habitat with abundant sagebrush. I17

iv. Linkages

Because use and availability of these seasonal habitats are spread across a given landscape, sage- grouse require vast areas of contiguous sagebrush to meet their needs on an annual basis. I18 Although leks are important focal points for breeding and subsequent nesting in the surrounding region, other seasonal use areas and habitat requirements may be equally limiting to sage-grouse populations. Population size and isolation can have serious negative impacts on genetic variability and population persistence. I19

Science informs us that populations of rare species in small, disjunct areas of occupied range have a high risk of extirpation, and that the probability for extinction increases for populations that become increasingly small and isolated. I20

Naugle et al. recently observed, that the severity of impacts to sage grouse from human disturbances, in particular energy development dictate the need to shift from a local to a landscape view for basing conservation actions. I21

Any conservation reserve system for sage grouse must ensure the connectivity between metapopulations are preserved. GIS modeling can identify sage-grouse habitat, at a larger scales. There are limitations to a GIS-designed reserve system –for

instance, within areas identified by GIS modeling as nesting habitat, there is some local variability in which sites are actually suitable for nesting, nests may be clumped in one area and not another, or local topography makes a linear distance from a lek meaningless. Still, for purposes of identifying crucial habitat for the grouse it is a crucial first step. As inventory and telemetry work advance, the system can be fine-tuned. The important thing is that key habitats and linkages not be lost and the precautionary principle applied to sage grouse management. 122

116 Caudill et al. 2013.

117 Doherty et al. 2008.

118 Manier et al. 2013.

119 Knick et al. 2013

120 Wisdom et al. 2011.

121 Naugle, D.F., K.E. Doherty, B.L. Walker, M.J. Holloran, and H.E. Copeland. 2011. Energy development and Greater Sage-Grouse. Pp. 489-503 in S.T. Knick and J.W. Connelly (editors). *Greater Sage-Grouse: ecology and conservation of a landscape species and its habitats*. Studies in Avian Biology (vol. 38). University of California Press. Berkeley, CA.

122 The precautionary principle states: "Precautionary Principle states that when an activity causes some threat or harm to the public or the environment, general precautionary measures should be taken. When a scientific investigation proves that there is a possible risk in doing some activity, then this principle should be applied. Internationally, one of the most important expression of the Precautionary principle is the Rio Declaration from the United Nations Conference on Environment and Development. Principle 15 of the Rio Declaration reads:

"In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there

are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation."

This principle is applied in the context of human activities on the environment and human health.

In U.S the precautionary principle is not expressly mentioned in any laws or policies. Despite U.S. acceptance of the precautionary principle in international treaties and other statements, little work has been done to implement this principle." From: <http://definitions.uslegal.com/p/precautionary-principle/>

A. Threats and Management Direction

The DEIS identified about a dozen issues and threats to be considered in the land use plan amendment process. What follows is the Centers brief reaction to theses and recommendations for addressing them. We separate our recommendations into two general categories – inside our proposed sage grouse conservation areas ("SGCAs") and sage grouse habitat outside of them.

a. Energy Development and Transmission

The Center strongly supports and advocates for energy policies that rapidly phase out fossil-based sources in favor of renewable sources, including ending fossil fuel extraction on public lands, and supports renewable sources of energy such as wind, solar and geothermal, with the goal in mind of halting the rapid rise of greenhouse gas concentrations in the atmosphere and slowing the tide of climate disruptions.

At the same time, the Center is highly concerned about the impacts from poorly sited renewable energy projects on rare species and their habitats. We advocate for locating renewable energy projects on private or previously disturbed lands near transmission lines, or through roof-top solar distributive-community systems.

The threats from energy developments are many pronged. In addition to the direct impacts of destruction of actual habitat by the footprint of the project, secondary and indirect impacts due to energy development include avoidance of previously used areas due to species psychology, increased predation, traffic-associated mortality, increased chance and spread of diseases such as the West Nile virus.

Transmission lines—a key component of renewable energy development—also negatively impact sage grouse populations. One study found that the mean distance to electric transmission lines was greater than 2 times further in occupied range than in extirpated range.¹²³

¹²³ Wisdom et al. 2011.

The Center brings to your attention recent research on the impacts of ravens on sage grouse and other species in sagebrush habitats, with emphasis on how it relates to raven use of transmission lines.

Common raven populations in the western United States have more than quadrupled over the last 40 years.¹²⁴ This increase is believed to be a result of human alterations of natural habitats that provide subsidies and benefits to the ravens. For instance, road-kills, trash dumps and landfills, and livestock operations provide readily available sources of food. Water developments for livestock, irrigation and sewage lagoons provide new water sources. But with respect specifically to energy development, tall structures (e.g., power poles and transmission towers) constructed by humans provide ravens with elevated perches and nesting substrate in areas where natural tall structures (e.g., trees) are rare or nonexistent. ¹²⁵

Howe et al. found that ravens selected nest locations that were (1) in close proximity to transmission lines; (2) in close proximity to land cover edges; and (3) within areas that contained abundant edge formed by adjoining land cover types. Selection for edge-dominated areas, specifically edges between sagebrush and grasslands and nonnative cover types, suggests that ravens are taking advantage of new

habitat conditions caused by a combination of habitat fragmentation and conversion. ¹²⁶

In their research Howe and her co-authors, found that ravens preferred nest sites that were closer to transmission lines than expected based on availability. Transmission poles provided nesting substrates and perches taller than any other substrate present in their study area.¹²⁷

Increased presence of ravens can be deleterious to other species within the geographical range of ravens, and raven abundance has been positively correlated with predation of eggs or nestlings of other birds breeding within raven range, including eggs and nestlings of sage grouse.¹²⁸ In another study nests in fragmented habitats were approximately 9 times more likely to be depredated than those in contiguous habitat.¹²⁹

It is quite clear from observation and reported science that ravens are increasing and benefiting from fragmentation and human changes on the landscape. As this occurs, there will be continued negative consequences to sage grouse nesting success and recruitment into the breeding population.

¹²⁴ Sauer, J. R., J. E. Hines, J. E. Fallon, K. L. Pardieck, D. J. Ziolkowski Jr., and W. A. Link (2011). The North

American Breeding Bird Survey, Results and Analysis 1966–2009, Version 3.23.2011.

¹²⁵ Howe, Kristy B., Peter S. Coates and David J. Delehanty. 2014. Selection of anthropogenic features and vegetation characteristics by nesting Common Ravens in the sagebrush ecosystem. *The Condor, Ornithological Applications*, Vol. 116, 2014, pp. 35-49.

¹²⁶ Howe et al. 2014.

¹²⁷ Ibid.

¹²⁸ Coates, P.S. and D. J. Delehanty. 2010. Nest predation of Greater Sage-Grouse in relation to

microhabitat factors and predators. *J. of Wildlife Management*, 74:240-248.

129 Vander Haegen, W. M., M. A. Schroeder, and R. M. DeGraaf. 2002. Predation on real and artificial nests in shrubsteppe landscapes fragmented by agriculture. *The Condor* 104:496–506.

The infrastructure associated with energy development within sagebrush ecosystems threatens the contiguous habitats remaining in the western United States. The linear right-of-ways associated with wind and other energy developments likely provide anthropogenic nesting subsidies and fragmented landscapes, both of which increase nesting opportunities for ravens. Preventing fragmentation by transmission lines, roads, and other human interventions is integral to stemming the increase and range expansion of raven populations.¹³⁰

We recommend the following strengthened management approaches to minimize further degradation of sage grouse habitats from energy-related development.

Management Prescriptions:

i. Management Inside SGCA in sage grouse habitat

- Exclude these areas from new energy leasing and rights-of-way.
- Whenever possible, bury existing transmission lines within 10 km from active leks.
- Institute seasonal restrictions on surface occupancy within 10 km from leks during courtship and early brood-rearing periods.
- No new road construction within 7.6 km of active leks.
- If existing disturbed area in the SGRA exceeds 3% of the surface area, institute measures to provide additional mitigation to offset the impacts on the grouse.

ii. Management outside SGCA in sage grouse habitat

- Institute seasonal restrictions on surface occupancy within 5 km from leks during courtship and early brood-rearing periods.

b. Livestock Grazing and Wild Horses

Grazing by settlers during the latter part of the 19th and early 20th centuries was largely unregulated and seriously depleted native forbs and grasses needed by sage-grouse. Historic grazing practices also facilitated invasions by non-native plants, including cheatgrass. A conservation assessment of sage grouse and its habitats found that impacts attributable to historic overgrazing have not been remedied, because, “plant communities still are not given rest from grazing” and “distribution of livestock has changed because water developments have increased the area that could be grazed.” Consequently, the assessment stated, “We cannot conclude that the effect of grazing has been reduced because even reduced numbers of livestock may still exert a larger influence on those habitats.”¹³¹

¹³⁰ Howe. Et al. 2014.

¹³¹ Connelly et al. 2004.

Livestock grazing remains the most widespread use of land in the sagebrush biome. Domestic livestock continue to alter the sagebrush steppe by consuming native grasses and forbs, trampling sagebrush, and spreading nonnative weeds like cheatgrass. The introduction of invasive plant species increases the risk and severity of wildfires, which can irreversibly alter the composition of the ecosystem. Livestock grazing also compacts the soil, destroying the microbiotic soil crusts that retain moisture and limit wildfire. In addition, grazing livestock degrade riparian areas when, during hot periods, they congregate around water sources and shady areas, damaging streams, springs, seeps, and wet meadows, which are also crucial for the grouse.^{132 133}

Standards and guidelines for management of public grazing lands are established by local resource

advisory councils and must address habitats and conservation measures for endangered, threatened, proposed, candidate, or other at-risk or special status species. Under this set of criteria for rangeland health, 58% of lands that have been assessed (25% of all lands under management by the U.S. Bureau of Land Management) (including non-sagebrush habitats) met the standards or were making progress towards meeting those standards. Livestock were a factor in 36% of the assessed lands not meeting standards (15% of the all lands). Another 6% of the assessed lands were not meeting standards for causes other than livestock grazing. Fifty-seven percent (>37 million ha) of the public lands managed by the U.S. Bureau of Land Management have not been assessed.¹³⁴

For further documentation of the impacts of livestock and grazing on sage grouse and its habitats we refer you to the Sage-Grouse Recovery Alternative, and incorporate these comments as our own.¹³⁵

The Center emphasizes our agreement with the Sage-Grouse Recovery Alternative regarding the treatment of livestock grazing as a diffuse disturbance on sage grouse habitat.¹³⁶ The readily and all too often observed sacrifice zone of utter destruction that occurs around watering, salting and gathering corrals is anything but diffuse. As Holechek and others observed, depending on topography, areas of severe degradation, or “sacrifice areas” around water sources, including water developments, can extend from one to several miles from water sources.¹³⁷

¹³² Ibid.

¹³³ Holloram and Anderson. 2005.

¹³⁴ Connelly et al. 2004, page 7-34.

¹³⁵ Pages 16-21.

¹³⁶ Sage-Grouse Recovery Alternative, pages 20-21.

¹³⁷ Holechek, J. L., R. D. Pieper, C. H. Herbel. 2001. RANGE MANAGEMENT: PRINCIPLES AND

PRACTICES. 4th ed. Prentice-Hall. Upper Saddle River, NJ.

Given the state of degradation and the pervasive nature of livestock grazing, we recommend establishing a utilization rate of 25-30% while meeting sage grouse habitat objectives. While definitions of light grazing use vary, numerous references have settled on a general 25 percent harvest coefficient for allocating forage for livestock.¹³⁸ Although this rate is more conservative than others prescribed for light grazing, it allows both forage species and livestock to maximize their productivity, allows for error in forage production estimates, accounts for the potential effects of drought, and supports multiple use values.¹³⁹ Holecheck et al. also noted that, because most ranchers have difficulty monitoring and measuring annual grazing utilization (and the BLM doesn’t regularly monitor and collect utilization information), use of grazing coefficients higher than 25 percent “invariably leads to land degradation...when drought occurs because of rancher reluctance [to reduce livestock numbers].”¹⁴⁰ Limiting livestock grazing to 25 percent utilization would also support other sage-grouse habitat objectives, such as maintaining a minimum stubble height.¹⁴¹ A case study of the Antelope Springs Allotment in southern Idaho demonstrates that ranching operations can be successful and improve sage-grouse habitat using a 20 percent utilization standard.¹⁴²

We recommend the following strengthened management approaches to minimize further degradation of sage grouse habitats from livestock grazing and the impacts from feral wild horses.

Management Prescriptions:

i. Management inside SGCAs in sage grouse habitat

- Issue no new grazing permits.
- Identify existing grazing allotments where permanent retirement of the grazing privileges are feasible, and proceed with such retirements.

- Avoid all new structural range improvements, and prohibit water developments and salting within 10 km of active leks.
- Authorize no new water developments for diversion from spring or seep sources.
- Ensure new or rehabilitated water developments are designed to use best management practices to limit and mitigate potential impacts from the West Nile virus.
- Remove, modify or mark fences in areas of moderate or high risk to sage grouse collisions.¹⁴³
- Institute 25-30% grazing utilization standard on existing allotments while meeting objectives for sage grouse habitat conditions.
- Prioritize completion of land health assessments and ensure grazing systems and practices under permit are designed and required to meet sage grouse habitat objectives. Institute timely monitoring to ensure objectives are being met.
- Manage riparian and wetland areas to meet properly functioning condition standards. Manage wet meadows to maintain perennial forbs and a rich species mix needed for sage grouse brood-rearing.
- Review free-roaming horse and burro herd management plans with sage grouse habitat objectives in mind. Aggressively manage herds to maintain them at or below herd management objectives.

¹³⁸ Holechek, J. L., R. D. Pieper, C. H. Herbel. 2010. RANGE MANAGEMENT: PRINCIPLES AND PRACTICES. 6th ed. Prentice-Hall. Upper Saddle River, NJ (citing Troxel and White 1989; Galt et al. 2000; Lacey et al. 1994; Johnson et al. 1996; White and McGinty 1997; NRCS 1997)).

¹³⁹ See generally Holechek et al. 2010, id.

¹⁴⁰ Holecheck et al. 2010, at 157.

¹⁴¹ See Holechek et al. 2010, at 164; see also Manier, D. J., D. J. A. Wood, Z. H. Bowen, R. M. Donovan, M. J. Holloran, L. M. Juliusson, K. S. Mayne, S. J. Oyler-McCance, F. R. Quamen, D. J. Saher, A. J. Titolo. 2013. Summary of science, activities, programs, and policies that influence the rangewide conservation of greater sage-grouse (*Centrocercus urophasianus*). U.S. Geological Survey, Open-File Report 2013–1098; available at <http://pubs.usgs.gov/of/2013/1098/>.

¹⁴² Stuebner, S. "Jared Brackett -- Ranching in a Fishbowl," Times-News (Twin Falls, ID) (Dec. 29, 2013).

¹⁴³ Stevens, B. S. 2011. Impacts of fences on Greater Sage-grouse in Idaho: collision, mitigation, and spatial ecology. Masters thesis. University of Idaho. Moscow, ID.

ii. Management outside SGCA's in sage grouse habitat

- Identify existing grazing allotments where permanent retirement of the grazing privileges are feasible, and proceed with such retirements.
- Avoid all new structural range improvements, and prohibit water developments and salting within 10 km of active lets.
- Authorize no new water developments for diversion from spring or seep sources.
- Ensure new or rehabilitated water developments are designed to use best management practices to limit and mitigate potential impacts from the West Nile virus.
- Remove, modify or mark fences in areas of moderate or high risk to sage grouse collisions.¹⁴⁴
- Institute 25-30% grazing utilization standard on existing allotments while meeting objectives for sage grouse habitat conditions.
- Manage rangelands to meet properly functioning condition standards. Manage wet meadows to maintain perennial forbs and a

rich species mix needed for sage grouse brood-rearing.

- Manage free-roaming horse and burro populations at levels demonstrated to achieve and maintain sage grouse habitat objectives.

c. Landscape-scale changes and vegetation management

The Center addresses this issue by defining vegetation management as treatments to achieve and protect sage grouse life-cycle habitat needs and the control and prevention of noxious and invasive species.

The need for vegetation management to manage for specific resource objectives arises from changes to the natural ecosystems, either through natural changes in succession or state, or from large scale disturbances such as wildfires, spread of invasive and non-native species, climate disruption, or other human alterations to ecosystems.

The DEIS does a credible job of documenting the ecosystem changes that have occurred over the past 100+ years.

144 Ibid.

The Center believes it is important to state that human-induced landscape-scale changes to sage grouse ecosystems pose a dire threat to the long term continued existence of the species. We are not alone. Miller et al. noted that sagebrush habitats are severely stressed across much of the range, and their total area likely will decline in the relatively near future as a result of invasive species, fire, and climate change.¹⁴⁵

At lower elevations and in the more arid portions of the sage grouse range, the catastrophic spread of cheatgrass, aided and abetted by the impacts from over-grazing and changes in fire frequency and intensity has led to a lasting, if not permanent changes in ecosystem states. Repeat fires that eliminate or reduce shrubs, native grasses, and forbs; disturb soils

and biological crusts; and release nutrients have allowed cheatgrass and other introduced annuals to replace the native shrub and herb layers. The resultant landscape is largely composed of introduced annuals, and is more susceptible to annual weather patterns and varies greatly from year to year, depending on moisture availability. Long term changes in climate that facilitate or enhance invasion and establishment by invasive annual grasses further exacerbate the fire regime and accelerate loss of sagebrush habitats.¹⁴⁶

At higher and cooler elevations, changes in fire frequency and intensity have come at the expense of sagebrush ecosystems in a different manner. Under pre-European settlement conditions, wildfires and indigenous planned fires kept pinyon pine and western junipers (“PJ”) confined to areas where fires would not typically reach – mainly rocky terrain where the fuels needed to carry the fire were patchy and disjunct. Once modern settlers arrived in the mid-1880s this pattern changed. Heavy livestock grazing initially greatly reduced the fine fuels needed to carry fires, and later active human intervention suppressed fires to prevent their spread. As a result, PJ species were able to establish seedlings in grass and shrubland areas where formerly fires would have eliminated them. This then was the beginning of the woodland expansion into sage grouse habitat that continues today.^{147 148} Prior to 1860 two-thirds of the landscape was treeless and occupied by sagebrush-steppe communities. Today, less than one-third of the landscape remains treeless and more than 90 percent of the trees have established since the 1860s. These data support the need for active management in tree removal. In the absence of disturbance, woodlands will continue to expand, mature, and close.¹⁴⁹

¹⁴⁵ Miller, R. F., S. T. Knick, D. A. Pyke, C. W. Meinke, S. E. Hanser, M. J. Wisdom, and A. L. Hild. 2011. Characteristics of sagebrush habitats and limitations to long-term conservation. Pp. 145–184 in S. T. Knick and J. W. Connelly (editors). *Greater Sage-Grouse: ecology and conservation of a landscape*

species and its habitats. *Studies in Avian Biology* (vol. 38), University of California Press, Berkeley, CA.

146 Ibid.

147 Miller, R.F., and R.J. Tausch. 2001. The role of fire in pinyon and juniper woodlands: a descriptive analysis. Pages 15–30 in K.E.M. Galley and T.P. Wilson (eds.). *Proceedings of the Invasive Species Workshop: the Role of Fire in the Control and Spread of Invasive Species. Fire Conference 2000: the First National Congress on Fire Ecology, Prevention, and Management. Miscellaneous Publication No. 11*, Tall Timbers Research Station, Tallahassee, FL.

148 Miller, Richard F.; Tausch, Robin J.; McArthur, E. Durant; Johnson, Dustin D.; Sanderson, Stewart C. 2008. Age structure and expansion of piñon-juniper woodlands: a regional perspective in the Intermountain West. Res. Pap. RMRS-RP-69. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. 15 p.

149 Ibid.

Ibid.

Management Prescriptions:

i. Management inside of SGCAs in sage grouse habitat

Restoring sage grouse habitat that is degraded or fragmented might be useful tool for the benefitting the species. However, these programs are likely to be both difficult and expensive, and may take centuries to achieve a complete restoration of a functioning system of sagebrush habitats within a landscape mosaic.¹⁵⁰ The obvious and best way to provide for the species at least in the short to intermediate term is to protect the remaining existing habitat, which is the intent of the Center’s proposed conservation reserve system.

- Where it will achieve sage grouse habitat objectives, passive restoration approaches should be favored over active methods.

- Any vegetation treatment plan must include pretreatment data on wildlife and habitat condition, establish non-grazing exclosures, and include long-term monitoring of treated areas.
- Ensure that vegetation treatments create landscape patterns which most benefit sage-grouse. Only allow treatments that are demonstrated to benefit sage-grouse and retain sagebrush height and cover consistent with sage-grouse habitat objectives (this includes treatments that benefit livestock as part of an AMP/Conservation Plan to improve sage-grouse habitat).
- Identify and prioritize sage-grouse habitat for restoration projects based on environmental variables that improve chances for project success.¹⁵¹ Prioritize restoration in seasonal habitats that are thought to be limiting sage-grouse distribution and/or abundance and where factors causing degradation have already been addressed (e.g., changes in livestock management).
- Restrict activities in SGCAs that facilitate the spread of invasive species, including recreational and commercial use by off-road vehicles.
- Do not use prescribed fire as a tool in low elevation areas where the potential for cheatgrass invasion is above low.
- Retain sagebrush canopy cover at or above what is expected for that ecological site, consistent with sage-grouse habitat objectives unless a fuels management objective requires additional reduction in sagebrush cover to meet strategic protection of priority sage-grouse habitat and conserve habitat quality for the species.
- Aggressively monitor and control invasive vegetation in sagebrush steppe ecosystems. Rapidly restore burned or disturbed habitat to minimize or prevent the incursion of invasive plants.

- In areas of PJ, avoid treating the areas of persistent woodlands. Persistent woodlands are an ecological condition, irrespective current observed “fire condition class”, where site conditions and disturbance regimes are inherently favorable for PJ, and where trees are a major component of the vegetation unless recently disturbed. These woodlands do not represent twentieth century conversion of formerly non-wooded vegetation types, but are places where trees have been an important stand component for several hundred years.¹⁵²
- In areas where sagebrush is prevalent or where cheatgrass is a concern, utilize mechanical methods rather than prescribed fire.
- Apply appropriate seasonal restrictions for implementing management treatments consistent with the types of seasonal habitats present.

ii. Management outside SGCA in sage grouse habitat

- Where it will achieve sage grouse habitat objectives, passive restoration approaches should be favored over active methods.
- Identify and prioritize sage-grouse habitat for restoration projects based on environmental variables that improve chances for project success.¹⁵³ Prioritize restoration in seasonal habitats that are thought to be limiting sage-grouse distribution and/or abundance and where factors causing degradation have already been addressed (e.g., changes in livestock management).
- Restrict activities in SGCA that facilitate the spread of invasive species.
- Do not use prescribed fire as a tool in low elevation areas where the potential for cheatgrass invasion is above low.
- Retain sagebrush canopy cover at or above what is expected for that ecological site, consistent with sage-grouse habitat objectives

unless a fuels management objective requires additional reduction in sagebrush cover to meet strategic protection of priority sage-grouse habitat and conserve habitat quality for the species.

- Aggressively monitor and control invasive vegetation in sagebrush steppe ecosystems. Rapidly restore burned or disturbed habitat to minimize or prevent the incursion of invasive plants.
- In areas of PJ, avoid treating the areas of persistent woodlands. Persistent woodlands are an ecological condition, irrespective current observed “fire condition class”, where site conditions and disturbance regimes are inherently favorable for PJ, and where trees are a major component of the vegetation unless recently disturbed. These woodlands do not represent twentieth century conversion of formerly non-wooded vegetation types, but are places where trees have been an important stand component for several hundred years.¹⁵⁴
- In areas where sagebrush is prevalent or where cheatgrass is a concern, utilize mechanical methods rather than prescribed fire.
- Apply appropriate seasonal restrictions for implementing management treatments consistent with the types of seasonal habitats present.

¹⁵⁰ Miller et al. 2011.

¹⁵¹ Meinke, C. W., S. T. Knick, D. A. Pyke. 2009. A spatial model to prioritize sagebrush landscapes in the intermountain west (U.S.A.) for restoration. *Restoration Ecol.* 17(5): 652-659.

¹⁵² Romme, William H., Craig D. Allen, John D. Baily, William L. Baker, Brandon T. Bestmeyer, Peter M. Brown, Karen S. Eisenhart, Lisa Floyd-Hanna, David W. Huffman, Brian F. Jacobs, Richard F. Miller, Esteban H. Muldavin, Thomas W. Swetnam, Robin J. Tausch, and Peter J. Weisberg. 2008.

Historical and Modern Disturbance Regimes, stand structures, and Landscape Dynamics in Pinon-Juniper Vegetation of the Western U.S. Colorado Forest Restoration Institute, Colorado State University, Fort Collins, CO. (www.cfri.colostate.edu).

153 Meinke et al.2009.

154 Romme et al. 2008.

d. Wildfire Operations

Wildfires present a huge threat to sage grouse ecosystems - between 2000 and 2012, over 2 million acres of GRSG habitat in the planning area were affected by wildland fire, and the threat of future wildfires are discussed in the DEIS.155

As discussed in Section 3 c of these comments, the best and most prudent approach is to protect and preserve existing sage grouse habitats as opposed to being in the position of restoring or replacing damaged or lost habitats.

Fire suppression activities should be aggressive and aimed at minimizing acres burned. Protecting sage grouse habitats should generally rank above protection of human property and always behind protection of human lives.

e. Recreation and Travel Management

Although specific work addressing effects of roads, trails, and OHV use on sagebrush habitats and sage-grouse has not been conducted, research suggests common effects including habitat loss and fragmentation, invasive plant spread, induced displacement or avoidance behavior, creation of movement barriers, noise, and direct encounters.156 Reducing the extent and influence of roads and trails can be incorporated into near-term and long-term plans for consolidating, conserving, and improving priority habitat areas. The impacts of roads and other surface occupancy on grouse and their habitat needs are covered in Section 2 of these comments, and form the basis for our management recommendations.

Some non-inclusive examples of the motorized recreation threat to sage grouse could be useful and informative and are now provided.

In the late-2000s the U.S. Forest Service conducted travel management planning on its administrative units in Nevada. The Center and other concerned groups and individuals raised the issue of conflicts and adverse impacts on sage grouse from such a public land use. The result demonstrated a general lack of concern by the Forest Service. In its final decisions, the Forest Service157 allowed the following:158

155 DEIS, Chapter 3.7.

156 Knick, S.T., Hanser, S.E., Miller, R.F., Pyke, DA., Wisdom, M.J., Finn, S.P., Rinkes, E.T., and Henny, C.J.,

2011, Ecological influence and pathways of land use in sagebrush, in Knick, S.T., and Connelly, J.W., eds., Greater Sage-Grouse: ecology of a landscape species and its habitats: Berkeley, Calif., University of California Press, Cooper Ornithological Union, p. 203–252.

157 In this case the Humboldt-Toiyabe National Forest

158 See decision documents at:

<http://www.fs.usda.gov/wps/portal/fsinternet/projects/htnf/landmanagement/projects?sortby=1&archive=1>

- On the Ely Ranger District, 79 miles of open motorized routes were allowed within 2-miles of an active lek. There were minimal seasonal closures.
- On the Austin and Tonopah Ranger Districts, 240 miles of open routes were approved in nesting and brood-raising areas, including 24 miles within .5 km of active leks. There were minimal seasonal closures.
- The Bridgeport Ranger Districts (partly in California and all within Bi-state sage grouse areas) left open 719 miles of routes in nesting and brood-raising areas, including 388 miles

that “pass through leks”. There were minimal seasonal closures.

- The Mountain City, Jarbridge and Ruby Mountain Ranger Districts left open 146 miles in nesting areas, including 24-miles that came within .5 miles of an active lek. These districts did identify 86 miles of open routes to be seasonally closed to benefit sage grouse.

Management Prescriptions:

i. Management inside SGCAs in sage grouse habitat

- All travel must be on designated open roads and trails, subject to seasonal restrictions.
- Seasonal restriction should include the periods of courtship, nesting and early brood raising, as well as times when the grouse are on wintering habitats.
- No new trail construction within 7.6 km of active leks.
- Close existing trails and roads to achieve an open road and trail density not greater than 1 km/km².¹⁵⁹
- During travel management planning evaluate the closure of secondary and primary roads in the SGRA.
- Seasonally prohibit camping within 7.6 km of active leks.
- Allow no commercial or special use permitted activities in SGRAs unless there is a demonstrated beneficial affect for the grouse.

ii. Management outside SGCAs in sage grouse habitat

- All travel must be on designated open roads and trails, subject to seasonal restrictions.
- Seasonal restriction should include the periods of courtship and nesting, as well as times when the grouse are on wintering habitats.

- No new trail construction within 6.4 km of active leks.
- Seasonally prohibit camping within 6.4 km of active leks.

f. Mineral Development

The impacts from the various minerals development activities – fluid, coal, locatable, leasable and sand and gravel have been amply documented in by Connelly, Naugle and others and have been cited elsewhere in our comments.^{160 161} While the impacts are much akin to those of energy development, on-the-whole they involve much greater human presence and activity and noise, and hence have a much greater impact on the grouse.

¹⁵⁹ Knick et al. 2013.

¹⁶⁰ Connelly et al. 2011a

¹⁶¹ Naugle et al. 2011.

In addition, we wish to highlight a few of the examples.

Energy development can cause radical changes to sagebrush ecosystems. Analysis of oil and gas developments found cases where such lands contained twice as many roads and power lines and the density of development far exceeded the grouse’s threshold of tolerance. ¹⁶²

Energy development and its related infrastructure impacts grouse in many ways, both direct and indirect, cumulatively and synergistically.

Males and females may abandon leks if repeatedly disturbed by raptors perching on power lines near leks, by vehicle traffic on nearby roads, or by noise and human activity associated with energy development. Collisions with power lines and vehicles and increased predation by raptors may increase mortality of birds at leks. Roads and power lines may also indirectly affect lek persistence by altering productivity of local populations or survival at other times of the year. Sage-grouse mortality associated

with power lines and roads occurs year-round, and artificial ponds created by development that support breeding mosquitoes known to vector West Nile virus elevate risk of mortality from disease in late summer. Sage-grouse may also avoid otherwise suitable habitat as development. Impacts from well sites to leks were still evident out to 6.4 km from the well.¹⁶³

Sage-grouse in the Powder River Basin were 1.3 times less likely to use otherwise suitable winter habitats that have been developed for energy (12 wells/4 km²), and avoidance was most pronounced in high-quality winter habitat with abundant sagebrush.¹⁶⁴

Blickley found in a treatment-control paired study that there was an immediate and sustained decline in male grouse attendance on leks subjected to human noise associated with well sites (29% decline on drilling noise leks and 73% decline on traffic noise leks relative to paired non- noise leks) and evidence of similar declines in female attendance.¹⁶⁵

As reported in the Sage-Grouse Recovery Alternative,

¹⁶² Ibid.

¹⁶³ Ibid.

¹⁶⁴ Doherty et al. 2008.

¹⁶⁵ Blickley et al. 2012.

“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 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 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 current core areas may not be large enough to conserve and recover the species (Taylor et al. 2012).¹⁶⁶

Management Prescriptions:

i. Management inside SGCAs in sage grouse habitat

- Close/find unsuitable/withdraw all unleased or available areas to fluid, solid, locatable or salable mineral leasing.¹⁶⁷
- Upon expiration or termination of existing leases, do not re-lease the area.
- Only allow geophysical exploration activities by helicopter portable drilling methods in accordance with appropriate seasonal and timing restrictions.
- Ensure that with any new leasing do not contribute to a total human disturbance exceeding 3% per section of that area.
- In existing leased and permitted areas, apply a 10 km non-surface occupancy around active leks and limit permitted disturbance to 1 per section and no more than 3% surface disturbance per section.
- Apply best management practices to minimize surface disturbing activities.

- Implement courtship, nesting, early-brood rearing and winter seasonal and timing restrictions for all human activities.
- Avoid the surface disposal of produced water¹⁶⁸ unless it can be proven to be beneficial to sage grouse and includes measures to preclude the spread of West Nile virus.

ii. Management outside SGCA in sage grouse habitat

- Apply a 10 km non-surface occupancy around active leks and limit permitted disturbance to 1 per section and no more than 3% surface disturbance per section.
- Apply best management practices to minimize surface disturbing activities.
- Implement courtship, nesting, early-brood rearing and winter seasonal and timing restrictions for all human activities, including exploration.
- Avoid the surface disposal of produced water unless it can be proven to be beneficial to sage grouse and includes measures to preclude the spread of West Nile virus.

Comment Number: IDMTSG-14-0168-3

Comment Excerpt Text:

The No Action Alternative fails to properly analyze the existing conservation measures or authorities the BLM is already using to conserve the GRSG and its habitat. BLM must not ignore Manual 6840.

Comment Number: IDMTSG-14-0169-34

Comment Excerpt Text:

Analysis of Key Conservation Measures

We developed a matrix comparing the key science-based conservation measures for sage-grouse with prescriptions in preferred Alternative D in the draft Idaho/SW Montana. We categorized the application of each conservation measure in the preferred alternatives into one of three categories: adopted the conservation measure (color coded green); adopted the conservation measure, but did not adopt the full

prescription, did not make it mandatory, deferred application to future, project-level planning, or allowed for exception, waiver and modification of the measure (yellow); or did not adopt the prescription (red). Our analysis is presented in Table I. We are concerned that the preferred alternative designates less priority habitat to conserve sage-grouse than other alternatives; fails to require buffers to protect sage-grouse leks and associated nesting and brood-rearing habitat from various land uses and disturbance; does not cap development density for most land uses in priority habitat; does not recommend withdrawal of priority habitat from entry for locatable minerals; fails to protect sage-grouse winter habitat; and does not clearly prescribe needed conservation measures for managing livestock grazing in sage-grouse range.

Comment Number: IDMTSG-14-0169-39

Comment Excerpt Text:

Smaller sage-grouse lek buffers may be justified where research demonstrates that most sage-grouse nests (i.e., > 90 percent) would be protected by the smaller buffer (see, e.g., Conservation Plan for Greater Sage-Grouse in Utah, unpublished: 9), although the impacts from continued and future land use (pursuant to valid existing rights) in nesting habitat would still advise adopting larger 4-mile lek buffers to conserve the species.

Comment Number: IDMTSG-14-0169-42

Comment Excerpt Text:

While it appears that the adaptive management scheme prescribed in the preferred alternative would attempt to retain/restore sagebrush steppe to a minimum of 80 percent of land cover in sage-grouse seasonal habitats, the alternative doesn't actually commit to the minimum standard (vol 2, 2-73). Also, the concurrent allowance of habitat disturbance of between 10-20 percent could be negative for sage-grouse (vol 2, 2-73).

Comment Number: IDMTSG-14-0169-43

Comment Excerpt Text:

Designate restoration sage-grouse habitat to focus habitat restoration efforts to extend sage-grouse

habitat and mitigate for future loss of priority habitat (BLM Memo MT-2010-017). Restoration habitat may be degraded or fragmented habitat that is currently unoccupied by sage-grouse, but might be useful to the species if restored to its potential natural community. Restoration habitat should be identified in management planning based on its importance to sage-grouse and the likelihood of successfully restoring sagebrush communities (Meinke et al. 2009; Wisdom et al. 2005a). Effective restoration requires a regional approach (e.g., sub/regional EISs) that identifies appropriate options across the landscape (Pyke 2011). Passive restoration is preferred for restoring these areas over active restoration methods.

Comment Number: IDMTSG-14-0178-13

Comment Excerpt Text:

Additional questions and concerns we have about Alternative D include, but are not limited to, the following:

- The alternative fails to recognize site potential to support sage grouse.

Comment Number: IDMTSG-14-0178-15

Comment Excerpt Text:

[This comment refers to Alternative D] Mitigation (2-74) – We are concerned that alternative’s “no unmitigated loss” goals will result in the arbitrary reduction of livestock grazing with no site-specific cause and effect decision-making ability. The document states that fires are expected so other uses will be used as mitigation. All too often, livestock grazing is used as the mitigating factor simply because it is the easiest use to manage and restrict.

Comment Number: IDMTSG-14-0178-6

Comment Excerpt Text:

A. Alternative A – Current Management

While the USFWS has determined that there are not adequate regulatory mechanisms in place to ensure the conservation of sage grouse, we assert that the agencies could have made stronger arguments in the LUPA/DEIS to explain how their existing regulations

promote the viability of species and have safeguards to protect against habitat degradation.

Comment Number: IDMTSG-14-0178-8

Comment Excerpt Text:

According to ES 14, Alternative B “focuses on restrictions on resource uses...”. Simply by reading the summary, it is clear that this alternative ignores the agencies’ multiple use mandates and proves that there is a predetermined desire to eliminate land use. Further, the use of the BLM National Technical Team (NTT) report is problematic as it contains overly burdensome recommendations that are not based on local conditions in Idaho. The NTT report fails to make use of the latest scientific and biological information available. According to an independent review of the report, it contains many methodological and technical errors, selectively presents scientific information to justify recommended conservation measures, and was disproportionately influenced by a small group of specialist advocates (Ramey, 2013). For these reasons, Alternative B and the NTT report should no longer be considered a suitable or appropriate management guide for sage grouse and no parts of the report should appear in the final LUPA/DEIS.

Comment Number: IDMTSG-14-0179-3

Comment Excerpt Text:

Regarding suitable buffer zones, the GHZ is a large expanse of fairly compromised habitat that represents only 10% of known leks and 5% of male sage-grouse attending leks. Instead of utilizing the Important Habitat Zone as the buffer as described in Alternative E, we believe it makes more sense to utilize the interface between General Habitat Zone (GHZ) and the IHZ as the actual buffer zone for mechanical fuel breaks, experimental areas for intensive grazing for fuel reduction, and back fires during wildfire events.

Comment Number: IDMTSG-14-0180-18

Comment Excerpt Text:

In contrast, Alternative D has 10 Population Areas, that with individually applied adaptive triggers. While some of these Population Areas align well with Alternative E’s Conservation Areas, several go

beyond Alternative E's designated habitat and are relatively small areas. For example, Alternative D's Sawtooth population is roughly 27,000 acres. Tripping a trigger in this area is likely to occur often, due to its small size. Further, a trigger in this small of an area is likely not going to impact sage-grouse in the same way as a trigger would in a larger Population Area, like the Mountain Valleys population, which is over 4 million acres. This disparity makes it difficult for BLM to prioritize resources and land management decisions.

Comment Number: IDMTSG-14-0180-20

Comment Excerpt Text:

Alternative D's Population Areas are an unrealistic method of categorizing sage-grouse habitat. In fact, Alternative D includes protections for an additional 700,000 acres. Alternative D's Priority zone contains 7 million acres and the medial zone has 1.3. This is in contrast to Alternative E's more balanced approach of 4.9 million acres in CHZ and 2.7 million acres in IHZ. As Alternative D is written, its trigger program is rendered largely ineffective because tripping a trigger only extends protection to an additional 1.3 million acres. Alternative E is able to protect twice that, so triggers will actually have an impact. Alternative E includes 95% of the sage-grouse population in Idaho within CHZ and IHZ's 7.6 million acres. Thus, BLM's inclusion of an additional 700,000 acres equates to saving at best, a few more percentage points, without affecting a listing determination. BLM would be required to spend time and effort monitoring areas that the Service has not identified as significant for sage-grouse.

Comment Number: IDMTSG-14-0180-21

Comment Excerpt Text:

BLM argues that these areas are important for "connectivity" for sage-grouse, as the bird cannot appreciate the boundaries the government has created for it. However, the Service still has determined that these areas are relatively unimportant to the entire population and has excluded these areas from its PACs. It is unclear why BLM continues to insist on expending limited resources on these additional acres, when both the

Service and the State identified other areas as higher priorities.

Comment Number: IDMTSG-14-0180-22

Comment Excerpt Text:

For both Alternative D and E, the triggers are individualized per conservation or population area. That means in Alternative D, a hard trigger, requiring immediate management change would become operative in any of the ten areas. This makes Alternative D's trigger mechanism extremely sensitive. The Governor is not sure that this type of sensitive trigger is actually implementable by BLM. Further, BLM has not provided any scientific justification for this sensitive of a trigger. In contrast, Alternative E's triggers are spread over much larger areas, providing a more manageable, practical mechanism for changing management when necessary. Even Alternative E's trigger mechanism is conservative, and more sensitive than necessary. However, the Governor believed it was important to be proactive in addressing and minimizing threats across sage-grouse's range. Alternative D goes too far and will ultimately be too sensitive to allow for efficient allocation of time and resources.

Comment Number: IDMTSG-14-0180-27

Comment Excerpt Text:

Further, "no net unmitigated loss" is vague. BLM needs to clarify concerns such as issues of habitat quality within a particular category.

Comment Number: IDMTSG-14-0180-48

Comment Excerpt Text:

The Department is concerned by Alternative D's trigger application to the populations. The triggers propose to count all leks within a population over a 3-5 year period. Currently, approximately 50% of leks in Idaho are counted in any given year. Many leks across the state are not counted because of limited resources or leks are inaccessible during the breeding season. Thus, an effort to count all leks in a consistent manner called for under Alternative D is not logistically or financially feasible. Moreover, some populations (e.g., East Central and Sawtooth) may not have active leks or enough active leks for the

proposed population triggers to accurately indicate population changes. Therefore, the Department is concerned that collecting the necessary information for the population trigger under Alternative D is not feasible.

The Department is concerned with Alternative D's habitat trigger that indicates a 20% loss of any sagegrouse habitat in a population area will trip a trigger. Habitat triggers should focus on critical habitats (e.g., breeding or wintering habitats) rather than account for losses in all seasonal habitats (e.g., summer habitat) that are able to sustain additional losses. Moreover, Connelly et al. (2000) indicated that productive brood rearing or summer habitats are usually characterized by the area having over 40% sagebrush cover, not 80% as suggested in Alternative D.

Comment Number: IDMTSG-14-0182-10

Comment Excerpt Text:

Large areas designated as PPH and PG include areas that are objectively not GRSG habitat, including grasslands and juniper woodlands. Moreover, areas designated as PPH are equated in the DEIS as "occupied" habitat, without a definition of what constitutes occupation or actual field observation to establish it. Areas that, as discussed above, are demonstrably not GRSG habitat by definition cannot be "occupied" by GRSG.

Comment Number: IDMTSG-14-0183-1

Comment Excerpt Text:

Adaptive management actions for the protection of nesting and winter habitat would occur if there was a 10% net loss of either of these habitats within a population area. However, the mapping prepared to date is insufficient to identify either of these habitats at a scale such that a 10% change could be measured with confidence. Page 4-7 of the Draft Environmental Impact Statement (EIS) states, "Seasonal ranges of migratory and non-migratory GRSG are largely encompassed within GRSG Habitat Designations but are not sufficiently mapped to provide an assessment of direct impacts." The EIS should identify the specific measures the BLM and U.S. Forest Service (USFS) will

implement to identify and accurately map seasonal habitat to correctly identify baseline conditions, measures that will be used to update mapping, and how the net loss will be calculated.

Comment Number: IDMTSG-14-0183-2

Comment Excerpt Text:

Alternative D proposes a "no net unmitigated loss of PPMA habitat." On the surface, it makes good conservation sense to not lose more of the "best of the best"; however, "net" is not well defined. To effectively comment on no net unmitigated loss of PPMA habitat, it would be helpful to have answers to the following questions:

- Issues of habitat quality within a habitat category (e.g., areas within a PPMA may not be meeting functional sage grouse habitat needs or may have burned recently. Restoration of these areas such that they meet sage grouse habitat needs doesn't change the number of acres of PPMA habitat and therefore would not meet the "net" definition).
- Can the mitigation/restoration of habitat in a lower-quality habitat category, such as a PGMA, move that area to a higher-quality habitat and therefore meet the "net" criteria? Is this the only way "net" can be met? What spatial correlation would such improved habitat need to have to PPMA to count as mitigated?
- How would non-restoration, protection mitigation be allocated toward "net"? If mitigation protects x thousands of acres from burning, how is that calculated toward net?
- How is the maturation of seeded restoration projects calculated? (i.e., the time it takes for plant communities to provide functional habitat).

Comment Number: IDMTSG-14-0183-31

Comment Excerpt Text:

Pg. 4-8, 2nd bullet point:

Assumption

Energy extraction such as oil and gas, geothermal, and plan of operation mining can cause impacts up to 11.8 miles (19 kilometers) based on direct impacts of field development, including associated infrastructure, noise, lighting, and traffic (Johnson et al. 2011; Taylor et al. 2012).

Research findings by Johnson et al. (2011) appear to be overstated. Johnson et al. (2011) stated that for oil and gas wells “leks tended to have more positive trends if they were farther away from producing wells.” Also, leks trends appeared to increase to about 20 km in the Great Plains and Wyoming Basin. Johnson et al. (2011) also reported a declining trend in leks within 5 km-, but a less strong relationship within 18 km for interstate highways. The presence of secondary roads appeared not to influence lek trends. Distance from lek to nearest powerline suggested no relationship across all sage grouse management zones (Johnson et al. 2011). Thus, the statement in the LUPA/DEIS, regarding the spatial direct impacts of energy extraction, based on Johnson et al. (2011) is inaccurate and misleading.

Coates et al. (2013) showed that nearly 90% of utilization distributions of sage grouse across four subpopulations and all four seasons in Mono County (CA) were contained within approximately 5-km radius of each lek. Coates et al. (2013) suggest that the distances between 5 and 7.5 km from leks—depending on migratory status of sage grouse—are likely to limit both direct and indirect adverse effects to sage-grouse nesting associated with anthropogenic disturbance—not 19 km.

Comment Number: IDMTSG-14-0183-33

Comment Excerpt Text:

Pg. 4-15, 1st para.

Impacts from energy development accrue both locally and cumulatively at the landscape scale. Accumulated evidence across landscape-scale studies show that GRSG populations typically decline following oil and gas development (Holloran 2005; Walker et al. 2007; Doherty et al. 2008). Oil and gas infrastructure and

associated human activity have been shown to adversely affect GRSG populations collectively and in some instances, impacts have been directly attributed to certain anthropogenic features (e.g., roads, power lines, noise, and associated infrastructure; Walker et al. 2007; Doherty et al. 2008; Lyon and Anderson 2003; Holloran 2005; Kaiser 2006; Aldridge and Boyce 2007).

Connelly et al. (2004) provided a broad and general review of powerline- sage-grouse interaction and combined powerlines with other energy developments such as oil and gas exploration and roads, as well as other anthropogenic activities such as campgrounds, landfills, and agriculture activities. The authors state that non-renewable energy development—a large category that includes all industrial development from oil and gas exploration to the electric power grid—impacts sage-grouse habitat on a large spatial scale, but do not provide specific information on powerlines. Information on the impact of transmission lines on a landscape level by Leu and Hanser (2011) and Johnson et al. (2011) would be more appropriate to reference in relation to sage-grouse persistence in the landscape.

Walker et al. (2007) showed that all top models to explain lek persistence included a strong positive effect of sagebrush habitat and a strong negative effect of Coal Bed Natural Gas (CBNG) development. Furthermore, the best habitat-plus-CBNG model was 28 times more likely to explain patterns of lek persistence than the best habitat-plus-infrastructure model (including powerlines) and 50 times more likely than the best habitat-only model. Lastly, models with powerline effects were weakly supported compared to models with CNBG, although powerlines appear to have a negative effect on lek persistence. The powerline variable included lines associated with CBNG as well as non-CBNG powerlines. So no attempt was made to isolate the effect of powerlines from the confounding effect of CBNG development. IPC suggest that a more complete statement is included in the USGS report regarding the effects of energy developments on sage-grouse lek persistence in relation to Walker et al.

(2007) study. It appears that selective use is being made of the information provided by Walker et al. (2007), narrowly focusing on the (weak) effect of powerlines on sage-grouse lek persistence.

Doherty et al. (2008, Holloran (2005) and Aldridge and Boyce (2007) evaluated Coal Bed Natural Gas wells, but did not evaluate effect of powerlines. Lyon and Anderson (2003) evaluated the effect of vehicular traffic associated with natural gas developments. Therefore, none of these studies provide information on the effects of powerlines.

Comment Number: IDMTSG-14-0206-1

Comment Excerpt Text:

We are uncertain, however, about the meaning of the two quoted objectives in Alternative E in light of the statement that immediately follows them. In the following paragraph, the DEIS explains that: “This would enable the State of Idaho to maintain a viable population of at least 65 percent of the GRSG leks for the foreseeable future.” DEIS at 2-78. Table 2-17 paraphrases the same language in describing the objectives of Alternative E. DEIS at 2-95. Table 2-17 does not mention the objective of stabilizing populations in the IHZ, which is referred to merely as a “buffer” for the CHZ.

We worry that this language could be read to suggest that the State’s objective is to protect just the CHZ with 65% of the leks in Idaho and that a population decline in the IHZ would be consistent with this objective. This could lead state and federal agencies to “manage down” to a lower population level rather than seek to prevent further decline. An “objective” of permitting a one-third reduction in the number of leks and an unstated but presumably greater population decline is not appropriate. Such a decline could lead to a decision to list the sage grouse under the Endangered Species Act.

Comment Number: IDMTSG-14-0206-11

Comment Excerpt Text:

At a general level, both the “no net unmitigated loss” wording of Alternative D and the “no population decline” wording of Alternative E provide important

narrative standards. Both ideas should be included in the final plan.

However, we are very concerned that neither alternative adequately explains what the standards mean and how they would be implemented. The lack of such an explanation will lead to prolonged fights, confusion, and needless expense when future infrastructure proposals come before the federal agencies for approval.

Comment Number: IDMTSG-14-0206-12

Comment Excerpt Text:

The central problem with the “no net unmitigated loss” standard is that not all infrastructure impacts can be offset with any reasonable level of confidence.

Comment Number: IDMTSG-14-0206-13

Comment Excerpt Text:

The “no net unmitigated loss” standard is particularly difficult to apply as an avoidance policy because it couples two inherently uncertain tasks: estimating project impacts and determining the effectiveness of proposed mitigation. Uncertainty expands geometrically when the agency decision hinges on making defensible findings in both dimensions.

A better approach would be to apply the “no net unmitigated loss” policy only after applying a standard setting a maximum allowable impact on sage grouse populations and habitat. The “no net unmitigated loss” could be a valuable addition to the final Plan but it should not come into play until the agency has decided that the overall impact of the project is at an acceptable level.

Comment Number: IDMTSG-14-0206-14

Comment Excerpt Text:

The central problem with the quoted “no population decline” standard is that it is a general narrative standard that provides little guidance in determining an acceptable level of impact. The standard should be accompanied by metrics and methods for determining the level of disturbance that produces “unnecessary and undue habitat fragmentation” and “decline in population.”

Comment Number: IDMTSG-14-0206-15

Comment Excerpt Text:

We urge BLM/USFS to adopt the 3% surface disturbance cap in the final Plan and to apply it to CHZ. Best available scientific literature has identified that many populations show negative impacts at disturbance values lower than 3% and there are significant, demonstrable negative impacts to the species at 3% disturbance (Knick et al. 2013). Therefore a 5% cap is not sufficient and would limit the ability to achieve the objectives of sage grouse conservation and increase the risk that this species will continue to decline in areas that exceed the recommended 3% cap (see Holloran 2005, Naugle et al. 2011, Baruch-Mordo et al. 2013).

Comment Number: IDMTSG-14-0206-2

Comment Excerpt Text:

Therefore, we recommend deleting the language referring to maintaining the viability of 65% of leks from the objectives section. Table 2-17 should be changed to include the objective of stabilizing populations at the current level in both CHZ and IHZ, as stated on page 2-78.

Comment Number: IDMTSG-14-0206-3

Comment Excerpt Text:

The Conservancy recommends that state and federal scientists review the following areas that are designated as PPMA in Alternative D but are either GHZ or IHZ in Alternative E. The purpose of the review should be to determine whether to upgrade the designation applied to these areas under Alternative E:

- Big Desert area
- Coterrel Mountain/Albion Range
- Owyhee Front
- Upper Snake Plan – north of the sand dunes along the Red Road
- Southern Pioneers – Little Wood, Fish Creek watersheds

Comment Number: IDMTSG-14-0206-5

Comment Excerpt Text:

We see some advantage to Alternative D’s approach because it allows a more site-specific and rapid response to habitat or population change within a particular area. However, Alternative E’s approach of having fewer, larger conservation areas will help trigger a broader response to significant regional losses. Given the potentially burdensome regulatory effects of tripping a hard trigger, a broader response that is invoked less often is the best choice.

Comment Number: IDMTSG-14-0212-10

Comment Excerpt Text:

Under Alternative C, all occupied habitat (PPH and PGH covering a total of 11,119,900 acres) would be classified as PPMA and managed similarly under the strictest of guidelines. See Draft LUPA/EIS p. 2-98 (Sub-Objective C-SSS-1). The Agencies’ approach of treating all habitat the same ignores, however, the Agencies’ own distinction drawn between the two habitat categories, which was based in part by the value of the same and the principle that each habitat category should be managed differently.

Comment Number: IDMTSG-14-0212-14

Comment Excerpt Text:

The majority of the phosphate leasable minerals resources are located in Western Association of Fish and Wildlife Agencies (“WAFWA”) Sage-Grouse Management Zone IV. See Draft LUPA/EIS pp. 3-6 (Figure 3-1 showing WAFWA management zones), 3-115 (Figure 3-13 showing unleased KPLAs). Pursuant to the Draft LUPA/EIS, wildfire, invasive weed species, and small population size—and not minerals development—are the major threats to sage-grouse in WAFWA Management Zone IV. See Draft LUPA/EIS p. 4-297. Closing these areas to leasable minerals development will not address the primary threats to the species. See, e.g., Draft LUPA/EIS p. 4-297 (concluding that all action alternatives, including the State’s alternative that does not propose any leasable minerals closures, “would likely prevent the threat of isolation/small size from worsening”). Further, by eliminating leasable minerals development, the Agencies are foreclosing potentially

beneficial cooperation opportunities to provide a net benefit to the species through mitigation or conservation programs developed by the entities engaged in leasable minerals development. In this way, closing the areas is inconsistent with the goal of Alternative D, which is to conserve sage-grouse “in cooperation with other conservation partners.” Draft LUPA/EIS p. 2-95 (Goal D-GOAL-1).

Comment Number: IDMTSG-14-0212-2

Comment Excerpt Text:

The Draft LUPA/EIS does not address possible ESA Section 7 reasonable and prudent measures, suggesting that the sage-grouse conservation measures provided in the LUP Amendment presumably would remain in effect even if the Service lists sage-grouse in the future. To avoid potentially unnecessary, duplicative conservation measures in the event the sage-grouse is listed, the Final LUP Amendment should recognize that, if the sage-grouse is listed, the conservation measures identified through the ESA Section 7 consultation process will replace the conservation measures in the LUP and no new LUP amendment is required for the same.

Comment Number: IDMTSG-14-0242-10

Comment Excerpt Text:

Implementation and effectiveness monitoring are imperative to ensuring a comprehensive adaptive management strategy. Both Alternatives D and E currently lack a clear explanation of how implementation monitoring would be executed (including intervals and standards). Such an explanation is needed for us to fully evaluate the efficacy of the monitoring being proposed.

Comment Number: IDMTSG-14-0242-11

Comment Excerpt Text:

In some Population Areas, as described under Alternative D, there are not an adequate number of known or monitored leks to provide a robust sample size to support the associated population triggers, while in other Population Areas, additional lek routes would need to be monitored to adequately inform the triggers. Based on our review of the draft plan, the effectiveness monitoring strategy in Alternative E

will result in better long-term conservation of GRSG than that described in Alternative D.

Comment Number: IDMTSG-14-0242-12

Comment Excerpt Text:

With regard to habitat monitoring, it is currently unclear how habitat change will be monitored within either Alternative D or Alternative E. For example, habitat monitoring discussed in Alternative D (Chapter 2) is significantly different than the Monitoring Framework Plan discussed in Appendix E. While we support the habitat characteristics identified in Alternative E, a more robust description of the habitat monitoring program should be provided.

Comment Number: IDMTSG-14-0242-15

Comment Excerpt Text:

There are several management actions within both Alternatives D and E that lack the specificity needed to ensure conservation measures are consistent with the COT. For example, management action A-FM-2 (Table 2-18) states "Design fuels management projects in PPMA to strategically and effectively reduce wildfire threats in the greatest area." If not designed and implemented appropriately, fuels management projects as defined above may have adverse impacts, rather than beneficial impacts to GRSG.

Comment Number: IDMTSG-14-0242-17

Comment Excerpt Text:

We hope that through our comments, the BLM and FS will expand the detail of several key components to a level where we can fully evaluate the FEIS pursuant to the COT. Some key components include:

- a. Details on how habitat and disturbance will be monitored;
- b. Methods of landscape-scale prioritization and implementation of step-down assessments for addressing threats from fire and invasive species; and
- c. Details on how mitigation will be applied. We are participating on national interagency teams associated with these plan components and will continue to

provide input on these components through our membership on these teams. It will be critical that the FEIS provide additional specificity in each of the above areas.

Comment Number: IDMTSG-14-0242-19

Comment Excerpt Text:

PACs/Habitat Categorization

We recommend that the habitat categories included in the FEIS be biologically meaningful and pragmatically effective. To be biologically meaningful, the Important Habitat Zone (Alternative E) or Medial Management Area (Alternative D) must represent an adequate portion of Idaho's GRSG population. It is currently unclear how biologically meaningful Alternative D's Medial Habitat Area is, whereas Alternative E's Important Habitat Zone supports 22 percent of Idaho's GRSG population within approximately 4 million acres of habitat. To be pragmatically effective, the habitat categories must include enough land area (i.e., acres) to discourage a habitat or population loss trigger being tripped. The Important Habitat Zone (Alternative E) includes approximately twice as many acres of federal lands as the Medial Habitat Area (Alternative D), therefore we believe that Alternative E's current habitat categorization more effectively discourages a trigger being tripped, and thus is more protective of the species and its habitat because of increased incentive to take early management actions.

Comment Number: IDMTSG-14-0242-28

Comment Excerpt Text:

The DEIS does not provide adequate specificity regarding how the "no net habitat loss" standard would be implemented to determine its consistency with the COT objective. If it is the intent of Alternative D to implement a 3 percent disturbance cap as well as the above mentioned NSOs and noise stipulations, it would be consistent with the COT objective. Although Alternative E is largely consistent with the COT, we would recommend that the 3 percent disturbance cap be consistently applied across the PACs (CHZ and the IHZ) and that it

include other anthropogenic disturbances (as discussed above).

Comment Number: IDMTSG-14-0242-6

Comment Excerpt Text:

We believe that inclusion of a soft trigger (10%) in the FEIS would provide increased responsiveness to stochastic threats and additional flexibility for proactive management; both important elements that increase stakeholder participation and early implementation of incentive-based conservation actions.

Comment Number: IDMTSG-14-0242-7

Comment Excerpt Text:

However, the concept of an Implementation Team/Commission, identified in Alternative E but not in Alternative D, is intended for inclusion in both soft and hard triggers to identify the causal factors and effectively implement appropriate secondary actions that are necessary to address the identified threats. We recommend that an Implementation Team/Commission process be included in the FEIS. The process should also include specificity regarding team composition and how science will inform the process and ultimate decision regarding remediation actions.

Comment Number: IDMTSG-14-0242-8

Comment Excerpt Text:

For both of the preferred alternatives, an explanation should be provided for why the identified baseline year was selected for the adaptive management triggers.

Comment Number: IDMTSG-14-0242-9

Comment Excerpt Text:

Noise and seasonal stipulations should be considerations during the construction and long-term implementation of land use activities. Your proposed implementation of noise and seasonal stipulations across all alternatives appears to be applied only to initial construction activities. However, most land use activities result in permanent disturbances on the landscape and the associated human activity, traffic, and noise disturbances have long-term effects to

GRSG. Although the surface area covered by various types of development can be relatively small, the effects of noise extend far beyond the development itself (Blickley and Patricelli 2010). For example, the construction of a compressor station may have short-term implications to GRSG use of seasonal habitats, but the long-term operation and noise of the compressor station may result in GRSG habitat abandonment (Blickley and Patricelli 2012, Blickley et al. 2012). Similarly, seasonal restrictions applied only to drilling and construction do not address effects to populations over long periods of time (Walker et al. 2007).

Comment Number: IDMTSG-14-0256-1

Comment Excerpt Text:

If adaptive regulatory response measures are "triggered" we need to make absolutely certain that all impacted entities are included in discussions that might change the planning or implementation of resource use actions. e.g. If livestock grazing measures needed to be altered on an allotment a collaborative format would be used to ensure that the notification, participation, and consensus of all permittees on that allotment.

Comment Number: IDMTSG-14-0256-2

Comment Excerpt Text:

Using a 3-year time frame for habitat and population trend assessment is not enough time to effectively show a definite pattern.

Comment Number: IDMTSG-14-0257-1

Comment Excerpt Text:

We recommend that the Final LUPNEIS consider changing the strategy of Alternative E's adaptive management for the Important Habitat Zone to more fully protect a greater amount of priority habitat. Rather than preventing further loss of habitat and populations by increasing protection when monitoring results show dramatic habitat and population declines, we recommend the more precautionary approach of initially managing the IHZ consistent with CHZ protections and only decreasing protections of habitat and population metrics show clear improving trends or signs of robust stability.

Comment Number: IDMTSG-14-0257-4

Comment Excerpt Text:

The environmentally preferable alternative should include active removal of juniper from GRSG habitat. We agree with the Draft LUPA EIS's conclusions that active removal can enhance sagebrush ecosystems.

Comment Number: IDMTSG-14-0257-5

Comment Excerpt Text:

Alternative D appears to be relatively more consistent with national guidelines in addressing threats from livestock grazing. We believe that consistency with national habitat guidelines will increase the likelihood of effective implementation at a broad scale, and, in turn, increase the extent to which the threat of livestock grazing will be alleviated.

Comment Number: IDMTSG-14-0321-1

Comment Excerpt Text:

Also not having livestock in a pasture at the time of hatching and brood rearing is harmful to the sage grouse young as they are dependent on high protein for survival, mostly insects. Fresh cow manure is where most face flies, horn flies and bot flies lay their eggs (dinner for young sage grouse).

SECTION 4.6 - BEST AVAILABLE INFO BASELINE DATA

Comment Number: IDMTSG-14-0046-6

Comment Excerpt Text:

There is no historical record in the affected environment to indicate how grouse populations have fluctuated over time, and what factors may have caused those shifts.

Comment Number: IDMTSG-14-0046-7

Comment Excerpt Text:

There is no discussion of predator control in the AE. Are there no studies of predators and their affect on sage grouse in Idaho and other parts of the country? I know this is not true because I am aware of studies in Idaho that show predators cause a 26 to 76 % loss of nesting sites.

Comment Number: IDMTSG-14-0053-10*Comment Excerpt Text:*

In Table 2-2 the LUP/DEIS identifies the estimated acres in each alternative for the different GRSG habitat categories. The number of acres and size of the habitat is huge. The GRSG population has steadily trended downward since the 1960's and will probably continue until equilibrium is reached with all the threats. Given the millions of acres of habitat spread throughout the eleven western states where little development is foreseen, it is not reasonable to believe the GRSG will become extinct. No population number has been suggested as the lowest recoverable figure by the USFWS or anyone else.

Comment Number: IDMTSG-14-0053-4*Comment Excerpt Text:*

How the LUP/EIS proposes to measure GRSG population is reasonable given the difficulty of counting every single bird. Male lek counts are the only parameter we have to develop population trends. My concern is that the artificially high numbers in the past will impact our ability to recognize when the downward trend will level off to a population that is stable given the current threats. I am not that familiar with the ESA, but there is too much good sagebrush habitat in the west that will remain ecological sustainable in the future. The value and availability of water will insure millions of acres of intact sagebrush habitat. We most likely will be converting abandoned desert farm ground back to its native sagebrush habitat. The plaintiffs are attempting to use the GRSG and the ESA to change land use based on decreasing bird numbers. The USFWS needs to come up with a finite number before listing is warranted, not just a declining population trend. We have and will continue to have suitable habitat to sustain a healthy population of GRSG.

Comment Number: IDMTSG-14-0053-9*Comment Excerpt Text:*

Predation in the list of threats has been given a lower priority, yet most infrastructure placement/height regulations are based on either infrastructure use as perches and/or nesting by avian predators and vegetative cover guidelines relate to hiding and nest

cover from all predators. There is no question that many predator populations have increase exponentially in the last 40 years and their impact is significant on bird populations. Raven populations on the INEL have increased 900% since 1985. Predator populations are dynamic and are very difficult and cost prohibitive to manage without using lethal poisons and this is not an option. There is a smorgasbord of nutrition through out the west that supports many predator populations. GRSG will adapt to these predators, but I believe their numbers are going to adjust downward more than is anticipated. In the alternative chosen it is important we mitigate infrastructure design as much as possible to reduce perching and nesting of avian predators. As GRSG numbers continue to decline lower to more stable levels, it is appropriate that human predation of the GRSG be stopped. It is not acceptable to allow hunting when all other activities are being marginalized. Hunting does not give us a lot of pertinent management data.

Comment Number: IDMTSG-14-0056-9*Comment Excerpt Text:*

Alternative E includes the requirement for any assessment to determine whether or not a given area has the ability to provide sage grouse habitat (See Appendix D, page D-36). This is critical because as the maps are difficult to decipher on the large scale, and personal knowledge of the area reflects that some areas identified as within PPGH or Core habitat do not have the ability to provide for sage grouse needs.

Comment Number: IDMTSG-14-0098-3*Comment Excerpt Text:*

Recent research suggests that oil and gas development and associated infrastructure can negatively impact sage-grouse lek persistence up to 4 miles from the lek (Holloran 2005, Walker et al. 2007, Harju et al. 2010).

Approximately 5%, 28%, and 90% of the total area used by sage-grouse has been documented in a different study area to be encompassed by buffers of 0.25, 0.60, and 3 miles around leks, respectively

(Coates et al. 2013). Research also suggests that cumulative anthropogenic surface disturbance in excess of 3% of the landscape has negative impacts on sage-grouse lek occurrence (Knick et al. 2013). We encourage the BLM and USFS to use this science to help guide final decisions regarding oil and gas surface occupancy and controlled use in southwestern Montana.

Comment Number: IDMTSG-14-0100-4

Comment Excerpt Text:

A concern that is not addressed in any of the alternatives is threetip sagebrush (*Artemesia tripartita*) dominance on the landscape following fire (wildfire, or repeated fires, both controlled and prescribed) and repeated chemical treatment of big sagebrush. (Lowe, B. 2006), found sage grouse nest success was lower when nests were associated with threetip sagebrush compared to sage grouse nests associated big sagebrush species. My own observations suggest that sage grouse are seldom associated with threetip sagebrush during winter.

Threetip sagebrush is a natural component of sagebrush steppe communities across southern Idaho. However, following large-hot wildfires, or repeated controlled or prescribed fire, or chemical brush management treatments threetip sagebrush becomes the dominant sagebrush species. Today, there are sizable acreages of threetip sagebrush monocultures following wildfire or brush management projects across southern Idaho. Once threetip becomes dominant on the landscape it appears to suppress recovery of Wyoming and mountain big sagebrush species. Historical literature (Winward) indicates this dominance persists at least 50 years in Clark County, Idaho. Conversion from big sagebrush species to threetip sagebrush following wildfires and brush management practices can be observed the mountain valley, north side Snake, south side Snake and east central Idaho population areas. The dominance of threetip sagebrush on the landscape may be the primary reason sage grouse numbers are so limited and their distribution so fragmented in the east central Idaho population area.

Comment Number: IDMTSG-14-0105-7

Comment Excerpt Text:

There are a number of instances where the methods and protocol for conducting assessment of GRSG populations and habitat need to be clearly and concisely described. The need is not just to describe the on ground procedures but to establish the kinds and amount of data necessary to justify a conclusion, (e.g. a lek route must be counted at least x times in a given year to yield actionable results). Any time that future actions or decisions are to be based on any specific data or information, there must be assurance that the data and information is sufficiently reliable to justify the action. The BLM self-inflicted time crunch to renew the Owyhee 68 permits has resulted in numerous abbreviated and shortcut methods that are incapable of yielding trustworthy data and information yet they are the basis for drastic change.

Comment Number: IDMTSG-14-0108-6

Comment Excerpt Text:

The Draft LUPA EISs devote voluminous space to the current status of the affected environment and to the expected environmental consequences of the various alternatives under consideration for almost everything under the sun, except for the status and environmental consequences with respect to greater sage-grouse population levels and trends, thereby failing to meet the overriding purpose for the project. The EISs analyze the status and environmental consequences with respect to other special status species, vegetation, fish and wildlife, wild horses and burros, wildfire, livestock grazing, recreation, travel management, lands and realty, mineral resources, special designations, soil resources, water resources, cultural resources, tribal interests, visual resources, roadless areas, air quality, climate change, social and economic conditions, and forest and woodland products, among other things. But the Draft LUPA EISs give only cursory attention to the current status of greater sage-grouse populations and essentially no attention to the environmental consequences of the various alternatives under consideration on greater sage-grouse population levels and trends.

Comment Number: IDMTSG-14-0108-9*Comment Excerpt Text:*

Neither of the Draft LUPA EISs analyzes whether the greater sage-grouse meets the ESA definitions for listing as endangered or threatened. Thus, both the Draft LUPA EISs fail to meet the overall purpose for the EISs identified by the NOI. To evaluate whether the greater sagegrouse presently meets the criteria to be listed as endangered or threatened under the ESA, one must answer two questions: 1] How many greater sage-grouse are needed to safeguard the species against extinction; and, 2] Do current greater sage-grouse population numbers and trends put the greater sage-grouse at risk for imminent extinction or for eventual extinction in the foreseeable future?

The U.S. Fish and Wildlife Service (FWS) provided the information required to answer these questions in its 2010 FWS Findings. The FWS Findings identified greater sage-grouse populations below 50 breeding adults “as being at short-term risk of extinction” and identified populations below 500 breeding adults “as being at long-term risk for extinction.” See FWS Findings⁶, page 13959. The FWS Findings further qualified that the minimum effective population size needed to protect the species long-term may be as high as 5,000 individuals in order to “maintain an effective population size of 500 birds” (see, FWS Findings⁶, page 13985) and to maintain “minimal viable population(s)” (see, FWS Findings⁶, pages 13959 and 13985). Thus, a population that exceeds 50 breeding adult sage-grouse is needed to safeguard the species against the short-term risk of imminent extinction, and as many as 5,000 individual sage-grouse may be needed as a minimum effective population to safeguard the species against the long-term risk of extinction in the foreseeable future.

The FWS Findings estimated that the recent range-wide greater sage-grouse population totals over 535,000 birds, which is 107 times larger than the minimum effective population of 5,000 birds. See FWS Findings⁶, Table 4, page 13921. All eleven of the locations reported in Table 4 greatly exceed a population of 50 breeding adults. Likewise, given the estimated number of males by Management Zone

reported in Table 6 of the FWS Findings (see FWS Findings⁶, page 13923) and the female skewed sex ratio for greater sage-grouse (reported to average about two females to one male, FWS Findings⁶, pages 13916 and 13992), it is evident that all seven Management Zones greatly exceed a population of 50 breeding adults. Thus, all seven Zones exceed the population size below which greater sage-grouse are considered to be at risk for short-term extinction, so there are at least seven areas that support sufficient populations to prevent the greater sage-grouse from being listed as endangered under the ESA.

In fact, all seven of the Management Zones exceed a population of 500 breeding adults, and five of the Zones greatly exceed the minimum effective population of 5,000 individual birds below which greater sage-grouse are considered to be at risk for long-term extinction. Additionally, estimates for the rate of decline in greater sage-grouse populations from 1985 through 2007 have averaged about 1.4% per year. See FWS Findings⁶, page 13922. Assuming that current management practices endure and this rate of decline continues indefinitely, it would take more than 330 years for the existing greater sage-grouse population to dwindle.

Below the minimum effective population. Speculating what might occur over three centuries from now reaches well beyond the foreseeable future. Thus, there are now numerous areas that will support populations that exceed the minimum effective population of 5,000 birds into the foreseeable future to preclude listing the greater sage-grouse as threatened under the ESA.

Comment Number: IDMTSG-14-0125-2*Comment Excerpt Text:*

1. We all recognize that the GRSG habitat in the west is in the midst of a severe drought, GRSG “hen survival July-August, 2003” was about 76% with no WNV and 20% with WNV.

2 Thus the hen population decreases by nearly 75% and further information showed that WNV reduced the GESG population by 25% in 2003!

3 The GESG population had a lek attendance decline of about 85% in 2004 due to WNV. WNV was detected in the GESG in the states of CO, ID, MT, ND, NV, OR, SD, UT, & WY.

4 “WNV affects both sexes and all age classes”

5 and “Lab tests confirm that all birds that contact disease die”

6 GRS Survival scenarios show a decrease of GESG of 6-9% per year!

7 The presentation also suggests ways to manage the land to reduce mosquito’s population.

1 D. Naugle, B. Walker, J. Tack, “West Nile Virus: Ecology and Impacts on Greater Sage-grouse Populations”, U of Montana, http://www.wy.blm.gov/prbgroup/research_mtg/west_nile.pdf

2 Walker et al, 2004, Wildlife Society Bulletin.

3 Naugle et al, 2004, Ecology Letters

4 D. Naugle, B. Walker, J. Tack, “West Nile Virus: Ecology and Impacts on Greater Sage-grouse Populations”, U of Montana, http://www.wy.blm.gov/prbgroup/research_mtg/west_nile.pdf

5 Aldridge 2005, Kaczor 2008, Walker 2008

6 Clark et al. 2006

7 D. Naugle, B. Walker, J. Tack, “West Nile Virus: Ecology and Impacts on Greater Sage-grouse Populations”, U of Montana, http://www.wy.blm.gov/prbgroup/research_mtg/west_nile.pdf

Comment Number: IDMTSG-14-0130-2

Comment Excerpt Text:

We question the validity the various habitat delineations. Lek counts are not statistically reliable. The definition of what constitutes an a clive lek is not universally accepted; and the science relating to the

appropriate buffer to use within a model is inconclusive. Determination of PPI-I, PGI-I, etc and their subsequent use in designating Preliminary Management Areas must be re-evaluated. The regional scale and nature of the modeling techniques used fail to recognize major inclusions of nonhabitat.

Comment Number: IDMTSG-14-0131-27

Comment Excerpt Text:

The effects and consequences of activities such as mineral development can be very site (condition) specific; this can result in different impacts or benefits to the landscape and ecology from such activities. The Draft LUPA/EIS needs to discuss in further detail what has been learned about such activities and what the uncertainties are in regards to impacts and/or benefits. As an example, the discussion of mining on pages 4-12 and through 4-13 of the Draft LUPA/EIS fails to adequately discuss the uncertainty regarding mineral activities and effects on GSG habitat and populations.

Comment Number: IDMTSG-14-0131-4

Comment Excerpt Text:

The discussion on threats from infrastructure/right-of-way (page 2-165), the conservation objective for infrastructure is identified as “to avoid development within the priority areas for conservation.” This objective results in a one-size fits all, “no-utilization” approach to managing federal lands for the GSG; it is not evident that there is a scientific basis for such an approach.

Comment Number: IDMTSG-14-0131-5

Comment Excerpt Text:

Studies that address the effects of anthropogenic disturbances on sage-grouse have primarily focused on the effects of oil and gas developments, as well as human induced fires. In addition, due to the recent increase in energy developments within the western United States, researchers have begun to study the potential effects that tall structures can have on sage-grouse. The potential effects of surface mining activities (i.e., the extraction of non-liquid minerals such as phosphate) on sage-grouse have been largely neglected by researchers. As a result, the magnitude

and extent of impacts from mining activities on sage-grouse and sagebrush habitats is largely unknown (Braun 1998, USGS 2013). However, a few small studies have shown that mining activities in sagegrouse habitats can result in a decline of sage-grouse within the mining area.

Eng et al. (1979) found that male sage-grouse attendance decreased at a lek located near a coal mine (distance between lek and mine was not reported), with 23 male sagegrouse observed at the lek in 1974, and only 6 males by 1979. The researchers stated that the overall increase in traffic and noise level from the mine may have contributed to the decline.

A study of a coal mine found that the number of displaying sage-grouse on two leks located within 2 kilometers of an active mine in northern Colorado declined by approximately 94 percent during a 5-year period following an increase in mining activity (Remington and Braun 1991).

Braun (1998) and Tate et al. (1979) reported that recovery of sage-grouse populations may occur after initial development and subsequent reclamation of mine sites, although populations do not recover to pre-development sizes.

Based on the limited information available, the exact extent that sage-grouse numbers may decline as a result of mining activities is uncertain. For example, the USFWS (2010) presented the results of a study conducted in northeast Wyoming where no decline in female survival was detected in a population of sage-grouse located near a large surface coal mine and nest success did not appear to be reduced either; they did however, conclude that continued mining would result in fragmentation and eventual impacts to the population if adequate reclamation and restoration of disturbed areas was not conducted (USFWS 2010).

Comment Number: IDMTSG-14-0148-4

Comment Excerpt Text:

The BLM & USFS should have analyzed the effectiveness of current rangeland health standards

and guidelines before developing alternatives, and should have used that analysis for considering appropriate changes to the RMP with respect to livestock grazing and range management.

Comment Number: IDMTSG-14-0150-10

Comment Excerpt Text:

The forecast that greater sage-grouse populations will continue to significantly decline into the foreseeable future within the Great Basin also appears to be wrong. Nevada Department of Wildlife Studies report that greater sage-grouse populations increased within the state from 2008 through 2010.

Comment Number: IDMTSG-14-0150-6

Comment Excerpt Text:

The Draft LUPA EISs devote voluminous space to the current status of the affected environment and to the expected environmental consequences of the various alternatives under consideration for almost everything under the sun, except for the status and environmental consequences with respect to greater sage-grouse population levels and trends, thereby failing to meet the overriding purpose for the project. The EISs analyze the status and environmental consequences with respect to other special status species, vegetation, fish and wildlife, wild horses and burros, wildfire, livestock grazing, recreation, travel management, lands and realty, mineral resources, special designations, soil resources, water resources, cultural resources, tribal interests, visual resources, roadless areas, air quality, climate change, social and economic conditions, and forest and woodland products, among other things. But the Draft LUPA EISs give only cursory attention to the current status of greater sage-grouse populations and essentially no attention to the environmental consequences of the various alternatives under consideration on greater sage-grouse population levels and trends.

Comment Number: IDMTSG-14-0150-8

Comment Excerpt Text:

The FWS Findings estimated that the recent range-wide greater sage-grouse population totals over 535,000 birds, which is 107 times larger than the minimum effective population of 5,000 birds. See

FWS Findings⁶, Table 4, page 13921. Given the estimated number of males by Management Zone reported in Table 6 of the FWS Findings (see FWS Findings⁶, page 13923) and the female skewed sex ratio for greater sage-grouse (reported to average about two females to one male, FWS Findings⁶, pages 13916 and 13992), it is evident that all seven Management Zones exceed a population of 500 breeding adults, and five of the Zones greatly exceed the minimum effective population of 5,000 individual birds which precludes a population from the long-term risk of extinction. Thus, five Management Zones exceed the population size below which greater sage-grouse are considered to be at risk for long-term extinction, so there are at least five areas that support sufficient populations to preclude the greater sage-grouse from being listed as threatened under the ESA according to data reported within the FWS Findings.

When discussing two stronghold habitat areas, the FWS Findings implicitly concede that the greater sage-grouse does not qualify to be listed as threatened under the ESA. The FWS Findings state “the ability of these strongholds to maintain high densities to date in the presence of several threats indicates that there are sufficient habitats currently to support the greater sage-grouse in these areas” (see FWS Findings⁶, page 13962) and admits that the FWS expects that these “two strongholds of contiguous habitat will still remain in fifty years even though the threats discussed above will continue there” (see FWS Findings⁶, page 14009). The FWS expectation that these two stronghold areas will maintain high densities (large populations) in fifty years, even in the face of existing threats, demonstrates that the species does not face extinction in the foreseeable future, so the greater sage-grouse is not threatened as defined under the ESA.

Given the proportional distribution of breeding males within the ten population areas identified for the Nevada sub-region (see NV Draft LUPA/EIS¹, pages 3~26 – 3~32) and the total estimated greater sage-grouse population of 88,000 birds in California/Nevada (see FWS Findings⁶, table 4, page

13921), it is estimated that at least four populations in this sub-region greatly exceed the minimum effective population of 5,000 individual birds which precludes a population from the long-term risk of extinction. Thus, four Nevada populations likely support sufficient numbers to preclude the greater sage-grouse from being listed as threatened under the ESA.

Comment Number: IDMTSG-14-0151-12

Comment Excerpt Text:

The DEIS does not discuss how the key areas used in Standards & Guidelines assessments referred to in the DEIS overlap with sage-grouse habitat or whether the S&G parameters specifically measure the impacts of livestock at specific points in sage-grouse lifecycles. The DEIS does not explicitly link the measurements of the S&G assessments to the criteria established for sage-grouse nesting and brooding success. Without site-specific monitoring or a clear connection between the rangeland health standards and the habitat needs of sage-grouse, meeting the S&Gs cannot be considered an adequate regulatory mechanism to prevent listing. The DEIS also does not disclose exactly when the S&Gs were evaluated on the allotments, making it uncertain whether BLM’s conclusions here are even timely. This type of land health assessment monitoring should also be available online.

Comment Number: IDMTSG-14-0151-16

Comment Excerpt Text:

The DEIS has virtually no information whatsoever regarding current conditions of sage-grouse habitat at the allotment level. Determinations regarding rangeland health standards do not conclusively demonstrate that an allotment is meeting sage-grouse habitat needs. This is especially the case because the of the often arbitrary and livestock –industry-biased FRH processes that many BLM Offices conduct (such as those of the Idaho Falls District). Whereas the DEIS claims that BLM uses rangeland health standards to determine wildlife habitat conditions, the current rangeland health standards are general, superficial, qualitative assessments designed to provide an overarching idea of the ecological conditions of a

given area, and may not be specific to habitat for any given species.

Comment Number: IDMTSG-14-0151-28

Comment Excerpt Text:

In 2013, FWS considered it “best available science” to base population information on lek data that was over 5 years old. The population analysis in the COT Report Table used the Garton (Knick and Connelly 2009/2011) population analysis numbers of 2007 or 2008, and the prior decade. Using 5 year old lek data in 2013 to draw conclusions on the status of populations impacted especially by the 2007- 2008 fires makes little sense. We are not certain of the vintage of the numbers used in some of the GRSG EISs. WWP had specifically commented in Scoping that current information that reflected possible loss of leks or population declines needed to be presented in the DEISs, and it must be tied to specific areas and mapping so that the losses can be understood and immediate protective action to cushion declines taken.

FWS in the COT appears to have used 500 birds as a threshold for population viability. See COT Table Population abundance and estimated quasi-extinction risk. Yet recent science, such as the BSSG Proposed Rule – shows a much higher number, citing Traill.

Comment Number: IDMTSG-14-0151-3

Comment Excerpt Text:

Anderson and Inouye³⁴ [Anderson, Jay E. and Rishard S. Inouye. 2001. Landscape-Scale Changes in Plant Species Abundance and Biodiversity of a Sagebrush Steppe Over 45 Years. Ecological Monographs, 71(4), 2001, pp. 531-556.] found that viable remnant populations of native grasses and forbs are able to take advantage of improved growing conditions when livestock are removed. They found further that despite depauperate and homogenous conditions of permanent plots in 1950, after 45 years of no livestock grazing, vegetation had been anything but static, clearly refuting claims of long-term stability under shrub dominance. Mean richness per plot of ALL growth forms increased steadily in the absence of domestic livestock grazing. Grasses and forbs

increased significantly. This information should be integrated into the “No Grazing” or “Reduced Grazing” alternatives and, given these findings, the BLM should analyze the impacts of long-term authorized grazing and its impacts on sagebrush communities and obligates compared to the impacts of removing livestock and allowing these communities to recover naturally.

Comment Number: IDMTSG-14-0151-31

Comment Excerpt Text:

The EIS boundaries do not correspond to sage-grouse populations across southern Idaho. The inclusion of Montana and the tiny island of the Raft River Range Forest lands in Utah does correspond to populations. See Connelly et al (2004) mapping showing the functional populations. Nowhere in the DEIS are these functional populations adequately addressed, and their current status examined.

Comment Number: IDMTSG-14-0151-32

Comment Excerpt Text:

There is no information on the degree to which the existing Plans, especially older ones, have lived up to their sage-grouse and other habitat protection goals. The degree to which decisions made to promote conflicting portions of the Plans have harmed sage-grouse habitats and populations or led to irreversible losses and population declines has not been examined.

Comment Number: IDMTSG-14-0151-36

Comment Excerpt Text:

BLM must provide analysis of historical information, locations of all past vs. present trend leks, lek routes, active and all other categories of leks, how they are defined in Idaho, and patterns of change over time. In other words, the location and scale of the range contractions, perforations that are occurring must be shown to inform understanding of actions to take.

Comment Number: IDMTSG-14-0151-37

Comment Excerpt Text:

BLM must analyze the sub-population and population information based on current data. This includes sub-populations and populations that extend into adjacent

states. This type of analysis should have been a primary part of an EIS. This would allow BLM to take immediate and decisive action to try to conserve and mitigate habitat conditions for smaller populations before they blink out, and for larger populations that are likely declining faster than the modeling based on older lek data show.

Comment Number: IDMTSG-14-0151-40

Comment Excerpt Text:

It is a significant concern that in this Idaho EIS, BLM mirrors the COT cuts in its down-grading of areas of Priority Habitat into a lesser “Medial” category. It is an even greater concern that BLM considers the state plan, which downgrades part of the COT “Priority Areas for Conservation” PACs into the non-Priority habitat sacrifice category of “Important”, to be a reasonable alternative. The COT Report, after making the cuts, then states that all the PAC habitats must be protected.

There is no information provided in the DEIS on why the habitat cuts were made, or how downgrading habitat is a conservation action in the context of declining and increasingly fragmented populations. DEIS at 3-23, describes the “Affected Environment”, but it fails to provide information based on actual populations. It uses what appear to be the Idaho 2006 Plan Key habitat categories of East-Central, Mountain Valleys, North Side Snake South Side Snake, Sawtooth (extirpated), Bear Lake, and Weiser. The text states that the number of males from 2007-2011 were used. No explanation is provided for why. There were 905 occupied leks in 2011, inclusive of land ownership based on IDF, MFWP, UDWR, and WGFD data.

Comment Number: IDMTSG-14-0151-43

Comment Excerpt Text:

PACs are termed highly important for long-term viability. PAC “encourages but does not require” that attention be paid to important habitat outside PACs. (If it is important, it should have been in the PAC). The COT Report at 10 also admits that vegetation treatments for livestock forage result in loss or fragmentation of habitat. This is ignored in the DEIS.

Comment Number: IDMTSG-14-0151-45

Comment Excerpt Text:

DEIS ES-2 describes range-wide 52 percent of sage habitat is on BLM lands, 8 percent on Forest; and within ID and MT 51 percent BLM, 10 percent Forest. We emphasize that sage-grouse populations occupy private lands, state lands, Reservation lands, energy/military areas, FWS wildlife refuge areas and other lands. The DEISs have wrongly failed to include other federal lands in DEISs across the West, and this must be corrected.

Comment Number: IDMTSG-14-0151-70

Comment Excerpt Text:

How is Occupied defined in 2-28 discussion of habitats by alternatives in each state and by each agency? Is it defined the same across the range?

Comment Number: IDMTSG-14-0151-71

Comment Excerpt Text:

DEIS 2-28, 2-29. The Montana information is confusing. Why has so little habitat in Montana made the cut as PPMA, given that 2.6 million acres are shown as habitat in general?

Comment Number: IDMTSG-14-0151-76

Comment Excerpt Text:

This DEIS fails to comply with the NTT, and with NEPA’s requirements that relevant science be considered, reasonably interpreted, and accurately presented. Uncertainties and risks need to be addressed. Hasn’t there been new and updated current science since the NTT release, to further demonstrate the significant harms habitats and populations face from grazing and other disturbances? Example: Beschta et al 2012 describing how grazing amplifies adverse effects of climate change, Reisner et al. 2013 describing grazing causing cheatgrass. Various summaries of harms caused by treatments (Hess and Beck 2012, Jones et al. 2013, Bukowski and Baker 2013 examination of GLO records, showing long fire return intervals and dense sagebrush historically and trees interfacing with sage, and significant naturally dense sagebrush in the landscape at the time of settlement). Plus, BLM appears to have missed all the energy-development impacts studies from Wyoming

over the past decade, as it is still using a 0.6 lek avoidance distance

Comment Number: IDMTSG-14-0151-78

Comment Excerpt Text:

Please conduct a risk assessment and analysis of the degree to which the battery of sage and tree manipulation treatments and fuels projects that are envisioned will:

- Fragment GRSG habitats, increase harmful edge.
- Reduce cover in linkage areas.
- Reduce or sever patch connectivity.
- Sever linkage areas.
- Increase Edge Effect and patchiness in the Landscape Matrix
- Increase anthropogenic disturbances (removal of shrubs that prevent OHV use, intensified grazing in areas cleared or thinned of sage and trees, etc.).

Comment Number: IDMTSG-14-0151-79

Comment Excerpt Text:

Please provide a detailed mapping and analysis of all of the Indicator Measurements and “Suitability Characteristics” for GRSG habitats DEIS 2-69 Tables 2-5 and 2-6 as part of the baseline.

As part of fine-scale indicators, Table 2-6, please include presence of livestock in blocks of sage in the seasonal use areas during conflicting periods (breeding, winter).

Comment Number: IDMTSG-14-0151-94

Comment Excerpt Text:

Even basic scientific papers on the effects of livestock grazing and the many ways in which grazing degrades sagebrush communities are absent. Example: Mack and Thompson (1982), Fleischner 1994, Ohmart 1996, Belsky et al. 1998. Summary papers on livestock alteration of the composition, function and structure of plant communities, and livestock as a

causal factor of weed invasions are ignored. See Fleischner 1994, Belksy and Gelbard 2000.

While BLM does reference the Manier et al. 2013 BER, specific actions needed to address the grazing and grazing system harms identified in Manier are lacking in Alt. D, including use of passive restoration.

Comment Number: IDMTSG-14-0153-16

Comment Excerpt Text:

This policy required BLM to complete an Ecoregional Assessment for the Wyoming Basins Ecoregion. Id. at 11. This Wyoming Basins Ecoregional Assessment publication (“WBEA”)³ was completed in 2011, and BLM should reference the findings of this report as they apply to Idaho, which falls partially within the Wyoming Basins Ecoregion, in order for the BLM has not met its obligation to “use the best available science” including publications specifically mandated under the Strategy. This study included a complete land cover mapping exercise including analysis of human footprint, which would have been useful to include in the Affected Environment section of the DEIS. Chapter 5 of this publication (WBEA at 112) specifically addresses sage grouse avoidance of oil and gas developments and other permitted facilities. This analysis found that sage grouse density was negatively correlated with major highways, powerlines, and the presence of oil and gas wells. WBEA at 124. These researchers pointed out, “Any drilling <6.5 km [approximately 4 miles] from a sage-grouse lek could have indirect (noise disturbance) or direct (mortality) negative effects on sage-grouse populations.” WBEA at 131.

Comment Number: IDMTSG-14-0153-2

Comment Excerpt Text:

In the Idaho – Southwest Montana RMP DEIS, BLM failed to apply baseline information from the Wyoming Basins Ecoregional assessment and other scientific studies and reports to inform its analysis of impacts by alternative. BLM also failed to map and present sage grouse wintering habitat as part of the baseline information requirement. Text on Affected Environment with regard to sage grouse habitat also failed to discuss the winter habitat needs of the birds,

in spite of clear scientific evidence that impacts to sage grouse by oil and gas development on winter ranges can have profound effects on the birds (Walker 2008).

Comment Number: IDMTSG-14-0153-24

Comment Excerpt Text:

Protecting sage grouse leks and associated nesting and brood-rearing habitat are key to conserving the species. The best available science has recorded significant negative impacts from individual producing (post-drilling) oil and gas wells drilled within 1.9 miles from active leks (Holloran 2005), measureable impacts from coalbed methane fields extend out to 4 miles

(Walker 2008), and new research has recorded effects as far away as 12.4 miles from leks (Taylor et al. 2012). WGFD, using lek buffers of 0.25 mile, 0.5 mile, 0.6 mile, 1.0 mile, and 2.0 mile, estimated lek persistence of 4, 5, 6, 10, and 28 percent, respectively (Christiansen and Bohne 2008, Attachment 12).

Comment Number: IDMTSG-14-0153-3

Comment Excerpt Text:

Alternative D would apply a 3% limit on anthropogenic disturbance, but only for future fluid mineral leases. Relevant to the issue of the 3% disturbance cap, we ask the responsible official to make a formal determination concerning which of the available scientific information is the most accurate, reliable, and relevant in determining what percentage of land area should be allowed to be disturbed in order to achieve the stated goal of the RMP Amendment. We would further ask the Forest Service to determine whether a 3% disturbance cap or no disturbance cap is the scientifically supported measure to apply as a Condition of Approval to existing fluid mineral leases. We would ask the Forest Service to consider the findings of Knick et al. (2013), which concluded in relevant part that 99% of the active leks in the study area (encompassing the entire western range of the greater sage grouse) were surround by habitat with 3% surface disturbance or less. See Attachment 1. We would ask the responsible official to consider the findings of Kirol

(2012), which found for his study area immediately north of the planning area that surface disturbance greater than or equal to 4% of the land area had a significant negative impact on greater sage grouse brood rearing habitat. See Attachment 2. We would ask the responsible official to consider the findings of Copeland et al. (2013), which found that if all of the State of Wyoming sage grouse policy provisions (which include a 5% disturbance cap calculated using a Disturbance Density Calculation Tool) were implemented fully and to the letter, that a 9 to 15% decline in greater sage grouse populations would still occur statewide, including a 6 to 9% decline within designated Core Areas (where the 5% disturbance cap would be applied). We would ask the responsible official also to render the same determination regarding the accuracy, reliability, and relevance of science supporting the 3% disturbance cap proposed for implementation under Alternative B.

Comment Number: IDMTSG-14-0153-4

Comment Excerpt Text:

Please also make a formal determination regarding the disturbance cap in the context of sagebrush canopy cover, and if 3% is not the scientifically defensible threshold, then where that threshold should be set, for the same reasons as noted above for the 3% and 5% disturbance caps. Please review the studies listed above, and any and all additional studies that directly address the efficacy of a 3% disturbance cap, if any. Knick et al. (2013) found that almost all active leks were found in areas with less than 10% cropland (Figure 5). This study included all of Idaho (Knick et al. 2013, Figure 2), indicating that its findings are directly relevant to this EIS. We are unaware of any such studies, and in their absence federal agencies should employ the precautionary principle and utilize a 3% cumulative disturbance cap for all forms of disturbance.

Comment Number: IDMTSG-14-0153-46

Comment Excerpt Text:

All livestock allotments are managed under a rotational pattern, some using herding and others using fencing. However, scientific studies are split on the effectiveness of this approach, with many studies

pointing out that it is the number of Animal Unit Months, not the pattern of grazing, that is the key factor in maintaining rangeland health. Bock et al. (1993) noted that rotational or uniform grazing pressure leads to uniform habitat types rather than a mosaic of successional stages, a result of the slow recovery of ecological succession compared to the typically rapid frequency of grazing rotation. But while optimization for livestock weight gain may maximize livestock production while maintaining net primary productivity, it may also shift the community away from late-successional dominants (which have high value to grouse) to mid- to early-successional annuals, including introduced weed species (Briske 1993). Given that fencing is a major cause of collision mortality for sage grouse, the use of fencing for rotational grazing should be discontinued, and allotments with fences within designated sage grouse habitat should have their fences removed.

Comment Number: IDMTSG-14-0153-59

Comment Excerpt Text:

BLM assumes that for transmission lines built prior to 2012, the impacts to sage grouse have already fully manifested, and the addition of new transmission lines to these existing right-of-way corridors will have no additional impact. DEIS at 4-7. We are concerned that ROW corridors can be quite wide, and construction of a new transmission line closer to sensitive habitat than the original line would have significant additive impacts to sage grouse populations using those habitats. BLM assumes a 4.25-mile avian predator foraging distance from powerlines (DEIS at 4-8), which seems a reasonable assumption. Please provide documentation, preferably in the form of scientific studies, that demonstrate that adding new transmission lines to existing powerline corridors has no significant impact on grouse populations and habitat use, in order to fulfill NEPA's hard look requirements.

Comment Number: IDMTSG-14-0153-6

Comment Excerpt Text:

Alternative B would limit surface disturbances to no more than one per section, at least on future fluid mineral leases. DEIS at 2-188. This should be

implemented for all leases (future and existing) and for other types of similar disturbance in the final plan. BLM's Alternative D limits the density of wellpads to one per square mile, but for future mineral leases only (DEIS at 2-191); this needs to be applied to existing leases also as a Condition of Approval. Please review.

the best available science and make a determination regarding whether one wellpad/disturbance per section, or no limit at all, is the most scientifically supported approach or whether no limit on wellpad density would best achieve the purpose and need of the plan amendment. Please consider the following studies which directly address the threshold of well density at which impacts to sage grouse occur: Holloran (2005), Doherty (2008), Walker et al. (2007), Taylor et al. (2012), and Copeland et al. (2013). Attachments 3, 4, 5, 6, and 7, respectively. Each of these studies find significant declines of sage grouse populations as well densities exceed one pad per square mile, and some of these studies indicate negative effects on sage grouse at lower wellpad densities.

Comment Number: IDMTSG-14-0153-62

Comment Excerpt Text:

Knick et al. (2013) found that 99% of active leks in the planning area were surrounded by less than 3% surface disturbance. Manier et al. (2013) reviewed a variety of studies, and found that risk of brood loss increased significantly when a threshold of 4% surface disturbance was surpassed (p. 59), and also noted additional disturbance thresholds. The Idaho-Southwest Montana DEIS does not disclose the current thresholds of surface disturbance by population area as baseline information, nor does it estimate the projected disturbance percentage by area for each alternative. DEIS at 4-72 and following sections. This information is critical to determine how the alternatives compare in terms of resulting significant impacts to sage grouse based on exceedences of varying disturbance thresholds under each alternative. This key analysis is missing from the DEIS.

Comment Number: IDMTSG-14-0153-7

Comment Excerpt Text:

The federal agencies propose to compensatory mitigation as a key element of Alternative D DEIS at 2-74. These are intended to offset impacts. *Id.* We call upon the Forest Service to reach a determination regarding the effectiveness of the proposed compensatory mitigation to result in no net loss of sagebrush populations for the area in question. Please document any and all scientific studies that conclude that compensatory mitigation efforts have yielded an increase in sage grouse populations for the area to which mitigation efforts apply. We are unaware of any cases in which a compensatory mitigation program has resulted in a significant increase in sage grouse compared to an untreated landscape. The fact that "compensatory mitigation" funding frequently is used to purchase conservation easements is problematic, because this is a paper transaction with legal ramifications preventing future potential losses, but can never yield population gains to offset the very real and immediate losses of sage grouse habitats and populations incurred as a result of industrial development.

Comment Number: IDMTSG-14-0153-8

Comment Excerpt Text:

Please evaluate the scientific basis for the effectiveness of timing limitation stipulations as an alternative to no surface occupancy stipulations, using the scientific studies cited in these comments and any other studies that examine the changes in sage grouse populations when drilling and construction activities are allowed within 4 miles of sage grouse leks, but construction and drilling activities are prohibited during the breeding and nesting seasons.

Comment Number: IDMTSG-14-0157-1

Comment Excerpt Text:

The DEIS continues this approach by failing to provide any current information on Sage-grouse populations in Idaho even though population numbers were obtainable in 2007 pursuant to the Service's findings. BLM should update its population counts in Idaho before publishing the Final Environmental Impact Statement ("FEIS") and Record of Decision. In

addition, BLM, working with the Service, should determine how many birds are necessary to avoid a listing under the ESA so that the public and the agencies can accurately understand the situation as it currently exists and as it may need to change rather than simply relying on trend data as set forth in DEIS Section 3.2.1.

Comment Number: IDMTSG-14-0157-9

Comment Excerpt Text:

Y-3 II is concerned about the lack of discussion within the DEIS of the impact of predators and disease on Sage-grouse populations. Disease and predation are among the explicit factors that the Secretary must consider when determining whether to list a species as threatened or endangered. 16 U.S.C. § 1533(a)(1)(C). Y-3 II recognizes that the Service concluded that disease and predation were not significant threats to the species so as to require a listing under the Act. However, the Service did provide significant details on the effects of both West Nile Virus and predation in its warranted but precluded finding. See 75 Fed. Reg. at 13966-973. Specifically, the Service's discussion of disease is dominated by West Nile Virus analysis. It is an important issue in southern Idaho where Y-3 II operates. Idaho identified West Nile Virus as a threat in 2006. See Table 1.2. For example, Sage-grouse hunting in adjacent Owyhee County was closed in both 2008 and 2009 due to population declines resulting from West Nile Virus. *Id.* at 13968. The disease has been detected in ten states and one Canadian province and Sage-grouse survival is extremely low. *Id.* at 13969. The Service notes the need for a comprehensive monitoring program to determine the extent and effects of the disease range-wide. The disease is a "significant mortality factor for greater sage-grouse when an outbreak occurs " *Id.* At 13970.

Comment Number: IDMTSG-14-0159-24

Comment Excerpt Text:

Additionally, new data and research published by Gibson et al. (2011) have refuted the frequently repeated belief that there is a no additive demographic effect of hunting on sage-grouse

populations. Thus, the hunting of populations within Idaho will have an effect not only on those populations but also on nearby populations that are not hunted (but are genetically and demographically linked by dispersal) throughout the range of the GRSG in the Western United States.

26. See M. Maxwell, “BLM’s NTT Report: Is It the Best Available Science or a Tool to Support a Pre-Determined Outcome”, Northwest Mining Association (2013). A copy of this report is attached hereto as Exhibit 9 and incorporated herein by reference. [Hereinafter “Maxwell Report”].

Comment Number: IDMTSG-14-0159-25

Comment Excerpt Text:

Landscapes with less than 30% area in sagebrush within 6.4 km of lek center have the lowest probability of lek persistence. In response to this data, Governor’s Alternative takes a conservative approach to allow for quicker reaction time. A “soft” trigger is set at a 10% loss of breeding or wintering habitat in CHZ or IHZ within a Conservation Area. A “hard” trigger is set at a 20% loss of breeding or winter habitat in CHZ within a Conservation Area.

Comment Number: IDMTSG-14-0160-2

Comment Excerpt Text:

[APLIC requests that the BLM consider these new studies, which use current telemetry techniques and specifically investigate sage-grouse responses to power lines, when addressing power lines in its LUP update.]

Messmer, T., A., R. Hasenyager, J. Burruss, and S. Liguori. 2013. Stakeholder contemporary knowledge needs regarding the potential effects of tall structures on sage-grouse. *Human-Wildlife Interactions*

7(2):273-298.

Nonne, D., E. Blomberg, and J. Sedinger. 2011. Dynamics of Greater Sage-grouse (*Centrocercus urophasianus*) populations in response to transmission lines in central Nevada. Progress Report: Year 9.

December 2011. Department of Natural Resources and Environmental Sciences, University of Nevada, Reno. 79pp.

Comment Number: IDMTSG-14-0167-1

Comment Excerpt Text:

Under the heading “Population Estimates/Status” within the “Sage-Grouse ESA Species Listing Form,” there are numerous cases of admission to the fact that methodology reliant upon male lek counts in extrapolating data to determine total species population estimates is “difficult as the relationship of those data to actual population size (e.g. ratio of males to females, percent unseen birds) is usually unknown (WAFWA 2008, p.3; Fedy and Aldridge 2011, p.17).”

Subsequently, all estimates of sage-grouse populations are inadequate to qualify as quality data under the U.S. DOI Information Quality Guidelines Section II: 4 (a) and (b)

Comment Number: IDMTSG-14-0167-6

Comment Excerpt Text:

Not knowing an accurate control number for sage-grouse prior to implementing any management treatment (whether its ESA listing or stricter management) is un-scientific and would determine invalid results that no proper conclusions could be drawn to infer upon the greater sage-grouse population.

Comment Number: IDMTSG-14-0168-20

Comment Excerpt Text:

I - 18

"If current trends in wildfire, populations and habitat activities continue, then populations of sage-grouse in MZ IV are estimated to decline by 55 percent between 2007 and 2037, and by 66 percent in MZ II (USFWS 2010, citing unpublished version of Garton et al. 2011).

Modeling suggests that if current conditions and trends continue, at least 13 percent of the GRSG populations may decline below effective population sizes of 50 within the next 30 years and at least 75

percent of the populations may decline below effective population sizes of 500 within the next 100 years (Garton et al. 2011)."

Comments:

Why was the unpublished version of Garton et al. 2011 cited? If these predictions are not in the final version of Garton et al they should not be used. Citations of citations of unpublished versions of reports are NOT the best available science.

Comment Number: IDMTSG-14-0169-25

Comment Excerpt Text:

Sage-grouse management guidelines recommend that grazing maintain = 18 cm grass height in nesting and brood-rearing-rearing habitat (Connelly et al. (2000); see also Braun et al. 2005). Gregg et al. (1994: 165) noted that "[I]and management practices that decrease tall grass and medium height shrub cover at potential nest sites may be detrimental to sage grouse populations because of increased nest predation. ... Grazing of tall grasses to <18 cm would decrease their value for nest concealment. ... Management activities should allow for maintenance of tall, residual grasses or, where necessary, restoration of grass cover within these stands." Kaczor (2008: 26) found that taller grass height was positively correlated with sage-grouse nest success in South Dakota and recommended that "[I]and managers should attempt to leave or maintain maximum grass heights [greater than or equal to] 26 cm, the inflection point for 50% nest success." Because sage-grouse nesting generally begins prior to the onset of the growing season, residual vegetation from the previous year dictates available hiding cover (Cagney et al. 2010). Consequently, management must ensure that grass height averages = 18 cm after the growing season to support sage-grouse nesting the following year.

Comment Number: IDMTSG-14-0169-33

Comment Excerpt Text:

Best Available Information

The plan should consider important, new information concerning sage-grouse and sagebrush steppe.

The National Environmental Policy Act requires agencies to use "high quality" information in planning (40 C.F.R. § 1500.1(b)) and the BLM's own sensitive species policy requires the agency to "obtain and use the best available information deemed necessary to evaluate the status of special status species in areas affected by land use plans" (BLM Manual 6840.22A) (see also BLM NEPA Handbook H-1790-1, 6.8.1.2 (January 2008), "Use the best available science to support NEPA analyses..."). The Forest Service, a cooperating agency in the Planning Strategy, also committed to using best available science in land use planning in its transitional 2000 planning rule (36 CFR § 219.35) and its new 2012 planning rule (77 Fed. Reg. 21162). Finally, planning criteria for the draft Idaho/SW Montana plan assures that all proposed management actions will be based on current scientific information and technology (vol 2, 1-35). The following new information related to sage-grouse and sagebrush steppe was published during preparation of the draft plan and should be considered in the final plan, as appropriate.

I. Beschta, R. L., D. L. Donahue, D. A. DellaSala, J. J. Rhodes, J. R. Karr, M. H. O'Brien, T. L. Fleischner, C. Deacon-Williams, Cindy. 2012. Adapting to climate change on western public lands: addressing the ecological effects of domestic, wild, and feral ungulates. Environmental Management, available at http://fes.forestry.oregonstate.edu/sites/fes.forestry.oregonstate.edu/files/PDFs/Beschta/Beschta_2012EnvMan.pdf.

2Sage-Grouse Recovery Alternative for criteria for designating sagebrush reserves, p. 41 (www.sagebrushsea.org/pdf/Sage-Grouse_Recovery_Alternative.pdf).

- Domestic livestock and other ungulates alter vegetation, soils, hydrology, and wildlife species composition and abundances that exacerbate the effects of climate change on western landscapes. Removing or reducing livestock grazing across large areas of public land would alleviate a widely recognized and

long-term stressor and make ecosystems less susceptible to the effects of climate change.

2. Knick, S. T., S. E. Hanser, K. L. Preston. 2013. Modeling ecological minimum requirements for distribution of greater sage-grouse leks: implications for population connectivity across their western range, U.S.A. *Ecology and Evolution*, available at <http://onlinelibrary.wiley.com/doi/10.1002/ece3.557/pdf>.

- Sage-grouse require sagebrush-dominated landscapes containing minimal levels of anthropogenic disturbance. Ninety-nine percent of remaining active sage-grouse leks were in landscapes with less than 3 percent disturbance within 5 km of the lek, and 79 percent of the area within 5 km was in sagebrush cover.

3. Copeland, H. E., A. Pocewicz, D. E. Naugle, T. Griffiths, D. Keinath, J. Evans, J. Platt. 2013. Measuring the effectiveness of conservation: a novel framework to quantify the benefits of sage-grouse conservation policy and easements in Wyoming. *PLoS ONE* 8(6): e67261. doi:10.1371/journal.pone.0067261. Available at

www.plosone.org/article/fetchObject.action?uri=info%3Adoi%2F10.1371%2Fjournal.pone.0067261&representation=PDF.

- Modeling indicates that the Wyoming sage-grouse core area conservation strategy, fully applied, plus \$250 million invested in targeted conservation easements, would slow, but not stop projected sage-grouse population declines in the state. The Wyoming core area policy prohibits or restricts surface occupancy within 0.6 miles of sage-grouse leks, generally limits development to one site per 640 acres, and limits cumulative surface disturbance to 5 percent per 640 acres in core habitat.

4. Taylor, R. L., J. D. Tack, D. E. Naugle, L. S. Mills. 2013. Combined effects of energy development and

disease on greater sage-grouse. *PLoS ONE* 8(8): e71256. doi:10.1371/journal.pone.0071256. Available at

<http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0071256>.

- The predicted cumulative impact of dense fluid minerals development (3.1 wells/km²) and West Nile virus outbreaks on greater sage-grouse quadrupled inactivity at leks in northeast Wyoming compared to the individual impacts of development or disease. Noting the deleterious effects of cumulative impacts on sage-grouse, the researchers concluded that "conservation measures should maintain sagebrush landscapes large and intact enough so that leks are not chronically reduced in size due to energy development, and therefore vulnerable to becoming inactive due to additional stressors." They also advised "placing new developments outside of core [habitat] areas has the greatest likelihood of sustaining [sage-grouse] populations."

5. Howe, K. B., P. S. Coates, D. J. Delehanty. 2014. Selection of anthropogenic features and vegetation characteristics by nesting Common Ravens in the sagebrush ecosystem. *Condor* 116: 35-49.

- The proximity of transmission lines was, among other factors, predictive of nest location for common ravens in/near sagebrush steppe. The research supports other findings that transmission lines subsidize ravens, a predator of sage-grouse.

Comment Number: IDMTSG-14-0169-41

Comment Excerpt Text:

Failure to map sage-grouse winter habitat could be grounds for remanding an RMP/EIS back to BLM to address the omission. *WWP v. Salazar*, 4:08-CV-516BLW, Slip Op. at 3.

Comment Number: IDMTSG-14-0178-30

Comment Excerpt Text:

Local Issues (I-11) – The final LUPA/EIS must acknowledge that threats, such as overabundant predator populations, vary at the local level. Solutions are best made closer to the ground which is what makes Alternative E move effective and practical.

Comment Number: IDMTSG-14-0179-12

Comment Excerpt Text:

Activities must not result in a decrease in sage-grouse populations within the given Conservation Area. Negative effects from energy infrastructure have been measured up to 12.4 km from leks.⁴ Within high potential areas in the IHZ, we recommend a disturbance threshold of 3% instead of 5%. As discussed earlier, strong protective measures need to be implemented within the IHZ and it is well-documented that a 5% threshold is insufficient to protect sage-grouse.⁵ Limiting the density of development features to no more than one well pad per square mile is a significant factor in conserving sage-grouse as well. ⁶ The NTT report also recommends utilizing closed-loop drilling systems.

⁴ Taylor, R.L., D.E. Naugle, L.S. Mill. 2012. Viability analysis for conservation of sage-grouse populations: Buffalo Field Office, Wyoming. BLM Contract 09-3225-012; Number G09AC00013. Final Report. Prepared for Bureau of Land Management, Buffalo Field Office. Buffalo, WY.

⁵ Manier, D.J., D.J.A. Wood, Z.H. Bowen, R.M. Donovan, M.J. Hollaran, L.M. Juliusson, K.S. Mayne, S.J. Oyler-McCance, F.R. Quamen, D.J. Saher, and A.J. Titolo. 2013. Summary of science, activities, programs, and policies that influence the rangewide conservation of Greater Sage-Grouse (*Centrocercus urophasianus*). U.S. Geological Survey Open-File Report 2013-1098, 170 p., <http://pubs.usgs.gov/of/2013/1098/>.

⁶ Copeland, H.E., A. Pocewicz, D.E. Naugle, T. Griffiths, D. Keinath, J. Evans, and J. Platt. 2013. Measuring the Effectiveness of Conservation: A Novel Framework to Quantify the Benefits of Sage-Grouse

Conservation Policy and Easements in Wyoming. LOOS ONE 8(6): e67261.

Doi:10.1371/journal.pone.0067261.

Comment Number: IDMTSG-14-0182-3

Comment Excerpt Text:

The estimate of how much GRS habitat has been lost is speculative. Connelly (2004) used a hypothetical "pre-European sage grouse distribution" but provides no data or evidence of historic sage grouse habitat or populations. The Final EIS must be based on science, not speculation. Connelly's 2004 monograph relies on extensive GIS analysis to translate speculative habitat conditions into theoretical historical habitat, which is then compared to current potential sage grouse habitat. The theoretical habitat loss since European settlement is calculated through this exercise. Areas known to be occupied historically by sage grouse were not included, and areas where there is no data of sage grouse occupancy are included.

Comment Number: IDMTSG-14-0182-9

Comment Excerpt Text:

More efficient operations and mitigation efforts further documented in Ramey, Brown, and Blackgoat (2011). Neither the DEIS nor the NIT Report acknowledges that nearly all of these measures have been implemented in the years since Holloran's data gathering occurred (from 1997 to 2003).

Comment Number: IDMTSG-14-0183-10

Comment Excerpt Text:

Power line collisions accounted for 33 percent of juvenile (1st winter) mortality in low-elevation areas in Idaho (Beck and others, 2006). (Manier et al. [2013])

Beck et al. (2006) reported 2 out of 43 (4.6%) radio-tracked sage grouse killed by colliding with a powerline. The total number of grouse that have been reported in the literature as being killed by colliding with a powerline is 3. One was reported by Connolly et al. (2000) and 2 by Beck et al.(2006). This citation is misleading in reporting only juvenile

mortalities and suggests that colliding with powerlines is common and constitutes a major mortality factor.

Comment Number: IDMTSG-14-0183-11

Comment Excerpt Text:

Poles and towers associated with transmission lines have been shown to influence raptor and corvid distributions and hunting efficiency resulting in increased predation on sage-grouse (Steenhof and others, 1993; Connelly and others, 2004). (Manier et al. [2013])

Steenhof et al. (1993) documents ravens and raptors colonizing a newly built 50-kV transmission line. Connelly et al. (2004) references Steenhof et al. (1993) to state that raptors and ravens perch and nest on poles and towers and may prey on sage grouse. No information or data is provided in either citation as to whether poles and towers influence hunting efficiency, resulting in increased predation on sage grouse.

Comment Number: IDMTSG-14-0183-27

Comment Excerpt Text:

Pg. 2-70.

Table 2-7 Fine-Scale Indicators Suitability Characteristics for GRSG Lek Sites

Suitable Habitat Characteristics: Trees or other tall structures are not within line of sight of lek and absent or uncommon within 3 km of the lek.

Very limited information is available on the direct behavioral response of sage-grouse to tall structures. Walters et al. (2014) reviewed the effect of tall structures on birds, primarily functional habitat loss due to avoidance. They did not detect any consistent response to tall structures and concluded that a structure's "tallness" could not be isolated from other factors associated with the development such as human activity. The most frequently cited literature supposedly providing evidence of avoidance of tall structures by sage-grouse are either unpublished or non-peer reviewed reports (Ellis 1985, 1987; Braun 1998; Braun et al. 2002). There is no empirical

evidence that "tall structures" would impact leks up to 3 km.

Recent Studies have shown that sage-grouse responses to tall structures are variable and do not necessarily show avoidance of structures and associated habitat. LeBeau (2012) also found that sage-grouse selected nesting habitat closer to transmission lines that have existed for over 10 years and are within quality habitat at Simpson Ridge. Also, female survival in the study area was greatest at closer proximity to the transmission lines. Nest site selection was higher closer to transmission lines in one study area and not a factor in the other study area. Brood rearing habitat selection in one study area increased with distance to the transmission line up to 4.7 km and then declined, but in the other study area brood rearing habitat selection was highest in the area around the transmission line. The risk of nest failure increased as distance from the transmission line increased. Brood survival was not impacted by distance to transmission lines. The study found female survival was highest near the transmission lines throughout the study area. Long-term studies associated with the Falcon-Gondor transmission line Nonne et al. (2013) conducted a 10-year study of greater sage-grouse in response to a (major) transmission line in central Nevada and reported that habitat conditions had the greater effect on sage grouse nests, brood success, and overall survival than did proximity to the transmission line.

Comment Number: IDMTSG-14-0183-3

Comment Excerpt Text:

Messmer et al. (2013), citing UWIN's stakeholder-based literature and knowledge-based review of tall-structure impacts on sage grouse, states that "Stakeholder's concluded that there were no results in the published, peer-reviewed literature of experimental studies designed to evaluate the potential landscape effects of tall structures on sage-grouse." The article goes on to state the following:

Stakeholders concluded that a major impediment they encountered in reviewing the papers or reports

cited regarding the potential effects of tall structures on sage-grouse were largely related to a lack of BACI experimental designs. Specific stakeholder concerns included:

(1) observational studies or observations based on personal communication or unpublished data; (2) inadequate descriptions of control and treatments or pre-existing habitat conditions;

(3) inferences to sage-grouse from studies conducted on other species;

(4) retrospective studies that did not quantify related environmental conditions;

(5) inappropriate or misuse of citations; (6) the use of results from cumulative impact studies of other energy development to make inferences about the effects of tall structures on sage-grouse; and

(7) small sample sizes.

(Utah Wildlife-in-Need Foundation 2010)

These same limitations plague the BLM's Draft Land Use-Plan Amendment (LUPA)/EIS evaluation of powerline impacts. The literature and research findings used by the BLM appear selective, at times appear misrepresentative of the actual research results, use observations as if they are peer reviewed research, and fail to recognize the contradictory findings in studies.

Comment Number: IDMTSG-14-0183-30

Comment Excerpt Text:

Pg. 3-11 and 3-12. Predation

Predation is the most commonly identified cause of direct mortality for GRSG during all life stages (Connelly et al. 2011; USFWS 2010a citing others), but studies suggest that predation is not limiting populations (Hagen 2011).

In areas where habitat is not limited and of good quality, predation is not a threat to the persistence of the species (USFWS 2010a). However, predation may

limit population growth in fragmented habitats or areas where predator populations have supplemental food sources, [...], or where electrical transmission or other human-made structures facilitate nesting and perching by avian predators such as ravens (Howe 2012; Hagen 2011).

These statements are in apparent contradiction. At the one hand, the BLM argues that predation is not limiting greater sage-grouse populations, or not a threat to greater sagegrouse if "habitat is not limited and of good quality". Electrical transmission lines or human-made structures may facilitate nesting and perching by avian predators, but the direct impacts of human-made structures to nesting populations of greater sage-grouse have not been clearly demonstrated given all other environmental factors that influence predators and habitat conditions. In fact, Walters et al. (2014) in a review of the effects of tall structures on birds and concluded that none of the reviewed studies provided data on presence of predatory birds or measured survival associated with distance from a structure. Moreover, ideas presented in the discussion of the reviewed papers presented as hypotheses to explain an observed pattern were assumed by other researchers to represent an empirically tested causal mechanism. Howe (2012) showed that transmission lines, in association with human presence in the landscape, and non-native habitat increased the likelihood of the presence of common ravens. However, if habitat is not fragmented, or otherwise degraded and there are no food subsidies available to common ravens, there is little evidence that common ravens are impacting greater sage-grouse populations. Nonne et al. (2013) conducted a 10-year study of greater sage-grouse in response to a (major) transmission line in central Nevada and reported that habitat conditions had the greater effect on sage grouse nests, brood success, and overall survival than did proximity to the transmission line. Furthermore, Nonne et al. (2013) found no evidence that predation increased with distance to the transmission line, because nest survival and female survival did not show a relationship to distance to the line. Thus, assuming increased predation by avian predators, including

common ravens with the presence of either an existing or newly-built distribution/transmission line is too simplistic and does not take into account other parameters that influence predator presence and likelihood of greater sage-grouse nest predation.

Comment Number: IDMTSG-14-0183-34

Comment Excerpt Text:

GRSG exhibit extremely high site fidelity which strongly suggests that unfamiliarity with new habitats may also reduce survival (Baxter et al. 2008), as evidenced in other grouse species (Yoder et al. 2004). GRSG avoid other anthropogenic features such as roads, power lines, oil and gas wells, and buildings (Lyon and Anderson 2003; Pruett et al. 2009).

This is an inaccurate characterization of the (potential) effects of powerlines on alleged avoidance behavior of sage-grouse of “tall structures”. Very limited information is available on the direct behavioral response of sage-grouse to tall structures. The most frequently cited literature supposedly providing evidence of avoidance of tall structures by sage-grouse are either unpublished or nonpeer reviewed reports (Ellis 1985, 1987; Braun 1998; Braun et al. 2002). Avoidance by sage-grouse of leks and habitats that are near energy developments have been well documented (Lyon and Anderson 2003, Holloran et al. 2010, Walker et al. 2007, Hess and Beck 2012).

Recent studies have shown that sage-grouse responses to tall structures are variable and do not necessarily show avoidance of structures and associated habitat. LeBeau (2012) found that sage-grouse did not avoid wind turbines during the nesting and brood-rearing periods, but selected for habitats closer to turbines during the summer season. Although sage-grouse nest and brood survival decreased in habitats in close proximity to wind turbines, female survival appeared not to be affected by wind turbines. Also, wind energy infrastructure appears not to be affecting male lek attendance 4 years post development. Ongoing studies associated with the Falcon-Gondor transmission line (Nonne et

al. 2011, 2013) did not show avoidance behavior of radio-tracked sage-grouse of tall structures (powerline corridors).

Pruett et al. (2009) examined radio-telemetry tracking locations of lesser prairie chicken and greater prairie chicken in Oklahoma, not greater sage-grouse. Furthermore, Pruett et al. (2009) did not provide the contextual details of the study area that allow for the assessment of effect magnitude.

Comment Number: IDMTSG-14-0183-4

Comment Excerpt Text:

Following are examples of literature used in the Draft LUPA/EIS and by Manier et al. (2013), which is relied on heavily in the Draft LUPA/EIS document.

Observational Study or Observations Based on Personal Communication or an Unpublished Study

GRSG may abandon leks if repeatedly disturbed by raptors perching on power lines or other tall vertical structures near leks (Ellis 1984), by vehicular traffic on roads (Lyon and Anderson 2003) or by noise and human activity associated with energy development (Braun et al. 2002; Holloran 2005; Kaiser 2006). (Idaho/Montana [ID/MT] Draft LUPA/EIS)

Ellis (1984) describes the behavioral response of sage grouse to golden eagles at a lek.

Some males flushed, others remained (“master cocks”) and continued displaying after a while.

There is no evidence provided that the lek was abandoned because of the presence of golden eagles. IPC suggest the BLM carefully evaluates Ellis (1984) and makes changes to the statement in the Draft EIS accordingly.

Manier et al. (2013) - Braun (1998b) reported that use of areas near transmission lines by sage-grouse increased as distance from transmission lines increased up to 1970 ft (600 m). (Presentation abstract from unpublished data) Braun (1998) did not provide information on how many transects were established, the frequency and timing of surveys, and

habitats that were surveyed. No controls or treatments were identified. This is unreliable data and should not be perpetuated as science.

Comment Number: IDMTSG-14-0183-5

Comment Excerpt Text:

GRSG avoid other anthropogenic features such as roads, power lines, oil and gas wells, and buildings (Lyon and Anderson 2003; Pruett et al. 2009).

(ID/MT Draft LUPA/EIS)

Pruett et al. 2009 evaluates the response of prairie chicken to roads and powerlines, not greater sage grouse. They found that prairie chickens avoided the powerline by at least 100 meters (m) and documented prairie chickens crossing powerlines, finding that 17 fewer prairie chickens with locations within 2 kilometers (km) of the powerline crossed the line 1 to 4 times. They also found that 8 greater prairie chickens with locations within 2 km of the powerline crossed the line 2 to 5 times. An analysis of the data showed prairie chickens crossed the powerline less often than expected if birds moved randomly. No attempt was made in the study to relate movements to other habitat features present in the landscape, including agricultural fields, oil/gas wells and houses, which were present in the same landscape but not accounted for in the analysis of the data, potentially confounding the outcome of this investigation.

Comment Number: IDMTSG-14-0183-6

Comment Excerpt Text:

One study reported that the frequency of raptor/GRSG interactions during the breeding season increased 65 percent and golden eagle interactions alone increased 47 percent in an area in pre- and post-transmission line comparisons (Manier et al. 2013, pp. 81-82). (ID/MT Draft LUPA/EIS)

The data provided by Ellis (1985) in an unpublished report and incorrectly quoted by

Manier et al. (2013), lack detailed information and do not provide firm evidence for most of the study conclusions. Therefore, Ellis (1985) conclusions, as

quoted by Manier et al. (2013), cannot be substantiated and should be interpreted with caution rather than accepted as fact. Specifically, there is scant evidence that sage grouse do not tolerate construction of a new transmission line near a lek (200 m). Raptors will use transmission towers as perching and hunting sites, but there is no evidence this would result in increased predation of sage grouse. Ellis (1985) conducted his study during 3 field seasons (1983 through 1985); 2 years prior to construction (1983 and 1984) and 1 year after the construction (1985) of a new transmission line. The number of sage grouse displaying decreased over the period of study at the observed lek but increased at a “new” lek discovered in 1985, 1 km from the observed lek (Ellis 1987). It is unclear if the new lek discovered in 1985 had been used in previous years and could be considered a satellite lek. Interestingly, Walker et al. (2007) grouped leks within 2.5 km of each other in the same lek complex to avoid lek-count problems with leks close to each other. Therefore, the conclusion drawn by Ellis (1985) is premature because sage grouse could either be displaced by golden eagles perching on the (newly) constructed transmission line or some other dynamic that influenced sage grouse leks.

Comment Number: IDMTSG-14-0186-10

Comment Excerpt Text:

Relative to assessment of trends concurrent with the current LUPs, Garton et al 2011 should not be relied upon, for at least six reasons:

The first reason is that Garton et al 2011 uses “effective population sizes” that have not been established as relevant for Sage-grouse, at least as so far as I could determine from reading Garton et al 2011.

The second reason is that Garton et al 2011 analyzes a period of 1965-2007; however, the period of 1965-1980 pre-dates the existence of almost all, if not all, of the LUPs that comprise Alternative A. To condemn management under the existing LUPs, one cannot reasonably start with an extremely high baseline (i.e. sage-grouse populations in 1965) which

pre-dates the existence of, and beneficial effects of, the various LUPs.

The third reason is that Garton et al 2011 uses discreet, but ARBITRARY, five-year time periods. It is not rational to conclude that a population size in, for example, 1980, was not influenced by the population size in 1979; that the population size in 2000 was not influenced by the population size in 1999, and so on. I am not a statistician, but as a biologist it seems more reasonable to conduct analyses upon a running five year average, rather than discreet “chunks of time” that are entirely arbitrary. Why, for example, did Garton et al 2011 not begin with the most recent data (i.e. 2007) and work their way back through 5-year time periods? It is entirely likely that the numbers generated would look different, and the conclusions may be different, depending on where one “starts and stops the clock”.

The fourth reason is that the analysis is biased toward the negative when the data do not present such negative:

One example is found at Garton’s Table 15.52 (Knicht et al 2011, p. 350), and the accompanying narrative, wherein Garton states, relative to the Snake River Plain Management Zone, that “The proportion of active leks decreased over the assessment period, declining from 88% in 1975-1979 to 64% by 2005-2007 (Table 15.52).” However, as to the “proportion of active leks”, the total number of leks counted increased by 563% from the 1965-70 period (when researchers generally agree only the largest leks and/or easiest to access were counted – thus resulting in a relatively high “proportion of active leks”). Through time, as some groups of birds moved to new leks², the “inactive” leks continued to be “counted.” Additionally, Table 15.52 indicates that more than five-times as many leks were active in 2002-2007 (643 leks) as were active in 1965-1970 (125 leks). This is like saying, “In 1965 my parking lot contained 146 parking spots (counted leks), and 125 of those spots had vehicles parked in them. We expanded our parking lot over time until in 2007 we had 1012 parking spots (counted leks) and 643 of

those spots had vehicles parked in them. Therefore we have a downward trend in the population of vehicles.” This is not a reasonable conclusion.

Further as to Garton et al. 2011, the narrative states, relative to the Snake River Plain Management Zone that “Population trends, as indicated by average number of males per lek decreased over the assessment period by 54%, and average number of males per active lek decreased by 39% (Table 15.52).” However, this statement is relative only to the false “timeline” that starts in 1965, i.e., about 15 years before any of the current LUPs were in place. (See also fifth reason, below). Table 15.52 reports that there has not been any decline between 1980-84 and 2000-07. The 1980-84 period saw an average of 19 males/active lek, whereas in 2000-07, there were 20 males/active lek. This is a 5% increase in males/active lek. It is also a 35% increase over the 1995-99 period (which itself was the lowest level in the 1980-2007 period).

2 I have personal knowledge of a population of sage-grouse changing lek locations from a site on BLM land where a meadow (created by a livestock trough overflow in a sagebrush-dominated crested wheatgrass seeding) was used for lekking until the adjacent Forest Service land, also severely dominated by sagebrush, burned. Once the population had a new open area on the Forest, they moved the lek to the Forest, and ceased to use the BLM (now “inactive”) lek. In this individual case, the “proportion of active leks” went from “100%” to “50%”, since the agencies continue to consider the original lek site. Further there exists “little published research documenting the fluidity of lek establishment, formation, and extinction.” Connelly et al 2004.

The fifth reason is that Garton et al 2011 analysis only begins in 1965, and does not assess against the longer term of sage-grouse populations at the time of European settlement or even the date of passage of the Taylor Grazing Act. Instead, 1965 was during a time of long-term high-intensity predator control, including control of coyotes, eagles, hawks, ravens, and other avian and mammalian predators. For

example Compound 1080 (sodium fluoroacetate) was used extensively on the federal rangelands from about the 1940s through about 1972. Likewise, M-44s (containing sodium cyanide) had a long history of use for predator control, and was also banned on federal rangelands in 1972. In addition, there were much higher numbers of sheep, and therefore sheepherders with their guns and dogs, during the 1960s than there have been since 1980. It is highly likely that the high numbers of sage-grouse, deer, and other prey species that existed during that time period, is directly correlated to the 1940s-through-1970s long-term spacial and temporal predator control. The 1965 (and surrounding) sage-grouse numbers must therefore be considered an artificially elevated number of sage-grouse (above that which existed prior to the 1940s or after the 1970s).

The sixth reason is that Garton et al 2011 is itself based upon methods of counting sage-grouse on leks that are themselves not consistent and/or consistently applied, and the underlying base data is not uniformly collected.

However, if Garton et al 2011 is relied upon, it demonstrates that only a small percentage of populations (13% of the populations, but NONE of the SMZs) are predicted to decline below “effective population size” within the next 30 years. The agencies, if they rely upon Garton et al 2011, should concentrate on management and restoration of the areas associated with those populations (not the SMZs and not the overall population) identified by Garton.

Comment Number: IDMTSG-14-0186-16

Comment Excerpt Text:

26. Page 2-71 [141]. Table 2-8 does not reflect the best science, at least relative to residual vegetation heights. Connelly et al 2000 (and other researchers) measured residual vegetation after the hens had left the nest, and in some cases after hens had entirely vacated the study area. See Hausleitner et al 2005.

27. Page 2-71 [141]. Table 2-8 provides no literature source for Footnote 2. Such source is NOT Connelly et al 2000.

Comment Number: IDMTSG-14-0186-18

Comment Excerpt Text:

Page 2-73 and 2-74 [143 and 144]. The DEIS fails to identify how maximum lek counts within the whole population area constitutes “best science”, when it is established that counts associated with lek routes provide more reliable data. Connelly et al 2004 state that “lek routes are preferable to lek counts because they should increase the probability of detection of male grouse”. Connelly et al 2004, p 6-7[204]. Further, these authors stated that: “Standard techniques for censusing leks have been available for a number of years (Patterson 1952, Eng 1963, Jenni and Hartzler 1978, Emmons and Braun 1984) and were recently summarized (Connelly et al. 2003). Connelly et al.(2003) differentiated between lek survey, lek count and lek route (see Population Database section in this chapter) and recommended the use of lek routes whenever possible.” Connelly et al 2004, p. 6-16 [213].

Comment Number: IDMTSG-14-0186-19

Comment Excerpt Text:

Page 2-73 [143]. The document states that “Connelly et al (2000) suggested at least 80 percent of a seasonal habitat’s area should reflect rangeland characteristics indicative of productive GRS habitat as noted in the Guidelines”, and that a “loss of 10% of nesting and winter habitat were also selected as triggers, since these are especially important for population maintenance.” However, Connelly et al 2000 did not make the stated suggestion relative to all habitats, and that paper specifically recommends “>40%” relative to brood rearing habitat. Therefore, there is no rational basis to apply “80%” (i.e. a trigger of 20%) to brood rearing habitat based upon Connelly et al 2000. Likewise, Connelly et al 2000 did recommend the “80%” relative to nesting and winter habitats, and there exists no rational basis to apply “90%” (i.e. triggers of 10%) relative to these habitats based upon Connelly et al 2000. If any “triggers” are

adopted in the final document, the final document should accurately portray Connelly et al 2000.

Comment Number: IDMTSG-14-0186-24

Comment Excerpt Text:

Page 2-139 [209]. E-LG/RM-13. While the idea of retaining residual vegetation for nesting sage-grouse is proper, the proper criterion is not necessarily reflected in the referenced Appendix D. Appendix D of the Idaho State Plan references Connelly et al. 2000, Hausleitner 2003, and Holloran et al. 2005. However, all three of these works report residual vegetation cover and height post-hatch, and in at least the case of Holloran et al 2005, post-evacuation of the area by all hens. These do not reflect residual heights at the time of nest initiation, because plants continued to grow while nesting was occurring. In contrast, Hausleitner et al, 2005 assessed available residual heights at nest-initiation, at nest bushes that had been successful in the previous year. Hausleitner et al 2005 should be relied upon. This same comment applies to E-LG/RM-14 at 2-139 to 2-140 [209-210], and to wherever the Idaho State Plan Appendix D "standards" are described.

Comment Number: IDMTSG-14-0186-27

Comment Excerpt Text:

Appendix I reports that grasslands and areas of juniper are included as PPH. However, tills is a discretionary administrative Decision, in and of itself, that should have been subject to the NEPA and Decision making process. In other words, BLM & FS included areas that are specifically known NOT to support sage-grouse, and included them as areas of "highest priority". This is pre-deciding what is "critical habitat". This is not a biological fact, but instead is a LUP-level decision as to what areas BLM will manage for sage-grouse. The agencies should withdraw the current DEIS/LUPA, provide opportunity for the public to comment upon what vegetation types constitute the "highest conservation value", should issue a LUPA on such designation, and only then should rerelease the (amended and corrected) DEIS relative to how to manage such areas.

Comment Number: IDMTSG-14-0186-3

Comment Excerpt Text:

BLM's modeling of habitat is first of all flawed in at least three ways. The first way is that BLM did not use all of the available lek count years that are available, and did not provide a rational basis for why it included or excluded certain years. The second is that BLM did not follow the best science, i.e. Connelly et al 2000, and included leks that had been used only one year out of the past five, rather than two years out of the past five. The third way is that BLM applied a "buffer" which is not supported by the best science (i.e. Connelly et al 2000, Knicht et al 2011).

Comment Number: IDMTSG-14-0186-7

Comment Excerpt Text:

The document appears to contain numerous internal inconsistencies. Appendix I reports 5% sagebrush cover as "suitable" in Montana (Appendix I), whereas 10% is required at page 2-68 [pdf 138]. Likewise, Connelly et al 2000 reports that 80% (or 40%) of sage-grouse-occupied rangeland should be maintained with certain characteristics, whereas the NTT states that 50-70% of the seasonal habitats should contain those same characteristics. I could find no rational basis expressed for the DEIS's use of 70% for analysis (Appendix I). While this appears to "split the baby", Connelly et al 2000 and the NTT are two disparate recommendations that are not scientifically rectified/justified by the DEIS.

Comment Number: IDMTSG-14-0186-9

Comment Excerpt Text:

Overall, the "best available science" is not consistently used. For example, as to residual vegetation heights for nesting sage-grouse, the entire document is silent to the fact that the cited authors measured residual vegetation after the hens had left their nests, not at nest-initiation. Hausleitner et al 2005 I is not even referenced by the document, let alone relied upon; however, Hausleitner et al 2005 established that residual heights of 3.5-3.9 inches characterized the nest bowl and surrounding 1 meter around the nest bowl at the time of nest-initiation.

Significant vegetative growth occurs between nest-initiation and post-hatch.

I Hausleitner, Doris, K.P. Reese, and A.D. Apa. 2005. Timing of Vegetation Sampling at Greater Sage-grouse Nests.

Rangeland Ecol Manage 58:553-556.

Comment Number: IDMTSG-14-0203-1

Comment Excerpt Text:

While we understand that on the local level there may need to be consideration of how OHV trails and areas impact the sage-grouse on a case- by-case basis, there seems to be little science supporting OHV use as a substantial factor affecting overall sage-grouse populations.

Comment Number: IDMTSG-14-0204-1

Comment Excerpt Text:

None of the alternatives have habitat maps reflecting habitat using the life cycle of the Sage-grouse.

Comment Number: IDMTSG-14-0206-25

Comment Excerpt Text:

A Literature Review of Transmission Line Effect Distances

ENTER TABLE ON PAGE 25-27

Effect Distance Value	Source	Comments
No effect detected at 5 and 18km of a lek.	(Johnson et al. 2011)	Authors examined trends in lek counts and anthropogenic features (1997-2007). No general pattern/association was found across the entire study area with transmission at tested 5km and 18km of lek.
200 m	(Ellis 1985)	The erection of a transmission line located within 650ft (200 m) of an active sage-grouse lek, and between the lek and day-use areas, in northeastern Utah resulted in a 72 percent decline in the mean number of displaying males and an alteration in daily dispersal patterns during the breeding season within 2 years. This project also reported that the frequency of raptor-sage-grouse interactions during the breeding season increased 65 percent and golden eagle interactions alone increased 47 percent

Effect Distance Value	Source	Comments
		between preand post-transmission line comparisons.
360 m +/- 60, 630 m +/- 40	(Robel et al. 2004)	Data are from a 6 year study of energy development on lesser prairie-chickens in Kansas. Distances are mean (+/- SE) distance to electric power lines avoided by 90% of 187 nesting prairie checking and mean distance to power lines across which 95% of 18,866 telemetry locations of prairie chickens were absent, respectively.
450-650 m	(Hagen et al. 2004)	In Kansas, the average displacement of prairiechicken use sites was about 450 meters from power lines and the average displacement of nests was about 650 meters from power lines.
400m	(Pitman et al. 2005)	Data are from a study on lesser prairie-chickens in Kansas and found that nest proximity was "seldom less than 400 meters from a transmission line" (Table 3)
500m	(Hanser et al. 2011)	Wyoming Basins Ecoregional Assessment: Study of responses of sage-grouse to anthropogenic effects. Authors tested effects at .5 km and 1km and found the most significant effect of transmission lines on sage-grouse abundance at .5 km.
500m	(Pruett et al. 2009)	Oklahoma prairie-chicken study found that displacement of prairie-chickens was at least 500m from a power line.
600 m	(Braun 1998)	In Colorado, pellet transects illustrated declining habitat use by sage-grouse up to 600 meters from power lines.
600 m	(Gillan et al. 2013)	Using a spatial statistical approach with telemetry data from Idaho, this study found that sage-grouse avoided power transmission lines by 600 m.
0-4.7 km	(LeBeau 2012)	A wind turbine effects and infrastructure study that examined infrastructure related to wind development within the two study areas in SE Wyoming and found that the estimated odds of sage-grouse selecting brood-rearing habitat within the Seven Mile Hill study area increased as distance from nearest overhead transmission line increased up to 4.7 km (90% CI: 2.2-18.5 km), then declined. However, LeBeau also found that sage-grouse selected for nesting habitat closer to transmission lines within Simpson Ridge study area.
4.8 km	(Rodgers 2003)	In California, power lines resulted in sage-grouse lek abandonment and reduced lek attendance up to 3 miles away.

Effect Distance Value	Source	Comments
6.4 km	(Steenhof et al. 1993, Connelly et al. 2004)	Additionally, higher densities of power lines within 4mi (6.4 km) of a lek may negatively influence lek persistence. Power lines may be locally significant causes of mortality due to collisions. Potentially more important, poles and towers associated with transmission lines have been shown to influence raptor and corvid distributions and hunting efficiency resulting in increased predation on sage-grouse.

Comment Number: IDMTSG-14-0209-1

Comment Excerpt Text:

We wish to add our completed Local Working Group Conservation Plan to the reference record for the EIS. It can be found at the Idaho Fish and Game's website at: <http://fishandgame.idaho.gov/public/wildlife/sageGrouse/?getPage=174> under North Magic Valley Conservation Plan.

Comment Number: IDMTSG-14-0210-2

Comment Excerpt Text:

Current Literature Does Not Support Sage-Grouse Avoidance of Power Lines

Two recent studies have used radio-telemetry to assess impacts of energy infrastructure on sage-grouse. LeBeau (2012) investigated the impacts of wind facilities and an associated transmission line in Wyoming, and Nonne et al. (2013) released a final report of a 10-year study of a transmission line in Nevada. The Nonne study is currently the only long-term study conducted that specifically evaluates potential impacts of a power line on sage-grouse.

The LeBeau study indicated that habitat quality is a significant influencer of sage-grouse occupancy, regardless of the presence of a transmission line. Sage-grouse selected for nesting habitat closer to transmission lines at Simpson Ridge, where the lines have existed for over 10 years and are within quality habitat. Also, female survival in the study area was greatest at closer proximity to the transmission lines.

While the DEIS cites the LeBeau study, it fails to mention these study results that do not show a negative power line impact. NorthWestern Energy requests that the BLM assess valid scientific studies, regardless of the results.

LeBeau, C.W. 2012. Evaluation of Greater Sage-Grouse Reproductive Habitat and Response to Wind Energy Development in south-Central Wyoming, MS, Department of Ecosystem Science and Management, University of Wyoming. August 2012.

In February 2013, Nonne et al. released the final progress report of a 10-year research study of sage-grouse near the Falcon-Gondor transmission line in central Nevada. This report is the only long term study of impacts from a high voltage transmission line on sage-grouse. The authors were unable to document negative effects on sage grouse which could be explained by proximity to the transmission line. While the Nonne study is included in the literature cited of the DEIS, the results were not mentioned in the DEIS text.

Nonne, D., E. Blomberg, and J. Sedinger. 2013. Dynamics of Greater Sage-grouse (*Centrocercus urophasianus*) populations in response to transmission lines in central Nevada. Progress Report: Year 10. February 2013. Department of Natural Resources and Environmental Sciences, University of Nevada, Reno. 75pp.

Recently Messmer et al. (2013) summarizes stakeholder workshop results and a literature review specifically related to sage-grouse and tall structures, such as power lines. The paper concludes that there are no peer-reviewed, published papers that address sage-grouse interactions with power lines using experimental design (Note: the Nonne et al. (2013) study referenced above is the only study that has used an experimental design to assess impacts of a power line on sage-grouse, but it is not yet published). Preliminary studies of radio-tagged sage-grouse in Utah, also conducted by Dr. Messmer, do not support a power line avoidance theory.

Messmer, T., A., R. Hasenyager, J. Burruss, and S. Liguori. 2013. Stakeholder contemporary knowledge needs regarding the potential effects of tall structures on sage-grouse. *Human-Wildlife Interactions* 7(2):273-298.

NorthWestern Energy requests that the BLM consider these new studies, which use current telemetry techniques and specifically investigate sage-grouse responses to power lines, when addressing power lines in its LUP update.

The DEIS cites Manier et al. (2013) in regard to power line impacts of sage-grouse. The page references to Manier et al. in the DEIS are incorrect, and how Manier et al. is portrayed in the DEIS is misleading. The DEIS cites Manier et al. (2013) as if it is new data on sage-grouse/power line interactions, whereas the Manier paper summarizes older literature (e.g., references to Ellis, 1985, regarding golden eagle predation of sage-grouse).

Comment Number: IDMTSG-14-0212-3

Comment Excerpt Text:

Site-specific determination or confirmation of sage-grouse habitat

The Agencies recognize that the sage-grouse habitat designations provided in the Draft LUPA/EIS are “preliminary,” but they do not specify a clear process whereby project proponents may provide site-specific information or data to change habitat designations or habitat designation boundaries without amending the relevant LUP. The Draft LUPA/EIS provides for changes to habitat designations through “LUP maintenance.” See Draft LUPA/EIS p. 4-3. Because public land users should not be burdened by restrictive sage-grouse conservation measures on areas that are not suitable for the species or burdened with seeking a LUP amendment if it is determined the Agencies’ habitat designations are incorrect, the Final LUP Amendment should clarify that “LUP maintenance” does not mean that a LUP amendment would be required to modify the relevant, preliminary sage-grouse designations based on new data.

Comment Number: IDMTSG-14-0212-4

Comment Excerpt Text:

Changes to habitat designations within Caldwell Canyon and Trail Creek Exploration Project planning area

When P4 Production prepared its Caldwell Canyon and Trail Creek exploration project Environmental Assessment, our ground-truthing efforts identified that approximately 19% of the presumed PGH was actually found to consist of forest community vegetation species that do not represent viable sage-grouse habitat. See Attachment 1, at 3-41. That equates to approximately 279 acres that had been mischaracterized as sage-grouse habitat when in reality it is made up of Douglas fir and Aspen stand communities. See id. The Agencies should update their sage-grouse habitat maps to recognize that these 279 acres are not Greater sage-grouse habitat.

Comment Number: IDMTSG-14-0212-7

Comment Excerpt Text:

Alternative A is intended to represent the continuation of current management direction. The Agencies list the existing sage-grouse-related management directions considered as part of Alternative A. See Draft LUPA/EIS pp. 2-10 to 2-11. The list, however, does not include BLM Manual 6840–Special Status Species Management (Dec. 12, 2008), which provides direction to BLM regarding conservation of BLM special status species (including sage-grouse) and the species’ habitat. If the Agencies did not consider the management directions provided in Manual 6840 or include the same as part of Alternative A, the Agencies possibly did not adequately consider or explain the environmental baseline or provide a proper comparison among the proposed alternatives. See 40 C.F.R. § 1502.15.

Comment Number: IDMTSG-14-0212-8

Comment Excerpt Text:

In Alternative B, the Agencies would close the PPMAs to phosphate leasing. See Draft LUPA/EIS pp. 2-181 (Management Action B-MNL-1), 2-26 (Table 2-2 showing closures by acreage). This would result in 8,304,600 acres being closed to non-energy leasable

minerals (compared to 621,300 acres closed to leasables under existing LUPs). See Draft LUPA/EIS p. 2-26 (Table 2-2).

These management actions would unreasonably restrict the use of public lands for phosphate mining exploration or operations contrary to FLPMA's requirement to manage "in a manner which recognizes the Nation's need for domestic sources of minerals." 43 U.S.C. § 1701(a)(12). It is also contrary to FLPMA's requirement that land use plans observe principles of multiple use, which it defines to include "a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and non-renewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values." Id. §§ 1702(c), 1712(c)(1) (emphasis added). Closing PPMAs to phosphate or other leasable minerals entries would be contrary to the Agencies' multiple use obligations and would not serve the proper combination of balanced and diverse resource uses. It also would eliminate or discourage significant opportunities for the Agencies to work with the mining industry to develop offsite mitigation or conservation plans that could provide a net benefit to sage-grouse or their habitat in exchange for allowing some mineral development within PPMAs. Further, the Agencies have not shown that leaseable minerals operations have in the past negatively impacted the long-term viability of the sage-grouse, and accordingly, why it now makes sense to eliminate the industry on certain public lands where there is no demonstrated track record of such negative impacts by the industry.

Comment Number: IDMTSG-14-0213-2

Comment Excerpt Text:

Current Literature Does Not Support Sage-Grouse Avoidance of Power Lines

Two recent studies have used radio-telemetry to assess impacts of energy infrastructure on sage-grouse. LeBeau (2012) investigated the impacts of wind facilities and an associated transmission line in

Wyoming, and Nonne et al. (2013) released a final report of a 10-year study of a transmission line in Nevada. The Nonne study is currently the only long-term study conducted that specifically evaluates potential impacts of a power line on sage-grouse.

The LeBeau study indicated that habitat quality is a significant influencer of sage-grouse occupancy, regardless of the presence of a transmission line. Sage-grouse selected for nesting habitat closer to transmission lines at Simpson Ridge, where the lines have existed for over 10 years and are within quality habitat. Also, female survival in the study area was greatest at closer proximity to the transmission lines. While the DEIS cites the LeBeau study, it fails to mention these study results that do not show a negative power line impact. Rocky Mountain Power requests that the BLM assess valid scientific studies, regardless of the results.

In February 2013, Nonne et al. released the final progress report of a 10-year research study of sage-grouse near the Falcon-Gondor transmission line in central Nevada. This report noted correlations between annual plant production, related to annual climatic fluctuations, and sage-grouse survival, reproductive success, and population growth. Wildfire impacts on habitat also influenced the population. The report found "no negative effects on demographic rates (i.e., male survival and movement, female survival, pre-fledging chick survival, and nest survival) that could be explained by an individual's proximity to the transmission line". The Nonne study is included in the literature cited of the DEIS, but its results are not referenced in the document text.

Messmer et al. (2013) summarizes stakeholder workshop results and a literature review specifically related to sage-grouse and tall structures, such as power lines. The paper concludes that there are no peer-reviewed, published papers that address sage-grouse interactions with power lines using experimental design (Note: the Nonne et al. [2013] study referenced above is the only study that has used an experimental design to assess impacts of a power line on sage-grouse, but it is not yet

published). Preliminary studies of radio-tagged sage-grouse in Utah, also conducted by Dr. Messmer, do not support a power line avoidance theory.

Rocky Mountain Power requests that the BLM consider these new studies, which use current telemetry techniques and specifically investigate sage-grouse responses to power lines, when addressing power lines in its LUP update.

The DEIS cites Manier et al. (2013) in regard to power line impacts of sage-grouse. The page references to Manier et al. in the DEIS are incorrect, and how Manier et al. is portrayed in the DEIS is misleading. The DEIS cites Manier et al. (2013) as if it is new data on sage-grouse/power line interactions, whereas the Manier paper summarizes older literature (e.g., references to Ellis, 1985, regarding golden eagle predation of sage-grouse).

Comment Number: IDMTSG-14-0215-1

Comment Excerpt Text:

PFA believes the mismanagement of livestock grazing (overgrazing) is the number one issue facing GRSG conservation in Idaho. Overgrazing largely contributes to the loss of GRSG, and other sagebrush obligate species' habitat due to degradation of important sage-steppe ecosystems across the state.

Below is a list that was included in our 2012 scoping comments of impacts PFA members have observed and documented over the last twenty or more years:

- Soil erosion and compaction (we believe in most cases, the degree of severity is limited only by topography)
- Dysfunctional watersheds and the loss of:
 - mesic and riparian vegetation; and bank integrity, resulting in gully and wash formation
 - lowering of the water table
 - water quality condition from temperature, chemical, and nutrient pollution e.i. introduction of livestock feces and urine
- Little or no native understory in many areas and the loss of:
 - mosses and biotic soils
 - native vegetation such as forbs, shrubs, trees, and grasses
- Trampling of nesting and brooding areas of ground nesting birds including GRSG;
- Invasive weeds and grasses
- Large “sacrifice” areas near streams, springs, seeps, and water developments (improvements?)
- Over-utilized and diminished crested-wheat seedings
- Plant pedestalling, surrounding bare ground, and exposed roots
- Large areas of open and connecting bare ground
- Fencing unfriendly to wildlife, netting and many strand fencing still found on BLM, Forest and State Lands
- Increased fuel loads from invasive annual grasses and weeds and repeated fire cycle;
- Loss of reseeded areas, burns and vegetation treatment projects by allowing livestock back before plants have sufficient growth to survive (less than two years);
- Grazing in early spring, late winter, prolonged wet seasons, and year round
- Insufficient cover for wildlife
- Frequent aerial gunning (observed and documented by PFA members in Burley F.O.);
- Failure to maintain water troughs. Substituting with ponds that quickly become polluted and may encourage the spread of West Nile Virus
- Failure to rehabilitate pipelines and burns (invasive weeds, grasses and bare ground).

Comment Number: IDMTSG-14-0234-3

Comment Excerpt Text:

It is also hard to understand why BLM is bothering to kill a single tree for grouse in eastern Idaho, since you have followed the state's lead and written off nearly all the habitat in E ID (including occupied leks) as non-Priority habitat. Yet there appear to be scads of tree killing projects planned - demonstrating that sage-grouse are being used as cover for livestock forage-related deforestation.

Comment Number: IDMTSG-14-0242-9

Comment Excerpt Text:

Noise and seasonal stipulations should be considerations during the construction and long-term implementation of land use activities. Your proposed implementation of noise and seasonal stipulations across all alternatives appears to be applied only to initial construction activities. However, most land use activities result in permanent disturbances on the landscape and the associated human activity, traffic, and noise disturbances have long-term effects to GRSG. Although the surface area covered by various types of development can be relatively small, the effects of noise extend far beyond the development itself (Blickley and Patricelli 2010). For example, the construction of a compressor station may have short-term implications to GRSG use of seasonal habitats, but the long-term operation and noise of the compressor station may result in GRSG habitat abandonment (Blickley and Patricelli 2012, Blickley et al. 2012). Similarly, seasonal restrictions applied only to drilling and construction do not address effects to populations over long periods of time (Walker et al. 2007).

Comment Number: IDMTSG-14-0318-1

Comment Excerpt Text:

Nothing is talked about the drought effect of how moisture is key to a good egg hatch

Comment Number: IDMTSG-14-0319-1

Comment Excerpt Text:

There were lots of sage grouse until in the 1950's when grouse got the "tape worm disease". Grouse were dead all over the land. It took a lot of years to

start making a come back in numbers. We did not kill any grouse and would not let people come hunt them after the disease hit. In the 1970's fox moved into the upper valley and in the 1990's ravens moved in. The fox and ravens are death on the eggs and small chicks and the increased hunter population has added to the death loss.

Comment Number: IDMTSG-14-0325-2

Comment Excerpt Text:

[This comment corresponds to the headings in Table 2-17 and Table 2-18] Goals expressed in B-GOAL-1, D-GOAL-1 and F-GOAL-1 may not be appropriate as no base population number of GRSG proven necessary to perpetuate the species has been established. To assume that an increase in population (and the management actions indicated to effect such increase) is necessary or desirable may be beyond the proper scope of LUPA.

SECTION 4.7 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0031-5

Comment Excerpt Text:

The EIS must evaluate and acknowledge that close range viewing of sage grouse leks produces significantly more impacts on sage grouse than motorized recreation which is located some distance away. The EIS must include an accurate inventory of all viewing activity in order to reasonably assess this activity and its impact. Examples of the popularity and magnitude of the lek viewing activity include:

- <http://www.craigdailynews.com/news/2011/mar/01/local-environmental-groups-organizing-sage-grouse/>
- <http://www.siskadee.org/view.htm>
- http://www.gorp.com/parks-guide/travel-ta-birdwatching-la-junta-comanche-and-cimarronnational-grasslands-golden-spike-national-historic-site-sidwcmdev_055433.html
- <http://coloradobirdingsociety.net/6.net/zsbirdingspots.htm>

- <http://www.naturescapes.net/phpBB3/viewtopic.php?f=9&t=150579>
- http://gf.state.wy.us/wildlife/wildlife_management/sagegrouse/index.asp
- <http://www.blm.gov/nstc/library/pdf/TN424.pdf>
- <http://wildlife.state.co.us/Viewing/EventsFestivals/Pages/ViewingEvents.aspx>
- http://billingsgazette.com/lifestyles/recreation/blm-wgf-holds-sage-grouse-lek-viewingtrip/article_d3f3abe0-d2ec-56b1-9eb9-3cfad0a1d561.html?print=1
- http://uwacadweb.uwyo.edu/wildlifesociety/NewSite/photo_gallery/LekViewing/LekViewing.htm
- BLM Buffalo Field Office Hosts Sage-grouse Lek Viewing Trip

Comment Number: IDMTSG-14-0031-7

Comment Excerpt Text:

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.

Comment Number: IDMTSG-14-0046-10

Comment Excerpt Text:

The lack of specificity in the EC makes it nearly impossible to analyze the alternatives in any useful way.

Comment Number: IDMTSG-14-0046-4

Comment Excerpt Text:

At least one of the alternatives (Alt. A) talks about maintaining a mosaic of species and age classes on the landscape to protect grouse habitat, which I thought was a great idea. But when I went to the environmental consequences section of the DEIS to see what the benefits of having a mosaic are, there were none. In fact, there was no discussion of a mosaic of age classes at all. Call me crazy, but if you are going to have an alternative that strives to maintain a mosaic of species and age classes, there should be

some benefit from doing that, and that benefit should show up in the consequences. The fact that you prescribe an alternative with the objective of producing a mosaic of age classes on the landscape, but that objective is never achieved, makes it appear like this is a straw man alternative designed to achieve some purpose, when in fact it does not.

Comment Number: IDMTSG-14-0050-22

Comment Excerpt Text:

While BLM and USFS often propose chaining, chemical and burning treatments that may benefit domestic livestock grazing (Bishop RMP, 1993) there is no evidence these treatments benefit sage-grouse. To the contrary, these treatments have negative direct, indirect, and cumulative effects on sage-grouse. The proposed EIS must include an analysis of the cumulative effects of the existing fences, prescribed burning and other proposed treatments and the effects of domestic livestock grazing on greater sage-grouse.

Comment Number: IDMTSG-14-0056-10

Comment Excerpt Text:

Alternative D erroneously concludes any anthropogenic feature on the landscape results in fragmentation and has a negative influence on sage grouse. Missing from the document is an assessment of the impact (positive or negative) from various sizes and types of anthropogenic features. Over emphasis is placed on restricting infrastructure that may or may not have any impact on sage grouse. The significance a project may have on habitat avoidance must be included in the analysis and only determined at the activity plan level.

Comment Number: IDMTSG-14-0056-21

Comment Excerpt Text:

The analysis fails to recognize that many leks are the result of past livestock activities and sage grouse tolerance for disturbances attributable to livestock trailing has never been evaluated or determined. (D-LG/RM-18, page 2-143)

Comment Number: IDMTSG-14-0056-22

Comment Excerpt Text:

Final document must analysis the benefits range developments can have on sage grouse and other wildlife. The current document focuses on only the negatives.

Comment Number: IDMTSG-14-0056-24

Comment Excerpt Text:

Predators may be a causal factor in population declines and their impact must be considered whenever adjustments to permitted uses are being proposed.

Comment Number: IDMTSG-14-0130-11

Comment Excerpt Text:

Alternative D erroneously concludes any anthropogenic feature on the landscape results in fragmentation and has a negative influence on sage grouse. What is missing from the discussion is the fact that while a feature may divide an area, the division does not necessarily result in an area becoming unusable by sage grouse.

Over emphasis is being placed on restricting infrastn|cture that may or may not have any impact on sage grouse. The significance a project may have on habitat avoidance must be included in the analysis and only determined at the activity plan level.

Comment Number: IDMTSG-14-0130-12

Comment Excerpt Text:

Also " missing from the discussion are the benefits to sage grouse that most range improvements provide.

Comment Number: IDMTSG-14-0130-20

Comment Excerpt Text:

The significance of trailing lives tock to sage grouse is over exaggerated. The analysis fails to recognize that many leks are the result of past livestock activities and sage grouse tolerance for disturbances attributable to livestock trailing has never been evaluated or determined. (D-LG/RM-18, page 2-143)

Comment Number: IDMTSG-14-0130-7

Comment Excerpt Text:

A flaw within the entire document is the failure to quantify the relative significance of the 14-19 identified threats to sage grouse. These threats, currently only subjectively ranked greatest to least (see table ES-2), must be evaluated and responded to within the context of significance.

Comment Number: IDMTSG-14-0131-10

Comment Excerpt Text:

The Draft LUPA/EIS closes certain phosphate leasing areas; the Agencies need to articulate a satisfactory explanation for its action, including a factual connection between the proposed Alternatives and existing habitat and populations. As an example, the discussion of identified threats to the GSG (Draft, page 1-11) identifies mining near the bottom of threats to GSG in Idaho.

Comment Number: IDMTSG-14-0131-3

Comment Excerpt Text:

The effects from mineral development on GSG habitat and populations vary. The discussion of the threats to GSG from mining (pages 2-202 and 4-202) fails to discuss this spectrum of study results. For example, certain reclamation practices can improve existing habitat for GSG. Mineral development is localized, and not a constant disturbance feature across the landscape. Mineral development activities can be adjusted to address sensitive environmental conditions at the location of the mineral. The restrictions and prohibitions on mineral development in the alternatives need to have proportionality to the actual and potential effects of mineral development on GSG.

Comment Number: IDMTSG-14-0131-6

Comment Excerpt Text:

While some surface mine activities may be similar to those found at oil and gas facilities, the two disturbances differ enough that it may be speculative to assume that the effects on sage-grouse from an oil and gas facility would be the same at a surface mine. For example, the Draft LUPA/EIS (at pages 4-12 through 4-13) cites oil and gas studies to describe the

effects that mineral development may have on sage-grouse. While oil and gas research may be considered the best available science on the effects of surface disturbance on sage-grouse, the BLM/USFS's reliance on these studies in shaping management guidelines for other BLM authorized actions may be overly conservative and restrict the BLM/USFS from meeting its obligation to manage lands for multiple use.

The Draft LUPA/EIS fails to look at how potential effects, such as noise can be mitigated. For example, noise levels can be reduced by blasting techniques such as electronic blasting.

Comment Number: IDMTSG-14-0135-1

Comment Excerpt Text:

Transmission lines should be disallowed in all priority (core), important (medial), and general sage-grouse habitats. In addition, new lines within at least 5 miles of any of these management zones should be mitigated appropriately. Studies show that Common Ravens are a major predator of sage-grouse eggs. Given that ravens move an average of 5 miles and as far as 40 miles from transmission line nests and roosts to forage each day, it is important that the FEIS address the impacts of transmission lines near but outside of known grouse habitat.

Comment Number: IDMTSG-14-0148-4

Comment Excerpt Text:

The BLM & USFS should have analyzed the effectiveness of current rangeland health standards and guidelines before developing alternatives, and should have used that analysis for considering appropriate changes to the RMP with respect to livestock grazing and range management.

Comment Number: IDMTSG-14-0150-5

Comment Excerpt Text:

Inexplicably, when responding to scoping comments the Draft LUPA EISs claim that analysis of greater sage-grouse population levels is beyond the scope of the project, stating that comments “questioned population levels and the need to incorporate range-wide conservation measures” and concluding that such concerns “relate to decisions under the purview

of the USFWS and are not (will not be) addressed” by the Draft LUPA EISs. See ID Draft LUPA/EIS2, page I-33 and NV Draft LUPA/EIS1, page I~18. Thus, the Draft LUPA EISs irrationally conclude that the overriding purpose and need identified for the project is itself beyond the scope of the project. As a result of this irrational decision, the Draft LUPA EISs devote little or no effort to disclose, discuss, or analyze greater sage-grouse population levels, viability, or persistence.

Comment Number: IDMTSG-14-0150-6

Comment Excerpt Text:

The Draft LUPA EISs devote voluminous space to the current status of the affected environment and to the expected environmental consequences of the various alternatives under consideration for almost everything under the sun, except for the status and environmental consequences with respect to greater sage-grouse population levels and trends, thereby failing to meet the overriding purpose for the project. The EISs analyze the status and environmental consequences with respect to other special status species, vegetation, fish and wildlife, wild horses and burros, wildfire, livestock grazing, recreation, travel management, lands and realty, mineral resources, special designations, soil resources, water resources, cultural resources, tribal interests, visual resources, roadless areas, air quality, climate change, social and economic conditions, and forest and woodland products, among other things. But the Draft LUPA EISs give only cursory attention to the current status of greater sage-grouse populations and essentially no attention to the environmental consequences of the various alternatives under consideration on greater sage-grouse population levels and trends.

Comment Number: IDMTSG-14-0151-103

Comment Excerpt Text:

Raft River –New development should be curtailed/prohibited on BLM lands. Significant areas have burned, and all the sage that remains in the Jim Sage-Cotterell-Curlew area is critically important for persistence and survival of viable populations of GSG. The PPH/PPMA cuts need to be rolled back. Crane Creek. This landscape is largely becoming a

cheat/medusahead weedland- an additional stress on the very small population may lead to extirpation. West of Weiser. There are also cumulative threats posed by oil and gas – both the ground and groundwater disturbances in an already highly fragmented landscape are matters of serious concern. Castle Creek Owyhee County. BLM should be acting to restore sage-grouse leks, rather than developing lands – plus if development would extend west of Castle Creek – would it adversely impact the very small number of remaining leks near Oreana?

Comment Number: IDMTSG-14-0151-23

Comment Excerpt Text:

The DEIS does not discuss the effect of thousands of existing permitted water improvements in sage-grouse habitat that are potential WNV breeding sites. The DEIS fails to disclose the impacts of many thousands of miles of fencing that already occur within sage-grouse habitat, as well as a the battery of existing forage and fire rehab seedings and the past treatments that have taken place. It is important to understand this, as the DEIS habitat segregation scheme often relies on the BLM's own past treatments in carving off habitats into lesser sacrifice categories of Medial and General habitats.

Comment Number: IDMTSG-14-0151-5

Comment Excerpt Text:

Fences have now been found to be a major source of sage grouse mortality yet no analysis of current effects of this mortality on populations and habitat fragmentation has been provided in the DEIS.

Comment Number: IDMTSG-14-0151-8

Comment Excerpt Text:

In the BLM's own 2006 paper titled Review of Livestock Grazing Management Literature Addressing Grazing Management of Sage Grouse Habitat the BLM determined from its review of the literature that "No treatment should be considered where sagebrush cover is less than 20 percent or within 2 miles of breeding, nesting, or brood areas." This is echoed in a wide range of other research papers, a few of which we provide for your review as attachments. The other significant issue regarding

such land manipulations is a high likelihood significant increases in invasive species. The DEIS does not adequately discuss where and when treatments will take place, and whether they will take place in areas such as these.

Comment Number: IDMTSG-14-0153-11

Comment Excerpt Text:

In the Idaho – Southwest Montana RMP Amendment EIS, BLM has failed to apply in its preferred Alternative D or E the recommended sage grouse protections presented to it by its own experts (the BLM National Technical Team), and as a result development approved under several of the alternatives analyzed (and particularly Alternatives A, D, and E) will result in both unnecessary and undue degradation of sage grouse Priority Habitats and result in sage grouse population declines in these areas, undermining the effectiveness of the Core Area strategy as an adequate regulatory mechanism in the context of the decision.

Comment Number: IDMTSG-14-0153-14

Comment Excerpt Text:

In particular, we are concerned that under Alternatives D, the prescribed conservation measures may not apply in areas not identified as sage grouse habitat. BLM states, "by including a rule set to release areas from PPMA, PMMA, PGMA protection, some vegetation communities that do not provide habitat for GRSG could receive less protection under this alternative and could be subject to removal, damage, or reduced condition caused by human disturbances." DEIS at 4-102. This is a key flaw because, as BLM notes throughout the DEIS, many types of human-caused disturbances cause displacement of sage grouse and reduction or elimination of habitat effectiveness for the surrounding areas, not just the lands directly subjected to surface disturbance, and these impacts can extend for miles beyond the disturbed site. For this reason, such a "rule set" undermines the effectiveness of the prescribed protections. BLM needs to further evaluate the magnitude of these impacts for developments that would be allowed inside designated habitats but

located on microsites not identified as sage grouse habitat

Comment Number: IDMTSG-14-0153-20

Comment Excerpt Text:

We are concerned that neither Alternative D nor E will uphold BLM's obligation to manage Sensitive Species to "minimize or eliminate threats," either within or outside of Core Area habitats. As detailed elsewhere in these comments, mitigation measures applied under Alternatives D and E will inevitably lead to serious impacts to sage grouse populations within Priority Habitats. This result represents an unnecessary and undue degradation of key sage grouse habitats.

Comment Number: IDMTSG-14-0153-21

Comment Excerpt Text:

But the BLM's Alternative D includes well density limits only for future fluid mineral leases, ignoring existing leases and other types of disturbances, which means that it has failed to emplace adequate regulatory mechanisms to protect sage grouse in this regard.

Comment Number: IDMTSG-14-0153-23

Comment Excerpt Text:

In Alternative D, Priority Habitats would have a 0.6-mile buffer where leases are issued. This is completely inadequate according to the best available science. This is an inadequate level of protection for breeding and nesting habitat even in General Habitats areas.

Comment Number: IDMTSG-14-0153-26

Comment Excerpt Text:

In Idaho, noise from military overflights can create noise in excess of 100 dBA. Disturbance from low-altitude military overflights from Mountain Home Air Force Base has been raised as a concern in this EIS. DEIS at 4-15. Please analyze the frequency and number of low-level overflights historically and currently over identified sage grouse habitats, the altitude at which these overflights occur, the types of aircraft making such low-level overflights, and the estimated decibel noise levels at affected leks. Sage

grouse Priority and General Habitats should thus be closed to low-level military overflights during the breeding and nesting season for sage grouse. We recommend that noise limits be imposed in the RMP, allowing no greater than 32 dBA noise levels in sage grouse nesting and breeding habitats.

Comment Number: IDMTSG-14-0153-3

Comment Excerpt Text:

Alternative D would apply a 3% limit on anthropogenic disturbance, but only for future fluid mineral leases. Relevant to the issue of the 3% disturbance cap, we ask the responsible official to make a formal determination concerning which of the available scientific information is the most accurate, reliable, and relevant in determining what percentage of land area should be allowed to be disturbed in order to achieve the stated goal of the RMP Amendment. We would further ask the Forest Service to determine whether a 3% disturbance cap or no disturbance cap is the scientifically supported measure to apply as a Condition of Approval to existing fluid mineral leases. We would ask the Forest Service to consider the findings of Knick et al. (2013), which concluded in relevant part that 99% of the active leks in the study area (encompassing the entire western range of the greater sage grouse) were surround by habitat with 3% surface disturbance or less. See Attachment 1. We would ask the responsible official to consider the findings of Kirol (2012), which found for his study area immediately north of the planning area that surface disturbance greater than or equal to 4% of the land area had a significant negative impact on greater sage grouse brood rearing habitat. See Attachment 2. We would ask the responsible official to consider the findings of Copeland et al. (2013), which found that if all of the State of Wyoming sage grouse policy provisions (which include a 5% disturbance cap calculated using a Disturbance Density Calculation Tool) were implemented fully and to the letter, that a 9 to 15% decline in greater sage grouse populations would still occur statewide, including a 6 to 9% decline within designated Core Areas (where the 5% disturbance cap would be applied). We would ask the responsible official also to render the same determination

regarding the accuracy, reliability, and relevance of science supporting the 3% disturbance cap proposed for implementation under Alternative B.

Comment Number: IDMTSG-14-0153-31

Comment Excerpt Text:

New research (Copeland et al. 2013) projects continued sage grouse population declines at 14-29 percent in Wyoming if its Core Area standards are fully enforced; the Idaho – Southwest Montana Alternatives D and E do not even meet this bar. The same study estimates that, even when bolstered by \$250 million in targeted conservation easements on private property (a very unlikely assumption), the Core Area policies would only cut anticipated sage grouse population declines by half in Wyoming, and by two-thirds within high abundance areas. We are concerned that sage grouse in Idaho and Montana will fare even worse given that BLM's Alternatives D and E are less protective in many respects than the State of Wyoming Core Area policy in many respects.

Comment Number: IDMTSG-14-0153-32

Comment Excerpt Text:

We are concerned that many, if not most, of these "habitat improvement" projects are actually harming sage grouse habitat in the long term and that the remainder will cause short-term impacts to sage grouse populations that contribute to the multiple serious threats to their existence. The scientific basis for many such projects (which include prescribed burns and mechanical or herbicidal thinning or removal of sagebrush) is extremely shaky, and given the lack of familiarity of the project proponents with basic sage grouse habitat requirements, such projects may unintentionally cause additional damage to sage grouse habitats. The impacts (positive and/or negative) of such projects have not been rigorously tested, and thus their results for improving (or harming) sagebrush habitats remain open to speculation.

Comment Number: IDMTSG-14-0153-35

Comment Excerpt Text:

BLM proposes to continue to allow the use of prescribed fire in Priority Habitats, which will cause

negative impacts to sage grouse populations. Prescribed fire not only harms sage grouse by eliminating the sagebrush that is their key habitat element, but also promotes the spread of cheatgrass, which are becoming ever more widespread, particularly in southern Idaho. Required measures for prescribed fires reduce the negative effects but do not drop them below the threshold of a significant impact to sage grouse.

Comment Number: IDMTSG-14-0153-39

Comment Excerpt Text:

BLM acknowledges that there is little potential for coal mining in the planning area; the agencies should therefore find Priority Habitats unsuitable for surface mining for coal in order to provide regulatory certainty. We are concerned that BLM's approach of sidestepping this potential impact creates uncertainty and also undermines the BLM's ability to describe the magnitude of impacts under the various alternatives, rendering the legally required 'hard look' impossible.

Comment Number: IDMTSG-14-0153-4

Comment Excerpt Text:

Please also make a formal determination regarding the disturbance cap in the context of sagebrush canopy cover, and if 3% is not the scientifically defensible threshold, then where that threshold should be set, for the same reasons as noted above for the 3% and 5% disturbance caps. Please review the studies listed above, and any and all additional studies that directly address the efficacy of a 3% disturbance cap, if any. Knick et al. (2013) found that almost all active leks were found in areas with less than 10% cropland (Figure 5). This study included all of Idaho (Knick et al. 2013, Figure 2), indicating that its findings are directly relevant to this EIS. We are unaware of any such studies, and in their absence federal agencies should employ the precautionary principle and utilize a 3% cumulative disturbance cap for all forms of disturbance

Comment Number: IDMTSG-14-0153-47

Comment Excerpt Text:

In addition, the presence of livestock in nesting habitats can cause problems for sage grouse.

Livestock drives could also negatively impact sage grouse populations during the nesting season. According to Call and Maser (1985:18), “Hens abandon their nests with little provocation during the egg-laying period (mid-April through early May). Yearling hens are prone to abandon their nests even when disturbed during incubation. The impact of a livestock drive could, therefore, be great because yearling hens are usually the largest reproductive age class.” For allotments where sage grouse nesting is known to occur, shifting on-off dates (if necessary) could minimize the chances of impacts to nesting sage grouse, and livestock drives should be routed to avoid sage grouse leks during the strutting and nesting seasons.

Comment Number: IDMTSG-14-0153-58

Comment Excerpt Text:

We are also concerned that the direct and cumulative impact analyses in the Draft EIS offer only a laundry list of conservation measures, without evaluating their efficacy and overall impact on sage grouse under each alternative. Area sage grouse populations expected to increase or decrease under each alternative in 10 years, 50 years, and 100 years? What would be the magnitude of population changes for each alternative? Copeland et al. (2013) evaluated just this question for Wyoming using a modeling approach, and we call upon the federal agencies to adopt such a modeling approach to come up with projections for sage grouse population trends under each alternative.

Comment Number: IDMTSG-14-0153-6

Comment Excerpt Text:

Alternative B would limit surface disturbances to no more than one per section, at least on future fluid mineral leases. DEIS at 2-188. This should be implemented for all leases (future and existing) and for other types of similar disturbance in the final plan. BLM’s Alternative D limits the density of wellpads to one per square mile, but for future mineral leases only (DEIS at 2-191); this needs to be applied to existing leases also as a Condition of Approval. Please review.

the best available science and make a determination regarding whether one wellpad/disturbance per section, or no limit at all, is the most scientifically supported approach or whether no limit on wellpad density would best achieve the purpose and need of the plan amendment. Please consider the following studies which directly address the threshold of well density at which impacts to sage grouse occur: Holloran (2005), Doherty (2008), Walker et al. (2007), Taylor et al. (2012), and Copeland et al. (2013). Attachments 3, 4, 5, 6, and 7, respectively. Each of these studies find significant declines of sage grouse populations as well densities exceed one pad per square mile, and some of these studies indicate negative effects on sage grouse at lower wellpad densities.

Comment Number: IDMTSG-14-0153-61

Comment Excerpt Text:

We are also concerned that this assumption has biased the results of Tables 4-2 and 4-3 and the impacts analysis (DEIS at 4-49) regarding Alternative C, which should have the best performance in long-term range health due to removal of the leading cause of range health decline, domestic livestock. BLM repeatedly refers to the potential of certain grazing patterns (without specifying which ones) to reduce fine fuels and thereby reduce fire risk. See e.g., DEIS at 4-125. Conversely, the agency systematically argues that restrictions on or removal of livestock increases fire risk. E.g., DEIS at 4-126. However, the agency systematically downplays the primary role that livestock grazing plays in spreading cheatgrass, which is the primary factor other than climate in increasing fire risk. Conclusions such as the statement that “the prohibition on grazing would reduce weed spread, in some areas, in conjunction with efforts to reintroduce perennial vegetation, may experience a shorter fire season and less frequent and intense wildfires” do not appear to have been taken into consideration in the overall comparison of fire risks between alternatives. We are concerned that this bias in impacts analysis leads the agencies to erroneous conclusions regarding relative fire risk across alternatives.

Comment Number: IDMTSG-14-0153-67

Comment Excerpt Text:

Minimizing the use of herbicides inside sage grouse habitats, and using them as a last resort, is also a good approach for sage grouse Priority Habitats. We are concerned that aerial applications of herbicides and pesticides are reasonably foreseeable in the planning area. Insects are an important food source for sage grouse; this is particularly true during the early brood-rearing phase. Insecticide application could not only sicken or kill grouse directly, but it could also deprive them of an important food source. Aerial herbicide and pesticide applications should be precluded within one mile of sage grouse habitats to avoid inadvertent poisoning of sage grouse. Although the use of Plateau in heavily cheatgrass-infested areas might be allowed in cases where sage grouse are not using the treated habitats, aerial spraying of herbicides and insecticides over or within one mile of sage grouse habitats should not be allowed. Hand spraying might be accomplished by deliberately driving grouse off by teams on foot prior to treatment, and by treating from backpack units rather than aerial or truck/ATV application

Comment Number: IDMTSG-14-0153-8

Comment Excerpt Text:

Please evaluate the scientific basis for the effectiveness of timing limitation stipulations as an alternative to no surface occupancy stipulations, using the scientific studies cited in these comments and any other studies that examine the changes in sage grouse populations when drilling and construction activities are allowed within 4 miles of sage grouse leks, but construction and drilling activities are prohibited during the breeding and nesting seasons.

Comment Number: IDMTSG-14-0157-10

Comment Excerpt Text:

The DEIS contains very little discussion of the effects of disease and particularly West Nile Virus although it is discussed in Appendix Table C-2 regarding best management practices. Where the agency lacks sufficient information to determine the impacts, as noted by the Service, it is incumbent upon BLM to obtain the missing information or to explain to the

public why the information is either unavailable or exorbitantly expensive to obtain. See 42 U.S.C. § 4332(2)(c); 40 C.F.R. § 1503.1(a)(1). The FEIS should explain how BLM obtained sufficient information on the effects of West Nile Virus following publication of the DEIS to determine its impacts on the species or, in the alternative, why the information could not be obtained or was too expensive to obtain and how the lack of information affects the FEIS.

Comment Number: IDMTSG-14-0159-2

Comment Excerpt Text:

there is no analysis of why the proposed withdrawal from mineral entry based on risk to GRSG and its habitat is necessary where the same objective can be achieved through avoidance, minimization of impacts, and mitigation of impacts within the designated areas.

Comment Number: IDMTSG-14-0168-34

Comment Excerpt Text:

4-6

"The analysis includes the following assumptions:

Alternative A would neither result in the designation of PPH or PGH nor assign additional management actions to PPH or PGH areas."

Comment:

Chapter 4 needs to be rewritten to fairly assess Alternative A. Under BLM Manual 6840 and Forest Service Manual 2670, the federal agencies are required to manage sensitive and special status species including sage-grouse to keep them from being listed. This includes "additional management actions" in sage-grouse habitat (referred to in the EIS as PPH and PGH).

Comment Number: IDMTSG-14-0168-39

Comment Excerpt Text:

4-49

"This is because of reduced trampling of nests by livestock during nesting season and increased herbaceous understory vegetation."

Comment:

Please provide the citation for "trampling of nests by livestock"

Comment Number: IDMTSG-14-0169-1

Comment Excerpt Text:

The final plan must adopt a more precautionary approach to conserving sage-grouse that protects essential habitat, identifies areas for restoration, accounts for the effects of climate change on sagebrush steppe, and limits the impacts of land use and development on sage-grouse.

Comment Number: IDMTSG-14-0169-2

Comment Excerpt Text:

[This comment refers specifically to Alternative D] The plan needs to include additional information on the effects of livestock grazing on sage-grouse.

The draft Idaho/SW Montana plan only briefly reviewed the impacts of livestock grazing on sage-grouse and sagebrush steppe (e.g., 3-70 – 3-74). Livestock grazing is the most pervasive use of sage-grouse habitat in the planning area (vol 1, Figure 2-10) and grazing has myriad negative effects on the species. A more thoughtful review of the literature would not likely support a conclusion—like that included in this plan—that “the effects of removing grazing in [sage-grouse] habitats on a landscape scale are unknown, and it is unclear whether complete removal would improve [sage-grouse] habitat or increase population levels” (4-50).

Comment Number: IDMTSG-14-0169-34

Comment Excerpt Text:

Analysis of Key Conservation Measures

We developed a matrix comparing the key science-based conservation measures for sage-grouse with prescriptions in preferred Alternative D in the draft Idaho/SW Montana. We categorized the application of each conservation measure in the preferred alternatives into one of three categories: adopted the conservation measure (color coded green); adopted the conservation measure, but did not adopt the full prescription, did not make it mandatory, deferred

application to future, project-level planning, or allowed for exception, waiver and modification of the measure (yellow); or did not adopt the prescription (red). Our analysis is presented in Table I. We are concerned that the preferred alternative designates less priority habitat to conserve sage-grouse than other alternatives; fails to require buffers to protect sage-grouse leks and associated nesting and brood-rearing habitat from various land uses and disturbance; does not cap development density for most land uses in priority habitat; does not recommend withdrawal of priority habitat from entry for locatable minerals; fails to protect sage-grouse winter habitat; and does not clearly prescribe needed conservation measures for managing livestock grazing in sage-grouse range.

Comment Number: IDMTSG-14-0169-37

Comment Excerpt Text:

The preferred alternative does not prescribe a general no surface occupancy lek buffer to protect sage-grouse breeding, nesting and brood-rearing habitat.

The preferred alternative does not prescribe a general cap on development density (i.e., 1 site per section) in priority habitat.

Comment Number: IDMTSG-14-0169-42

Comment Excerpt Text:

While it appears that the adaptive management scheme prescribed in the preferred alternative would attempt to retain/restore sagebrush steppe to a minimum of 80 percent of land cover in sage-grouse seasonal habitats, the alternative doesn't actually commit to the minimum standard (vol 2, 2-73). Also, the concurrent allowance of habitat disturbance of between 10-20 percent could be negative for sage-grouse (vol 2, 2-73).

Comment Number: IDMTSG-14-0169-7

Comment Excerpt Text:

Impacts should be considered in the context of their scale. For example, a sage grouse population in southeastern Idaho may have benefited indirectly from presence of livestock when they established

strutting grounds on sheep salting areas [very small areas relative to overall habitat], whereas weed infestations induced by livestock grazing in the Great Basin may reduce quality of habitat for sage grouse populations across this vast region. (Beck and Mitchell 2000: 997, citations omitted).

Comment Number: IDMTSG-14-0178-17

Comment Excerpt Text:

[This comment refers to Alternative D] Trailing (2-143, 4-104) - The significance of trailing livestock to sage grouse is over exaggerated. The analysis fails to recognize that many leks are the result of past livestock activities and sage grouse tolerance for disturbances attributable to livestock trailing has never been evaluated or determined.

Comment Number: IDMTSG-14-0178-6

Comment Excerpt Text:

A. Alternative A – Current Management

While the USFWS has determined that there are not adequate regulatory mechanisms in place to ensure the conservation of sage grouse, we assert that the agencies could have made stronger arguments in the LUPA/DEIS to explain how their existing regulations promote the viability of species and have safeguards to protect against habitat degradation.

Comment Number: IDMTSG-14-0180-2

Comment Excerpt Text:

The State would like to a more complete analysis of Alternative A. Following the 2010 decision, threat levels for sage-grouse were moderate. The Service's concern was long-term implementation. It's possible that BLM could have satisfied the Service's determination if it developed a better implementation structure for existing regulations. BLM's response to Governor Otter's Consistency Review indicated Wyoming's plan was satisfactory for threats in that region, which accounts for roughly 50% of the sage-grouse population.¹⁷ Yet, this analysis seems wholly lacking in this present document. Instead, BLM arbitrarily re-calibrated the environmental baseline for the species through NTT.

Comment Number: IDMTSG-14-0180-31

Comment Excerpt Text:

The Chapter 4 impact analysis is insufficient. This was an issue that the State attempted to address throughout the Administrative Draft phrase of the document, but still has not been satisfactorily improved. This is primarily because this chapter ignores the beneficial impacts of monitoring, adaptive management and how the specific conservation measures for each threat would be implemented.

Comment Number: IDMTSG-14-0180-33

Comment Excerpt Text:

Alternative E impacts are unique from Alternative B in that Alternative E includes a mechanism that provides certainty of implementation for conservation measures for all threats. The adaptive triggers allow the State and BLM to keep a close eye on what happens in sage-grouse habitat and to respond accordingly.

Comment Number: IDMTSG-14-0183-12

Comment Excerpt Text:

Oil and gas infrastructure and associated human activity have been shown to adversely affect GRSG populations collectively and in some instances, impacts have been directly attributed to certain anthropogenic features (e.g., roads, power lines, noise, and associated infrastructure; Walker et al. 2007; Doherty et al. 2008; Lyon and Anderson 2003; Holloran 2005; Kaiser 2006; Aldridge and Boyce 2007). (ID/MT Draft LUPA/EIS)

Doherty et al. (2008), Holloran (2005), and Aldridge and Boyce (2007) evaluated coal-bed natural-gas wells (CBNG) but did not evaluate the effect of powerlines. Lyon and Anderson (2003) evaluated the effect of vehicular traffic associated with natural-gas developments. Therefore, none of these studies provide information on the effects of powerlines. These studies fail to control for, among other variables, breeding habitat availability, presence of roads and other infrastructure, cultivation, and natural events.

Only Walker et al. (2007) evaluated the impact of powerlines, and they found only weak effects. Walker et al. (2007) showed that all top models to explain lek persistence included a strong positive effect of sagebrush habitat and a strong negative effect of CBNG development. Furthermore, the best habitat-plus-CBNG model was 28 times more likely to explain patterns of lek persistence than the best habitat-plus-infrastructure model (including powerlines) and 50 times more likely than the best habitat-only model. Last, models with powerline effects were weakly supported compared to models with CNBG, although powerlines appear to have a negative effect on lek persistence. The powerline variable included lines associated with CBNG, as well as non-CBNG powerlines. So no attempt was made to isolate the effect of powerlines from the confounding effect of CBNG development. We suggest a more complete statement be included in the Draft LUPA/EIS regarding the effects of energy developments on sage grouse lek persistence regarding the Walker et al. (2007) study. It appears selective use is being made of the information provided by Walker et al. (2007), narrowly focusing on the (weak) effect of powerlines on sage grouse lek persistence.

Comment Number: IDMTSG-14-0183-13

Comment Excerpt Text:

Mean distance to transmission lines was more than two times farther in occupied range than in extirpated range, and the distance to communication towers averaged almost two times as far in occupied versus extirpated range (Wisdom and others, 2011). (Manier et al. [2013])

Both Wisdom et al. (2011) and Johnson et al. (2011) were a part of Greater Sage Grouse: Ecology and Conservation of a Landscape Species and Its Habitats. Manier cites Johnson et al. (2011) 11 times in the document but fails to mention that Johnson et al. (2011) found no effect of transmission and distribution powerlines on lek trends. Johnson et al. (2011) is cited that lek counts tend to be lower on leks within 3 miles of interstate highways.

Comment Number: IDMTSG-14-0183-14

Comment Excerpt Text:

Sage-grouse avoided brood-rearing habitats within 2.9 mi (4.7 km) of transmission lines in south-central Wyoming (LeBeau, 2012). (Manier et al. ([2013])

This statement is incomplete and is another example of the selective use of the literature. LeBeau (2012) found that brood-rearing habitat selection in 1 study area increased with distance to the transmission line up to 4.7 km, then declined, but in the other study area, brood-rearing habitat selection was highest in the area around the transmission line. LeBeau (2012) also found that sage grouse selected nesting habitat closer to transmission lines that have existed for over 10 years and are within quality habitat at Simpson Ridge. Also, female survival in the study area was greatest at closer proximity to the transmission lines. Nest site selection was higher closer to transmission lines in one study area and not a factor in the other study area. The risk of nest failure increased as distance from the transmission line increased. Brood survival was not impacted by distance to transmission lines. The study found female survival was highest near the transmission lines throughout the study area.

Comment Number: IDMTSG-14-0183-15

Comment Excerpt Text:

The study found female survival was highest near transmission lines throughout the study area. Nonne et al. (2013) conducted a 10-year study of greater sage grouse in response to a 345-kV transmission line in central Nevada and reported that habitat conditions had a greater effect on sage grouse nests, brood success, and overall survival than the proximity to the transmission line did. Furthermore, Nonne et al. (2013) found no evidence that predation increased with distance to the transmission line because nest survival and female survival did not show a relationship to distance to the line. Nonne et al. (2013) conducted 10 years of research in response to a BLM requirement of authorizing the Falcon-Gondor transmission line.

Comment Number: IDMTSG-14-0183-19

Comment Excerpt Text:

Underground power lines result in significant cost increases, reduced reliability, greater ground disturbance during construction and repairs, longer outage periods for customers, and may not always be feasible from an engineering and operations perspective. Underground power lines can result in impacts to other federally listed species, pose a threat of negative impacts on cultural resources, and may have a negative impact to waterways. Underground power lines require a continuous excavation, including blasting in rocky terrain, through all habitat types. In sagebrush habitat, this would result in ground disturbance for the entire line route and associated access roads.

Comment Number: IDMTSG-14-0183-20

Comment Excerpt Text:

In areas where raven predation on sage grouse nests is a concern, perch discouragers may aid in the accumulation of nest material (APLIC 2006) and could potentially increase raven predation pressure due to nest construction on discouragers in sensitive areas. In addition, increased electrocution risk associated with poles modified with perch deterrents has been documented.

Comment Number: IDMTSG-14-0183-7

Comment Excerpt Text:

Inappropriate or Misuse of Citations

Collisions with power lines, vehicles, property fencing, and increased predation by raptors may increase mortality of birds at leks (Connelly et al. 2000a; Lammers and Collopy 2007). (ID/MT Draft LUPA/EIS)

Lammers and Collopy (2007) evaluated the effectiveness of perch deterrents in discouraging raptors from perching on powerlines structures. They found that perch deterrents did not prevent perching but decreased the perching duration of raptors on the deterrents compared to other perching substrate. They concluded that “Perching of raptors indicated that some hunting most likely took

place from the towers; therefore, the deterrents did not completely obviate the threat that avian predators posed to greater sage-grouse.” The study did not document increased predation by raptors using powerlines, only suggested it may be taking place.

Connelly et al. (2000a) evaluated the cause of death for 117 adult greater sage grouse and found 62% of documented deaths were attributed to predation, 32% were attributed to hunting,

3% were attributed to vehicle collision, and less than 1% (1 adult male) hit a powerline. Is it appropriate to use 1 collision with a powerline to indicate an impact? The Draft LUPA/EIS implies that since raptor prey on sage grouse and raptors use powerlines to perch, powerlines impact sage grouse. This is not a cause and effect relationship, necessarily, but a spurious correlation.

Comment Number: IDMTSG-14-0183-8

Comment Excerpt Text:

Roads and power lines may also indirectly affect lek persistence by altering productivity of local populations or survival at other times of the year. GRSG mortality associated with power lines and roads occur year round (Aldridge and Boyce 2007). (ID/MT Draft LUPA/EIS)

Aldridge and Boyce (2007) did not include powerlines as an explanatory variable in their model evaluating nest and brood occurrence and survival models. They state they “found no effect of edge habitats, or other human features on Sage-Grouse nest success.” The only reference to powerlines in the article states sage grouse “are killed by raptorial predators, such as Golden Eagles (*Aquila chrysaetos*) and Great Horned Owls (*Bubo virginianus*) that perch on the powerlines leading to well sites.” No data is cited to support or document that predation was occurring at the study site. Rather, the author is stating that golden eagle and great-horned owls are known predators and that they were observed perching on powerlines in the study area. Again, the BLM has made a spurious correlation appear to be a scientific fact.

Comment Number: IDMTSG-14-0186-14*Comment Excerpt Text:*

Page 2-66 [136]. Alternative D states the agencies would reduce impacts from trailing. However, no science-based impacts from trailing are reported in the document, or what those impacts are with respect to GRSG populations or habitat. The FEIS/LUPA should either remove this notion, or present credible science or monitoring data on the subject.

Comment Number: IDMTSG-14-0210-5*Comment Excerpt Text:*

Perch discouragers were originally designed to reduce raptor electrocutions by moving birds from an unsafe (electrocution risk) perching location to a safer alternative, either on the same structure or an alternate structure located nearby. Recent data has documented poor effectiveness in perch discouragers and greater effectiveness of covers for preventing electrocutions (see Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006 (APLIC 2006), pages 17-18). Despite their declining use by electric utilities, perch discouragers have been installed in attempts to dissuade raptors and ravens from perching or nesting on power poles in areas with sage-grouse or other sensitive prey species. Perch discourager research has shown limited effectiveness in preventing perching, potential for increased nesting on discouragers, and increased electrocution risk associated with perch discouragers. In areas where raven predation on sage-grouse nests is a concern, perch discouragers may aid in the accumulation of nest material (APLIC 2006), and could potentially increase raven predation pressure due to nest construction on discouragers in sensitive areas. The negative impacts of perch discouragers must be weighed against the limited benefits they may provide, particularly if they are contributing to mortalities of protected birds and facilitating increases in predator nesting populations. The avian predators of sage-grouse should also be considered, as different species exhibit different hunting strategies, and employ different hunting techniques for different prey species. For example, golden eagle diet is largely mammalian (80-90%, Kochert et al.

2002). Golden eagle hunting behavior of sage-grouse is not accurately represented in the DEIS. Golden eagles prey on sage-grouse opportunistically, and typically hunt sage-grouse by stooping from a high soar or low, coursing ambush flight (Watson 1997, Kochert et al. 2002). Consequently, power poles may not play an important role in eagle predation of sage-grouse. Golden eagles are vulnerable to electrocution mortality (APLIC 2006) and perch discouragers have been correlated with increased eagle electrocution risk (PacifiCorp, in prep.). Common ravens are known predators of sage-grouse nests, yet ravens are able to overcome perch discouragers and may experience higher nesting rates on poles with perch discouragers.

Comment Number: IDMTSG-14-0242-16*Comment Excerpt Text:*

Our analysis of the DEIS focused on those impacts associated with GRSG and its habitat for all of the alternatives. We recommend that the impact analysis be improved through the following ways:

- a. We need more clarity as to the extent to which proposed actions within each alternative would ameliorate the threats to GRSG within the identified analysis areas. This is not to suggest that the current conservation measures within the range of alternatives are inadequate, but rather to emphasize the need for a more comprehensive impact analysis. Currently, the analysis demonstrates the extent to which an impact is reduced within a Population Area. However, it should also incorporate the best available science to show how that reduction could ameliorate the associated threat and consequently impact GRSG individuals and populations. The impacts to individuals and associated populations should then be compared across alternatives.
- b. The analysis should consider the beneficial impacts of best management practices and required specific design features where appropriate.
- c. The analysis should address the extent to which conservation measures within the alternatives meet the objectives of the COT. For example, we

recommend inclusion of the COT matrix with an associated narrative. We remain committed to providing technical assistance to you and your staff to complete and incorporate this analysis.

Comment Number: IDMTSG-14-0257-10

Comment Excerpt Text:

According to the Draft LUP A/EIS, for Alternative E, "The CHZ represents strongholds for GRSG populations in Idaho and is expected to support the highest breeding densities with approximately 65 percent of the known leks and 73 percent of the males in the state ... 8 We recommend that the Final LUPA/EIS include an estimate of the percentage of leks and males that the other action alternatives would support.

Comment Number: IDMTSG-14-0257-3

Comment Excerpt Text:

- Alternative D would place a relatively larger area of priority GRSG habitat under the most protective designation compared to Alternative E. This larger area is preferable because it would provide stronger protection for a larger amount of more types of GRSG habitat (especially brood-rearing, winter, and connectivity habitats). Protecting a larger area with the strongest requirements would also create more habitat and population expansion opportunities, and provide greater flexibility for managing habitat changes that may result from climate change. We note that two of the four primary threats to GRSG in the Idaho SW Montana sub-region,4 wildfire and invasives, are likely to be exacerbated by climate change.5
- Alternative D's "no net unmitigated loss" standard for Priority Management Areas appears to be more protective than the other action alternatives' disturbance caps. We appreciate, however, that the Sage-Grouse National Technical Team Report included a three percent disturbance cap.

To help determine which of these approaches is environmentally preferable for this sub-region, we

recommend that the Final LUP A FEIS include additional information comparing the long term effects of each approach. Consider describing, for example, each approach's relative certainty of (i) full implementation, and, (ii) effectiveness in conserving GRSG habitat and populations.

SECTION 4.8 - CUMULATIVE IMPACT ANALYSIS

Comment Number: IDMTSG-14-0050-22

Comment Excerpt Text:

While BLM and USFS often propose chaining, chemical and burning treatments that may benefit domestic livestock grazing (Bishop RMP, 1993) there is no evidence these treatments benefit sage-grouse. To the contrary, these treatments have negative direct, indirect, and cumulative effects on sage-grouse. The proposed EIS must include an analysis of the cumulative effects of the existing fences, prescribed burning and other proposed treatments and the effects of domestic livestock grazing on greater sage-grouse.

Comment Number: IDMTSG-14-0151-44

Comment Excerpt Text:

Now that the analysis has been broken down this way, it places a very high burden on the agencies to properly assess the welter of indirect and cumulative effects and threats facing biologically interacting sage-grouse populations and their habitats where populations span state lines. The indirect and cumulative effects analysis must extend beyond state lines. Full current analysis of declines, losses and increasing fragmentation of habitat up to the present must be provided in a SEIS. For example, how much has the habitat for the Northern Great Basin population been impacted by fires? By expansion of cheatgrass/medusahead/exotic bromes/bulbous bluegrass, including in understories? The Idaho plan must examine the cumulative effects, and threats facing the northern Great Basin population in Nevada, Oregon and Utah. It also must examine the meager management actions now proposed for sage-grouse habitats in other states, and the potential adverse impacts of agencies adopting the BLM or state alternatives

Comment Number: IDMTSG-14-0153-58

Comment Excerpt Text:

We are also concerned that the direct and cumulative impact analyses in the Draft EIS offer only a laundry list of conservation measures, without evaluating their efficacy and overall impact on sage grouse under each alternative. Area sage grouse populations expected to increase or decrease under each alternative in 10 years, 50 years, and 100 years? What would be the magnitude of population changes for each alternative? Copeland et al. (2013) evaluated just this question for Wyoming using a modeling approach, and we call upon the federal agencies to adopt such a modeling approach to come up with projections for sage grouse population trends under each alternative.

SECTION 4.9 - MITIGATION MEASURES

Comment Number: IDMTSG-14-0131-23

Comment Excerpt Text:

There are numerous methods available for restoration or conservation of sage grouse habitat. Developing a sage grouse “banking program/system” in which the implementation of these methods would result in the generation of credits for sale or trade would be a major step towards a regulatory system that provides protection for the species while still allowing development consistent with federal law. Utah, Idaho, and Nevada have developed wording in their state plans to address the development of sage-grouse conservation banks.

Comment Number: IDMTSG-14-0149-5

Comment Excerpt Text:

We are concerned that many of the Required Design Features (RDF) recommended by the NTT are included in the LUPA/DEIS. These features fail to reflect the complexity of oil and natural gas exploration and development and represent a one-size-fits-all management approach that disregards topography, local conditions, and practicality. We recommend that the agencies revisit the RDFs proposed in the LUPA/DEIS to ensure they are technically feasible and appropriate. Further, the agencies must maintain flexibility required when

considering design features on a site-specific basis. For these reasons, we strongly urge the agencies to refrain from directly incorporating any of the NTT report recommendations into the preferred alternative in the final LUPA/EIS and ROD.

Comment Number: IDMTSG-14-0151-62

Comment Excerpt Text:

Provisions like WL 4.4-2 g “restrict during March-May any intensive ground disturbance activities” must be extended by this process through June 20, to be compatible with the Braun (2006) guidelines, and the needs of sage-grouse. Livestock grazing must be considered to be a disturbance that disturbs and displaces birds, promotes predation during sensitive periods, and strips protective nesting cover exposing nests and nesting birds to predators and weather extremes. See Connelly et al. 2004, WBP Finding discussing Coates et al. and Coates and Delehanty, Knick and Connelly 2011.

Comment Number: IDMTSG-14-0153-13

Comment Excerpt Text:

We are concerned that BLM may not fully apply mitigation measures identified in the RMP revision, using agency discretion to create loopholes in cases where project proponents find mitigation measures to be onerous. This concern is underscored by repeated references throughout the document to exceptions granted to plan standards either with or without compensatory mitigation. RMP language should be clearly articulated that standards are indeed standards and will be applied rigorously throughout the life of the Plan.

Comment Number: IDMTSG-14-0153-33

Comment Excerpt Text:

The net result is that, under the offsite mitigation model, immediate welfare of the sage grouse today is being mortgaged for eventual habitat improvements that are speculative at best. However, unlike pheasants, sage grouse are known to respond poorly if at all to habitat enhancement projects (WGFD 2007). In the WAFWA forum participants noted,

“It’s important for people to understand that if we are doing habitat projects, it often takes a matter of 10, 20, even 30 years to restore shrub habitat. Habitat treatments that put money on the ground today are speculating on the long-term success of the treatment, and of the sage grouse response to those treatments. So we’ll have to find a way to figure this much longer time frame into our calculations” (WAFWA 2006b: 13).

In the absence of rigorous scientific evidence supporting the translation of habitat enhancement projects into increased sage grouse population numbers, BLM should exclude such projects from sage grouse Priority and General habitats.

Comment Number: IDMTSG-14-0153-5

Comment Excerpt Text:

Finally, we would ask the responsible official to render a formal determination regarding any scientific support for allowing exceptions to the disturbance cap to be granted with or without mitigation when sage grouse populations are at or above population targets and stable. Please cite to scientifically valid studies that provide examples of mitigation that have increased the populations of sage grouse where they have been implemented, to offset losses to sage grouse populations in developed areas

Comment Number: IDMTSG-14-0153-7

Comment Excerpt Text:

The federal agencies propose to compensatory mitigation as a key element of Alternative D DEIS at 2-74. These are intended to offset impacts. Id. We call upon the Forest Service to reach a determination regarding the effectiveness of the proposed compensatory mitigation to result in no net loss of sagebrush populations for the area in question. Please document any and all scientific studies that conclude that compensatory mitigation efforts have yielded an increase in sage grouse populations for the area to which mitigation efforts apply. We are unaware of any cases in which a compensatory mitigation program has resulted in a significant increase in sage grouse compared to an untreated landscape. The fact that “compensatory mitigation” funding frequently is

used to purchase conservation easements is problematic, because this is a paper transaction with legal ramifications preventing future potential losses, but can never yield population gains to offset the very real and immediate losses of sage grouse habitats and populations incurred as a result of industrial development.

Comment Number: IDMTSG-14-0178-28

Comment Excerpt Text:

Monitoring (1-30) – Although we acknowledge that effectiveness monitoring will be an essential component to exhibiting to USFWS that the BLM/FS’s plans are working, we are concerned about the BLM’s ability to adequately conduct such work, as has proven fodder for litigation in the past. Strong efforts must be made to improve monitoring methods.

Comment Number: IDMTSG-14-0179-10

Comment Excerpt Text:

Conservation Area are still met, among other conditions (E-LR-11 through 14: Idaho-CHZ and IHZ on p. 2-166 through 168). The Idaho Conservation League was involved in the development of this exemptions process and a high bar was set. That said, our preference would be to first avoid any infrastructure development within the CHZ and secondly within the IHZ. Even with the best-intentioned avoidance and mitigation plan, some projects are simply “unmitigatable” due to the type or location of the project. As such, we recommend expanding the list of excluded projects in CHZ to include the following:

- Landfills in sage-grouse habitats or within 5 km of sage-grouse habitats²
- (especially because landfills subsidize synanthropic predators such as ravens)
- Airports
- Mineral development (leasable, locatable and salable) and associated infrastructure (processing, milling and stockpiling facilities)
- Quarries and gravel pits over a certain size, based on best management practices

- Oil and gas development
- Commercial wind, solar, geothermal, hydroelectric and nuclear projects

Comment Number: IDMTSG-14-0180-26

Comment Excerpt Text:

Alternative D’s mitigation strategy is “no net unmitigated loss” which means at best, a 1:1 ratio of acres. However, Alternative D essentially excludes infrastructure in its most restrictive management zone, so there would be no real opportunity for mitigation.

Comment Number: IDMTSG-14-0180-28

Comment Excerpt Text:

Protection mitigation should also be clarified. This type of mitigation can protect thousands of acres from burning, but could potentially not meet the “net” criteria. This definition does not define how maturation of seeded restoration projects is calculated. And this is only appropriate for large-scale infrastructure, not other activities. Overall, this idea needs to be fleshed out to determine whether it is an effective strategy for infrastructure development and mitigation.

Comment Number: IDMTSG-14-0206-16

Comment Excerpt Text:

The five gaps in Alternative D’s treatment of compensatory mitigation are: (1) absence of a clear statement of BLM’s authority to require compensatory mitigation; (2) failure to explain the no net unmitigated loss standard; (3) lack of policies and processes needed to ensure delivery of sound mitigation; (4) lack of guidance for conducting mitigation on federal lands; and (5) failure to explain how compensatory mitigation is linked to the metrics in the adaptive management mechanism. Each of these problems is addressed below.

Comment Number: IDMTSG-14-0206-17

Comment Excerpt Text:

Alternative D currently references that policy, the final Plan should explicitly re-state its core provisions, including the following points:

- BLM has the authority to require compensatory mitigation as a condition for a right-of-way or other land use authorization or permit;
- BLM has the authority to deny applications if appropriate mitigation is not achievable through avoidance, minimization or reasonable compensation;
- Regional mitigation planning and implementation should be a routine and standard aspect of BLM’s planning and permitting processes;
- A regional or landscape-scale mitigation approach will help BLM maximize the management of conservation values while providing transparency and surety to both developers and other public lands users;
- Compensatory mitigation strategies may be implemented after project approval but before construction;
- Adequate bonding to ensure compensatory mitigation compliance is required; and
- Compensatory mitigation must be durable over the life of the impact

Comment Number: IDMTSG-14-0206-18

Comment Excerpt Text:

The Plan should state the basic criteria that will be employed in evaluating the adequacy of mitigation proposals designed to meet the “no net unmitigated loss” standard. These criteria include:

- Losses to be considered include those that stem from direct, indirect and cumulative impacts based on best available scientific evidence (i.e., there should be no burden of proof that makes it easier to overlook credible but uncertain impacts);
- Losses will be assessed from baseline habitat conditions and functions and post-project or activity conditions and functions;
- Impact assessments will weigh the value of the habitat affected, including any special or

unique features important to sage grouse conservation;

- The mitigation standard is to offset these losses fully;
- Losses to be mitigated include temporary impacts of the project;
- Mitigation should be scaled to reflect the lag time between the time of project impact and the time that benefits of mitigation actions are achieved; and
- In determining the adequacy of mitigation proposals, BLM will consider the risk that mitigation actions will fail to achieve their expected benefits and adjust the amount of mitigation required to provide a high probability of success.

Comment Number: IDMTSG-14-0206-19

Comment Excerpt Text:

Alternative D provides little guidance on the policies and processes that the agency will use to ensure the delivery of sound mitigation.

Fortunately, the Mitigation Framework that is incorporated into Alternative E does a good job in articulating many of these policies and processes. The Mitigation Framework was developed by a subcommittee of the Idaho Sage Grouse Advisory Committee as an outline for an in lieu fee program that would offer infrastructure developers one option for delivering mitigation. However, the principles used in the document have broader application to the task of delivering sound mitigation.

The following principles and policies from the Mitigation Framework should guide the federal agencies' approach to mitigation under the RMP revisions.

- A compensatory mitigation policy oversight committee, a science team, and a program administrator should be established to oversee and manage compensatory mitigation in Idaho. These committees should include responsible federal and state land and wildlife

management agencies and tribes. Local government representatives, implementation organizations such, the Natural Resource Conservation Service, Soil and Water Conservation Districts, non-profit conservation organizations, private landowners and stakeholders should participate as appropriate.

- The federal agencies should have an active role on the policy oversight committee and science team to ensure that mitigation efforts deliver the promised results.
- The Idaho Department of Fish and Game and Office of Species Conservation should have a lead role in organizing a statewide mitigation strategy and administering any in lieu fee mitigation program.
- Mitigation should be guided by a statewide strategy that: defines agency roles and responsibilities for implementing mitigation actions; provides guidance on how mitigation investments will be made in a statewide context for maximum benefit to the long-term viability of sage grouse populations; establishes a “common currency” (e.g., acres, habitat units) for assessing project impacts and mitigation benefits; establishes a crediting system that ensures that project impacts are actually offset with mitigation benefits in accordance with the concept of “additionality;” uses landscape-scale conservation planning to target mitigation action; identifies approved mitigation methods; and sets a fee schedule for any in lieu fee program.
- Mitigation actions should be adequately funded, including the full cost of project planning, administration, and monitoring.
- Mitigation should be subject to both implementation and effectiveness monitoring. Results of monitoring should be available to the interagency mitigation committees and to the public. The mitigation program should be

adjusted to reflect the outcomes from monitoring.

Comment Number: IDMTSG-14-0206-20

Comment Excerpt Text:

However, we also recommend that mitigation delivery be organized on a statewide basis because of the importance of involving the state fish and wildlife agencies and other agencies and organizations that are organized along state lines. Management Zone IV, which includes all of Idaho but only small portions of Montana and Utah is not a logical unit for organizing and delivering mitigation actions. It would make more sense to include the small corners of Montana and Utah that are inside of Management Zone IV within comprehensive mitigation programs in their respective states.

Comment Number: IDMTSG-14-0206-21

Comment Excerpt Text:

We recommend federal land managers explicitly state that the proximity to impacts should not be the primary factor in identifying mitigation investment. Rather, priority should be given to sites that present the best options for successful mitigation and conservation co-benefits. The offset and impact need to be ecologically similar but the assumption that “closer is better” in mitigation siting is often not defensible ecologically, especially given the associated edge effects caused by nearby infrastructure. Mitigation sites should be selected based on a large landscape (e.g., conservation area or statewide) planning that allows consideration of sage grouse population demographics and distribution as well as the project impacts in selecting mitigation areas.

Comment Number: IDMTSG-14-0206-22

Comment Excerpt Text:

Appendix 2 of this document addresses policies related to the durability of these mitigation investments. Durability of mitigation investments, i.e., ensuring that compensatory mitigation investments lasts over the life of the impact, in some instances in perpetuity, is critical to achieving BLM resource value goals and long-term conservation of sage grouse and their habitats. Durability cannot be achieved if

mitigation for impacts to the species and its habitat continue to be negatively impacted by uses or activities that are incompatible with its conservation. BLM has numerous tools it can use to ensure a high level of mitigation durability, many of which are possible through the land use revision process. Building durability measures into the resource management plan will help ensure that mitigation investments yield their intended ecological goals.

Comment Number: IDMTSG-14-0206-23

Comment Excerpt Text:

Both Alternative D and E propose adaptive management mechanisms that are triggered when habitat losses exceed a particular threshold, either 10% or 20%. And, Alternative E provides for disturbance caps that involve calculating habitat disturbance and loss. It is not clear how either of these two polices will assess habitat losses associated with infrastructure projects that will provide compensatory mitigation. Mitigation actions will typically occur after project construction and may not result in full biological benefits until a period of years or decades after the project is complete.

The Conservancy recommends that the final Plan provide that mitigation actions will be credited for purposes of applying disturbance cap at the time that the biological benefits of those actions accrue on the ground. The same approach would work for assessing whether an adaptive management trigger has been tripped.

Comment Number: IDMTSG-14-0206-24

Comment Excerpt Text:

However, the Appendix D includes incidental language that could limit the mitigation effectiveness and lead to future conflict. Specifically, the alternative states that projects would be “subject to compensatory mitigation if new, significant and unavoidable impacts are demonstrated to be associated with the project.” Id.

The problem with this formulation is that the apparently innocuous word “significant” can lead to endless debates about its meaning as applied in

specific situations. There is little value in assessing whether residual impacts are “significant” as that term is typically used in the NEPA context. Compensatory mitigation should be a tool to offset all sage grouse impacts that are not merely negligible.

We are also uncertain about what the phrase “demonstrated to be” adds to the sentence quoted above. There should be no extra burden of proof imposed on the compensatory mitigation program. Decisions about which impacts should be mitigated should be based on available evidence under existing standards. Remote and speculative impacts have never been within the scope of NEPA’s requirement to consider the environmental effects of proposed actions.

Therefore we suggest that Alternative D call for mitigation that will apply to “new unavoidable impacts associated with the project.”

Comment Number: IDMTSG-14-0206-26

Comment Excerpt Text:

Based on this information, The Nature Conservancy recommends that compensatory mitigation be based on loss of habitat services within .6 kilometers either side of the centerline of a 500 kV or other large transmission line. We note that the literature supports the conclusion that indirect impacts, such as predation, occur at much larger distances. Therefore, a 600 meter “band” on either side of the transmission line represents a moderate approach to quantifying habitat services losses that should be subject to compensatory mitigation based on available information for the habitat types affected.

Comment Number: IDMTSG-14-0210-8

Comment Excerpt Text:

NorthWestern Energy submits that stipulations for sage-grouse included in the BLM RMP revision should not include any mitigation requirement unless it is based on valid science, not anecdotal or casual observation, and is specific to sage-grouse. NorthWestern Energy encourages the BLM to apply the APLIC/agency sage-grouse BMPs (described above), much like the BLM has for APPs, to serve as

the current best practices for sage-grouse issues related to electric utility facilities.

Comment Number: IDMTSG-14-0210-9

Comment Excerpt Text:

NorthWestern Energy encourages the BLM to develop incentives for industry that meet these conservation and customer goals. Numerous state sage-grouse plans have either included or are developing incentive programs for industry and private landowners, as these are critical to the overall conservation of sage-grouse and their habitat. NorthWestern Energy encourages the BLM to consider mitigation banks and offsite mitigation as mechanisms to pool habitat conservation resources and target conservation efforts in highest priority areas. Because habitat is the primary factor influencing sage-grouse populations, habitat conservation and enhancement efforts should be a primary focus of minimization and mitigation efforts.

Comment Number: IDMTSG-14-0212-16

Comment Excerpt Text:

the Final LUP Amendment should clarify that sage-grouse conservation stipulations should be a preference and should not be used to unduly burden or eliminate leasable minerals development. For example, mine exploration drilling programs in sage-grouse habitat, under certain circumstances, might be able to avoid surface uses during seasonal or daily time limitations. However, impacts of actual mining in sage-grouse habitat cannot avoid surface disturbance in areas where the resource is located. Thus, the Final LUP Amendment should recognize that, although surface use limitations might be implemented to mitigate or minimize impacts of a drilling program, such limitations might not be applicable to a mine development, the impacts of which might need to be mitigated through other means (e.g., habitat restoration).

Comment Number: IDMTSG-14-0212-17

Comment Excerpt Text:

To incentivize immediate conservation efforts while ensuring realistic opportunities for development, the Agencies’ Final LUP Amendment provisions should

provide a clearer, more robust, mitigation credit program. The elements of the mitigation program should include, at a minimum, the ability of federal project proponents to pursue, and receive mitigation credits for, mitigation projects on private or state lands to offset future federal project impacts. Mitigation credit opportunities also should not be limited to traditional habitat improvement and protection activities. The Agencies should work with project proponents to develop alternative mitigation actions that could be used to offset project impacts. For example, where wildfire is the primary threat to sage-grouse habitat in Idaho, mitigation credits could be earned by providing firefighting resources that otherwise would not be available to private or state resource managers. Other examples include marking fences near leks to prevent sage-grouse collisions, which could directly and quickly provide benefits to local populations, and remediating pinyon/juniper encroachment. These non-traditional mitigation actions could provide quick, range-wide and substantial benefits, and thus, the Final LUP Amendment should recognize these for potential mitigation crediting.

Comment Number: IDMTSG-14-0212-19

Comment Excerpt Text:

IHZ infrastructure development

It is unclear in the State's Alternative whether, or to what extent, mitigation or mitigation credits will be considered in the 10% habitat objective and population decline measurements. See Draft LUPA/EIS p. 2-95 (Objective E-OBJ-2). To encourage immediate conservation actions while providing for multiple uses of the public lands, the Final LUP Amendment should provide that project proponents are able to rely on mitigation benefits to show that the 10% habitat objective and population decline measures would be achieved.

Alternative E provides that the 10% habitat objective and population decline measures must be met "within a particular [Conservation Area]." See, e.g., Draft LUPA/EIS p. 2-95 (Objective E-OBJ-2). However, there could be mitigation opportunities outside of the

project Conservation Area that could provide a benefit to the species overall. If a project proponent can show there will be an overall net benefit to the species through mitigation opportunities outside the project Conservation Area, the project proponent should be able to rely on that mitigation to offset impacts inside the area. In addition, the Agencies should provide in the Final LUP Amendment that, because it's unclear how mitigation projects on private or state lands would be considered, federal project proponents should be allowed to pursue, and receive mitigation credit for, mitigation projects on private and state lands to offset federal project impacts.

Comment Number: IDMTSG-14-0212-20

Comment Excerpt Text:

283

Site and/or minimize linear ROWs or SUAs to reduce disturbance to sagebrush habitats.

Siting should be subject to practical considerations such as topography, functionality, and economics and should not result in unreasonable or impractical ROW or SUA alignments where shorter or more direct alignments can be constructed in sagebrush habitat subject to mitigation offsets.

Comment Number: IDMTSG-14-0212-21

Comment Excerpt Text:

288 Cover (e.g., fine mesh netting or use other effective techniques) all pits and tanks regardless of size to reduce GRSG mortality. Covering all pits or tanks might not be practical and all pits or tanks might not threaten sage-grouse; this RDF should recognize such limitations. Additionally, the Agencies should clarify that the term "pit" does not include the mining pit itself, which cannot be covered.

Comment Number: IDMTSG-14-0212-22

Comment Excerpt Text:

Reclamation - PPH

141 & 142 Include objectives for ensuring habitat restoration to meet sage-grouse habitat needs in reclamation practices/sites (Pyke 2011). Address post

reclamation management in reclamation plan such that goals and objectives are to protect and improve sage-grouse habitat needs. The Agencies should clarify that post reclamation planning might include offsite mitigation and not reclamation of sage-grouse habitat at the mine site.

Comment Number: IDMTSG-14-0212-23

Comment Excerpt Text:

145 Irrigate interim reclamation as necessary during dry periods. Irrigation might not be possible or practical due to water availability, water rights, or other limitations.

Comment Number: IDMTSG-14-0242-13

Comment Excerpt Text:

We support the governance structure developed by the Idaho Sage-grouse Advisory Committee incorporated in Alternative E. This structure would provide an integrated framework for mitigation to be incorporated into the adaptive management process for all GRSG habitat categories (e.g., Core, Important, and General). We also encourage the inclusion of the concept of "additionality" and a "net conservation benefit" standard. We encourage close coordination with the State on this mitigation element in order to maintain their important collaborative conservation process.

Comment Number: IDMTSG-14-0242-14

Comment Excerpt Text:

We need additional detail for both Alternatives D and E regarding how mitigation will be accomplished in future decision making processes. Further clarity is needed in the following areas:

- a. Methodologies or metrics that will be used to determine expected impacts of actions and conservation measures used to offset them.
- b. Identification of "service areas," or areas where offsets would be focused.
- c. Inclusion of a transparent and accountable monitoring program that includes performance standards that are used to ensure conservation measures meet predetermined goals and objectives.

d. The role of the land management agency(s) if the Alternative E mitigation program were implemented

Comment Number: IDMTSG-14-0242-17

Comment Excerpt Text:

We hope that through our comments, the BLM and FS will expand the detail of several key components to a level where we can fully evaluate the FEIS pursuant to the COT. Some key components include:

- a. Details on how habitat and disturbance will be monitored;
- b. Methods of landscape-scale prioritization and implementation of step-down assessments for addressing threats from fire and invasive species; and
- c. Details on how mitigation will be applied. We are participating on national interagency teams associated with these plan components and will continue to provide input on these components through our membership on these teams. It will be critical that the FEIS provide additional specificity in each of the above areas

Comment Number: IDMTSG-14-0325-5

Comment Excerpt Text:

[This comment corresponds to the headings in Table 2-17 and Table 2-18] SSS-GRSG

Monitoring.

Alternatives B, C, D and Fat SSS-4 are inadequate because they lack standardized monitoring of GRSG population and mortality factors. As is carried throughout Alternatives B, C, D and F in this draft LUPA/EIS, BLM chooses to essentially ignore GRSG population factors and instead focus on purely regulatory "habitat" actions. It is convenient to "monitor" habitat by HAF or similar methods, but without accurate and consistent population and mortality information it is impossible to determine if success/lack of success of a management action is due to habitat management or is instead due to other life-cycle variations (e.g. weather, predation, disease, direct take, etc.).

SECTION 5 - ACECS

SECTION 5.1 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0005-2

Comment Excerpt Text:

According to the Map H.1 four new ACEC are being proposed in Alternative C, Map H.2 has 16 proposed for Alternative F, Map H.3 has 18 proposed in Alternative F, and then Table H.1 has 39 listed. As I wrote in the paragraph above, where as a reader are we to see your evaluation, analysis and rationale for each of these? As a simple example of how you should have presented this whole part of this EIS can be found in a document you have. That is the Draft Amendments to Shoshone Field Office Land Use Plans of June 2002. You will see the appropriate method of displaying to the reader the relevance, importance, management prescriptions and rationale for each nomination so we have the opportunity to review your work.

Comment Number: IDMTSG-14-0026-3

Comment Excerpt Text:

The Areas of Critical Environmental Concern (ACEC) details need to be corrected. Two of the maps did not say which Alternative they represented. On page 2-65 under Alternative C the BLM will designate 39 new ACECs, but elsewhere the number 4 is used, including on Figure 2-44.

Comment Number: IDMTSG-14-0049-4

Comment Excerpt Text:

We also request that all preliminary priority habitat on USFS lands in the Caribou-Targhee National Forest be under special designation for sage-grouse, totaling 148, 646 acres.

We believe these special designations could include a combination of ACEC designation, Lands with Wilderness Characteristics ("LWCs") designation⁵, or zoological areas on USFS lands, providing that regardless of the special management designation chosen, sage-grouse and sagegrouse habitat conservation are a priority for the lands under designation.⁶

Comment Number: IDMTSG-14-0151-50

Comment Excerpt Text:

BLM also places ACECs in the Issues Not Addressed Category. Yet these were part of the Preliminary Planning Criteria. Designation of special management areas is not outside the Scope of this process. ACECs are special management areas. They are adopted by Land Use Plan amendments. The Scoping and Fed Reg Notices stated that the agencies may consider ACECs. This is serious Idaho (and E MT- UT) BLM BLM backpedaling. FLPMA allows the public to nominate ACECs at any time. Numerous ACEC proposals were submitted to BLM. In fact, as discussed below, BLM appears to have prepared a small number of its own proposals, and the Forest Zoological Area, but that effort may have run into a political blockade. See oddly unlabeled map DEIS Figure 2-46. BLM itself considered ACECs in Alternatives C and F.

Comment Number: IDMTSG-14-0151-75

Comment Excerpt Text:

BLM is supposed to be considering ACECs – yet DEIS at 2-42 shows none are considered under Alts B, D, E. This is not a reasonable range of alternatives.

Comment Number: IDMTSG-14-0153-30

Comment Excerpt Text:

BLM must ensure that all Core Area/Priority Habitat and/or ACEC protections are nondiscretionary standards, so the agency can rely on them as conservation measures that are adequate and reliable in the context of Endangered Species decisionmaking by the U.S. Fish and Wildlife Service.

Comment Number: IDMTSG-14-0154-1

Comment Excerpt Text:

Even if these priority areas are not designated as ACECs, BLM can identify them as other administrative designations, which will still provide for areas of more protective management. For example, the HiLine RMP in Montana incorporated 2 designation approaches that are used to protect sage-grouse and minimize habitat fragmentation: Grassland Bird/Greater Sage-Grouse Priority Areas, and Greater Sage-Grouse Protection Priority Areas² [2

See Draft HiLine RMP, available at http://www.blm.gov/pgdata/etc/medialib/blm/mt/field_offices/malta/rmp/draft_rmp.Par.77898.File.dat/HL%20Fact%20Sheet-Sage%20Grouse.pdf. In the HiLine RMP, these areas had low potential for oil and gas development and were given a high level of protection in the RMP.

Comment Number: IDMTSG-14-0169-44

Comment Excerpt Text:

Designate a subset of sage-grouse priority habitat areas as sagebrush reserves (e.g., Areas of Critical Environmental Concern (Bureau of Land Management), Zoological Areas (Forest Service), 10 research natural areas (Bureau of Land Management, Forest Service), or national wildlife refuges (Fish and Wildlife Service), etc.) to be specially managed refugia for sage-grouse and other sagebrush-dependent species.¹¹ Sagebrush reserves should encompass centers of sage-grouse abundance on the landscape and protect a sufficiently large proportion of habitat in each planning area to sustain biological processes, recover species and mitigate for the systematic effects of climate change, invasion by nonnative plants and unnatural fire.¹² Sagebrush reserves should offer additional conservation benefits for sage-grouse and other sagebrush-dependent species over priority habitat. They may be withdrawn from locatable and leasable minerals development (43 U.S.C. § 1714); closed to new surface disturbance; and prioritized for grazing permit retirement and removal of infrastructure (unnecessary oil and gas equipment, roads, range developments, fencing, etc.).

The preferred alternative would not designate any sagebrush reserves (ACECs, Zoological Areas) (vol 2, 2-194, Table 2-19). Alternative C analyzed 3,603,100 acres for designation as 39 new ACECs to conserve sage-grouse (vol 1, ES-15; vol 2, 2-27, Table 2-2). Alternative F would designate 7,791,693 acres as ACECs and Zoological Areas (including 3,460 acres as restoration habitat) (vol 2, 2-27, Table 2-2).

Comment Number: IDMTSG-14-0178-31

Comment Excerpt Text:

Special Management Designations (I-32) – This LUPA/DEIS should preclude the need for any further special management designations for sage grouse conservation and should specifically delineate this point.

Comment Number: IDMTSG-14-0257-9

Comment Excerpt Text:

Areas of Critical Environmental Concern

We are concerned that Alternative D does not include the establishment of any new or additional Areas of Critical Environmental Concern because we believe that establishing ACECs would be an effective method of protecting relevant and important values. We recommend that the Final LUPA/EIS include additional information describing why the BLM decided not to include ACECs in the co-preferred alternatives.

SECTION 6 - CLIMATE CHANGE

SECTION 6.4 - CUMULATIVE IMPACT ANALYSIS

Comment Number: IDMTSG-14-0151-24

Comment Excerpt Text:

The DEIS does not adequately address the significant cumulative stress of climate change and incorporate recent science suggesting that a reduction in ungulate grazing would improve ecological resilience in the face of temperature and precipitation changes. See Beschta et al 2012. The DEIS does not discuss the impacts of livestock grazing on the climate resilience or the contributions of GHGs from the planning area. The impacts of climate change on a healthy resilient system are far less than on a system where resource extraction, such as livestock grazing is the predominant use. The levels of livestock grazing utilization that takes place on BLM lands place unnatural stress upon the vegetative communities which did not evolve with this non-native invasive species, cattle. There is much research regarding the impacts of drought under various levels of herbivory, the majority of which shows significant impacts to

vegetation from the level of utilization generally authorized or allowed by the BLM. The impacts of drought are quite similar to that predicted from global warming. So the research regarding herbivory effects and drought are quite analogous and useful for the analysis of the impacts of climate change.

Comment Number: IDMTSG-14-0151-55

Comment Excerpt Text:

The Land Use Plans that are to be amended do not contain necessary analysis and actions to address and ameliorate adverse climate change effects (hotter temperatures, earlier spring drying, increased cheatgrass, more rapid and earlier runoff, more weather extremes, etc.). All of these predicted climate change effects will increase the weed risk and uncertainty of imposing large-scale treatments across the landscape while continuing the same grazing disturbance load.

Comment Number: IDMTSG-14-0151-66

Comment Excerpt Text:

Climate Change must be addressed under range and vegetation treatment - as grazing amplifies the adverse effects of climate change. Treatments can result in hotter, drier more weed prone and more desertified sites, and reduce the habitat's ability to buffer climate change effects.

Comment Number: IDMTSG-14-0169-50

Comment Excerpt Text:

Account for the effects of climate change in management planning (Secretarial Order 3289, 02-22-2010; CEQ Memo, 02-18-2010 (draft)). Climate change is a recognized threat to sage-grouse (Connelly et al. 2011b: 556, Table 24.2; Blomberg et al. 2012; van Kooten et al. 2007) that is also predicted to have deleterious impacts on sagebrush steppe (Schlaepfer et al. 2012; Neilson et al. 2005). Most climate change simulations predict sagebrush steppe will contract as mean temperatures increase and the frost line shifts northward (Blomberg et al. 2012; Neilson et al. 2005). In the worst case scenario, sagebrush species are simulated to contract to just 20 percent of current distribution (Wisdom et al. 2005b: 206, citing Neilson et al. 2005). The largest remaining

areas will be in southern Wyoming and in the gap between the northern and central Rocky Mountains, followed by areas along the northern edge of the Snake River Plateau and small patches in Washington, Oregon and Nevada (see Miller et al. 2011: 181, Fig. 10.19). Sagebrush steppe may also shift northward in response to increased temperatures (Schlaepfer et al. 2012; Shafer et al. 2001).

Comment Number: IDMTSG-14-0169-51

Comment Excerpt Text:

Measures for ameliorating the effects of climate change on species and landscapes include increasing the size and number of protected areas, maintaining and enhancing connectivity between protected areas, and identifying and protecting areas likely to retain suitable climate/habitat conditions in the future (even if not currently occupied by the species of concern). Management should also repulse invasive species, sustain ecosystem processes and functions, and restore degraded habitat to enhance ecosystem resilience to climate change (Chester et al. 2012; NFWPCAS 2012). The plan identifies climate change, specifically its contributions to the spread of cheatgrass and associated loss of sagebrush habitat, as a planning issue (vol 1, ES-7), but contends there “is no resource program for addressing this threat to [sage-grouse]” (vol 2, 2-5, Table 2-1). The plan claims to address the cumulative effects of climate change in section 4.15 (which is, unexpectedly, titled “Social and Economic Conditions (Including Environmental Justice”), but there is little discussion of the impacts of climate change in this section or anywhere in the plan.

The preferred alternative would generally attempt to increase the quality, extent and connectivity of sage-grouse habitat, “where possible, to accommodate the future effects of climate change” (vol 2, 2-97, Table 2-17, D-OBj-10).

SECTION 7 - FIRE AND FUELS

SECTION 7.1 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0049-22

Comment Excerpt Text:

Recovery of sagebrush lands impacted by fire is long-term and may often take decades or even centuries. Species composition, pre-burn site conditions, fire size and intensity, fire frequency, and availability of seed sources all play a role in the ability of sagebrush habitats to recover. Without readily available sagebrush habitat, most sites affected by fire are of little to no value to sage-grouse prior to recovery.

At the same time, some priority sage-grouse habitats include substantial non-sagebrush habitat interspersed with sagebrush steppe, such as low-elevation Douglas-fir forests, where fire is a critical natural process. In the absence of fire on these landscapes or due to unnatural fire suppression efforts, there has been significant conifer expansion into sagebrush steppe and grasslands.

For this reason, we suggest that prescribed fire be used sparingly in areas specially designated for sage-grouse conservation and prohibited completely in areas dominated by xeric sagebrush species such as Wyoming big sagebrush. Prescribed fire treatments should not be designed to remove sagebrush, but rather should only be used to address issues such as conifer encroachment that may contribute to declining health in sagebrush habitats.

Comment Number: IDMTSG-14-0053-8

Comment Excerpt Text:

Most of the alternatives dwell on core habitat fire suppression actions and the prevention of wildfire through education of all users. Alternative D speaks of revegetating green strips with native vegetation. Any responsible plan must include a comprehensive map of all natural and manmade firebreaks in priority habitat and then use fire specialists, landscape architects, and vegetative specialists to design additional green strip fuel breaks to further break up these fuel loads in GRSG habitats that are prone to

burning. The loss of habitat from developing these green strips is minimal, compared to these huge uncontrollable fires. The cost of green stripping will be minimal compared to the cost of suppression. The ARS Forage and Range Resource Lab in Logan, Utah, has developed vegetation that can be used in green stripping. Forage kochia is one of these plants. It is very high in protein during the winter months and GRSG use of this plant has been documented. It is imperative that green stripping become a larger component in fire management.

Comment Number: IDMTSG-14-0151-73

Comment Excerpt Text:

L-5 refers to "same as Alt A but 50% less wildfire in Wyoming sage model to estimate the effects of fuels models". What does this mean?

Comment Number: IDMTSG-14-0159-23

Comment Excerpt Text:

Alternatives B and F in the Idaho DEISs propose fire and fuels management within a key/core habitat with an emphasis on protecting existing sagebrush ecosystems, but do not take into account the quality, suitability or relative importance of the habitat to GRSG. It may not be appropriate to maintain 15% sagebrush canopy in all key/core habitat in an area where removal and creation of a fuel break would have net beneficial effects on GRSG.

Comment Number: IDMTSG-14-0159-26

Comment Excerpt Text:

Governor's Alternative's prevention measures include fuel breaks, fuels reduction, and fire restrictions and closures. Governor's Alternative requires that strategy and associated NEPA for these prevention efforts should be completed within two years of signing the Record of Decision for this current EIS. Fire suppression measures include creating additional Rural Fire Protection Associations (RFPAs), response time analysis, suppression capacity analysis, water capacity analysis and implementation, and firefighter education on the importance of protection CHZ and IHZ. These measures should be implemented within one year of the Record of Decision for this EIS.

Comment Number: IDMTSG-14-0168-15

Comment Excerpt Text:

C-9

"On critical fire weather days, pre-position additional fire suppression resources to optimize a quick and efficient response in sage-grouse habitat areas."

This RDF would apply to alternative B and F, and is inconsistent with the policies of Custer County. Under this policy the agencies are required to prioritize protection of the Greater Sage-Grouse over human life and property. All fire suppression resources in Custer County should be positioned for the protection of human life first. Coordination of this RDF should be coordinated with the Fire Districts within this planning region, and specifically within Custer County, to determine whether or not it is consistent with their existing policies, and if this policy creates conflicts that must be resolved. A discussion as to how this will be resolved needs to be included in the DEIS.

Comment Number: IDMTSG-14-0178-14

Comment Excerpt Text:

[This comment refers to Alternative D] Fire Management (2-30, Appendix K) – It is important that the agencies' fire management efforts are not restricted only to written language in a plan, but rather ensures that on-the-ground decision making will be enabled and encouraged. Fire patterns vary based on circumstances and suppression efforts cannot always be managed by the book

Comment Number: IDMTSG-14-0178-16

Comment Excerpt Text:

[This comment refers to Alternative D] Mitigation (2-75) – The LUPA/DEIS mentions grazing management for post-fire restoration treatments. The final LUPA/EIS must make clear the need for flexibility in developing such treatments. In many cases, grazing restrictions post-fire only serve to exacerbate the invasive species problem which creates a cyclical negative impact on sage grouse.

Comment Number: IDMTSG-14-0179-15

Comment Excerpt Text:

It is important to note that the Idaho Fire Restrictions Plan is just one aspect of a larger public education and prevention program.

|| <http://www.idahofireinfo.blm.gov/southwest/firerestrictions.htm>

The following criteria are among those to be considered when assessing the need for restrictions, but these criteria can be customized for each area:

- 1,000-hour fuel moisture content
- Live fuel moisture content
- Fire danger rating adjective class is at very high or extreme
- Fires are impacting available suppression resources making adequate initial attack difficult
- Area is receiving a high occurrence of human-caused fires
- Adverse fire weather conditions and risks are predicted to continue
- Social, political and economic impacts
- Life safety is jeopardized

If a certain number of the above conditions are met, Stage 1 Restrictions may be set in place which restrict building campfires and smoking beyond an enclosed vehicle or building. If even more of the above conditions are met, Stage 2 Restrictions may be set in place, which add operating motorized vehicles off designated road and trails, operating internal combustion engine such as a chainsaw, welding and using explosives.

This program was successfully utilized to protect remaining sage-grouse habitat following the Murphy Fire when extreme fire conditions were still present. These restrictions were enacted specifically to prevent human-caused fires from impacting other sage-grouse habitat during a time when resources were stretched thin. As such, this program may be

able to serve as an adequate and at least partially effective regulatory mechanism.

Comment Number: IDMTSG-14-0180-37

Comment Excerpt Text:

However, the distinction between Alternative E and its co-preferred partner Alternative D is that Alternative E is the only one that responds to the Service's concern that existing fire mechanisms were only implemented through temporary IMs that expired every two years. The table provided in Appendix D for Alternative E and also noted as Table 2-13 in this EIS provides timelines for both BLM and the Forest Service to implement long term fire management measures. This ensures that measures are not only effective in reducing the impact of fires, but also that fires can continue to managed consistently at the local level. No other Alternative in the DEIS addresses fire in this way. In fact, Alternatives C and F merely defer to Alternative B for the primary threat facing sage-grouse. Thus, while the impacts of the measures themselves may not differ substantially from Alternative A or B, Alternative E's impacts are much bigger as they are paired with a mechanism to ensure they are actually implemented.

Comment Number: IDMTSG-14-0206-27

Comment Excerpt Text:

Fuel breaks can involve ground disturbing vegetation treatments that may provide a foothold for invasive weeds and may further fragment sage grouse habitat by removing shrub cover. For this reason, constructing fuel breaks outside of CHZ and IHZ habitats but in locations that help protect these habitat area may be preferred. Nevertheless, we do not propose a per se rule excluding fuel breaks from sage grouse habitats in all instances.

Comment Number: IDMTSG-14-0206-28

Comment Excerpt Text:

Alternative E recommends prioritizing fuel breaks at the wildland-urban interface (WUI). We believe that a landscape scale analysis provides a better opportunity to place fuel breaks at locations that will be more effective at protecting sage grouse habitat

than a WUI-focused strategy. Therefore, we suggest that the WUI preference not be carried forward into the final Plan.

Comment Number: IDMTSG-14-0242-21

Comment Excerpt Text:

We recommend that the FEIS include provisions to eliminate prescribed burning in sage-grouse wintering and breeding [i.e., lekking, nesting and early brood rearing (Connelly et al. 2004, Connelly et al. 2011)] habitats unless biologically justified. The ecological role of fire in reducing sagebrush canopy and stimulating regeneration may justify the use of prescribed fire in site-specific circumstances (Manier et al. 2013). If prescribed fire is allowed in GRSG habitats, then we recommend that the FEIS commit to using the risk analysis tool currently in development by WAFWA. We also recommend incorporating literature by the Fire and Invasive Species Team (FIST), which is currently developing landscape prioritization for fire and invasive species, as well as step down assessments.

Comment Number: IDMTSG-14-0325-10

Comment Excerpt Text:

Once a wildfire is started, BLM has shown it will use BMP with available resources to suppress the fire, regardless of whether in GRSG habitat or not.

Effective control of wildfire will need to take place well before a fire occurs. None of the Alternatives adequately address this situation. Some general items that could reduce the wildfire threat are:

- develop working relationships and agreements between all firefighting entities that would minimize jurisdictional delays in initial attack (see E-WFM-8);
- specifically develop and maintain MOU's with local Rangeland Fire Protection Associations ("RFPAs"), which can greatly reduce response times to minimize wildfire impacts;
- in addition to Fuels Management items below, avoid Wilderness and/or Lands with Wilderness Character designations and restrictions that promote road/trail closures

or prohibit significant firebreak, fire lane and fire management projects; and

- re-allocate BLM resources from a focus on over-regulating low-threat uses (e.g. grazing, underground rights-of-way, etc.) toward developing and maintaining effective fire-control measures.

Comment Number: IDMTSG-14-0325-11

Comment Excerpt Text:

[This comment corresponds to the headings in Table 2-17 and Table 2-18] Fuels Management.

Mature sagebrush is arguably the most significant source of fire fuel in GRSG habitat. BLM's stated objective is conservation and rehabilitation of GRSG habitat to not less than 15% canopy. Alternatives B, C, D and F (B-FMI-F-FMI) resist any significant reduction in sage brush and the 15% cover objective, except under onerous conditions. Incredibly, many of the Alternatives are more concerned with regulating nearly insignificant uses as they relate to fuels treatments than in recognizing the problem on a broad scale B, C and F -FMI actions).

Failure to deal with fuel management by developing mosaic or linear breaks has contributed to massively detrimental wildfires (e.g. Murphy Complex, Long Draw, Holloway, etc.). Emphasis on actually increasing sage brush cover with more restrictive fuel treatment options will exacerbate the already primary threat.

In addition to the considerations outlined in "General" (above), the adopted Alternative should promote the " ... aggressive wildlife [sic-"wildfire"] and invasive species management practices ...) outlined in EFMI-6, as well as D-FM-6-9 and D-FM13-16.

**SECTION 7.2 - BEST AVAILABLE INFORMATION
BASELINE DATA**

Comment Number: IDMTSG-14-0105-2

Comment Excerpt Text:

A soon to be published study from the USGS shows that reseeded after fire has not been beneficial for Sage Grouse. And there is long term reduction in SG use in both the untreated and treated burned areas. BLM, in this LUP AIEIS, should be focusing to reduce any potential for fire with livestock grazing to reduced fuels.

Comment Number: IDMTSG-14-0153-63

Comment Excerpt Text:

Alternative E involves the widespread creation of 300-foot-wide "green strips" as fire breaks DEIS at 2-85. This is a practice unsupported by science. Please provide peer-reviewed, scientific literature that demonstrates that such "green strips" in sagebrush steppe habitat have been demonstrated to reduce fire. Our review of the literature uncovered only unpublished white papers and "fact sheets" that cited no actual scientific studies to support the assertion that "green strips" slow or halt the spread of fire. If no such evidence can be provided, such "green strips" should be explicitly forbidden in the RMP amendment. It is obvious that "green strips" will only be green in the spring, when precipitation occurs and the risk of fire is negligible. During the dry periods when fire ignitions occur and spread most readily, "green strips" will be brown and represent a concentrated source of fine fuels that will do nothing to slow the advance of a flame front, and may indeed accelerate it.

Comment Number: IDMTSG-14-0178-3

Comment Excerpt Text:

Livestock grazing is a key tool to reducing the threat of catastrophic wildfires and should be recognized in the draft for the benefits it provides. Peer-reviewed studies have clearly demonstrated that grazing livestock reduces the threat of catastrophic wildfire by controlling the fuel load and increasing productivity of grasses that are less fire prone (Davies 2011). According to a newly released study

entitled, “Livestock Grazing Effects on Fuel Loads for Wildland Fire in Sagebrush Dominated Ecosystems.” (2014 – Journal of Rangeland Applications, in press), grazing provides assistance in fuels management in the following ways:

- A window of opportunity may exist for targeted grazing to reduce annual grasses before perennial grasses initiate bolting or during dormancy.
- Livestock grazing can reduce the standing crop of perennial and annual grasses to levels that can reduce fuel loads, fire ignition potential and spread.
- Grazing after perennial grasses produce seed and enter a dormant state can reduce the residual biomass left on the site and thereby decrease the fire hazard the following spring and summer.
- Grazing can reduce the continuity of fuels, including the amount of herbaceous biomass between shrubs, in sagebrush ecosystems.

As stated above, ranchers are often the first responders to wildfires (Davies, 2010). Recently, several Rangeland Fire Protection Associations (RFPAs) have been established to enable ranchers’ ability to safely respond to wildfire alongside BLM and to enhance their capabilities of limiting the spread of wildfires before they grown to catastrophic and unmanageable sizes. For the 2013 fire season, four established RFPAs covered 3,622,000 acres and comprised 168 ranchers and other private citizens who are RFA members. Additional RFPAs are in the process of developing and will further increase this proactive step to reduce the size of wildfires in sage grouse habitat. Alternative E identifies, RFPAs are a critical and innovative component to preventing and controlling the spread of wildfires. Their existence can only bring positive impacts on the rangeland and on sage grouse. RFPAs are almost entirely made up of ranchers who also graze on public lands. With reduced or eliminated livestock grazing on the range comes the reduced or eliminated presence of ranchers on the range. The effectiveness of the

RFPAs, which have proven to be extremely effectual in initial attack of wildfires, correlates directly with the continuance of livestock grazing on public lands. If grazing is reduced as a result of implementation of this LUP/EIS, ranchers will not be around to operate the RFPAs and ensure their continuation, to immediately respond to fire starts, nor to coordinate fire suppression efforts with the agencies. Please refer to attachments 4 and 5 for published new stories regarding RFPAs and the value that rancher provide in protecting sage grouse habitat from wildfire.

Comment Number: IDMTSG-14-0178-4

Comment Excerpt Text:

Control of invasive species has a direct correlation with controlling wildfires. For the reasons mentioned above, grazing can be used as a tool to reduce many of the invasive species which also serve as fine fuel loads for fires. Peer-reviewed studies have proven that when rangeland is burned, it is much less prone to invasion by annual invasive weeds like cheat grass if it has been grazed (Davies, 2009). Due to reduced fuel loads and cooler burn temperatures, grazed rangeland is more likely to reestablish native bunch grass communities, while burned ground that has not been grazed is more likely to establish cheat grass communities. In light of these findings, appropriate grazing should be recognized in the RMPA as a primary tool in the prevention of wildfire and reduction of invasive weeds—two of the primary threats to sage grouse habitat. Diamond et al. (2009) found that targeted grazing may be a critical tool for breaking the exotic annual grass-fire cycle by decreasing the probability of fire disturbance.

Additionally, Diamond et al. (2009) found that, on areas already invaded by exotic annual grasses, strategic grazing could reduce fuel loads and continuity enough to prevent a flame front from carrying across the treated areas, even under peak fire conditions. Ample research, including that of Olson and Lacey (1994) and Walker et al. (1994), has found livestock grazing to be an effective tool for the control of invasive plant communities.

Comment Number: IDMTSG-14-0223-3

Comment Excerpt Text:

We observed in several places where prescribed fire is mentioned and implied as a tool for management (e.g., Chapter 2, Table 2-1, page 2-4). We would argue that there is no science-based evidence to support using prescribed fire as a means of improving sage grouse habitat and in fact, studies indicate that prescribed fire will not improve habitat characteristics for sage grouse (e.g., Rhodes et al. 2010, Bates et al. 2011, Beck et al. 2011, 2012).

SECTION 7.3 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0056-13

Comment Excerpt Text:

Analysis of unintended consequences that are created by increased fuel loading attributable to reduced livestock grazing need to be considered in the document.

Comment Number: IDMTSG-14-0102-6

Comment Excerpt Text:

Adverse effects could also result from increased fine fuel loads in areas left ungrazed under Alternatives C and F. Wildfires that start in areas with excessive fine fuel loading could grow larger and more intense, increasing the risk of wildfire spread into PPMA or CHZ habitat.

Comment Number: IDMTSG-14-0105-15

Comment Excerpt Text:

Vol 2, Page 2-83: Regarding Alternative E -Fire Suppression

Table 2-11 mentions Rangeland Fire Protection Associations. These have proven extremely effective in wildfire response and suppression. However, it should be kept in mind that the ranchers involved are there because they are able to maintain viable ranching operations and thus are not only present but have a vested interest in assuring that wildfire effects are minimized. The recent grazing permit renewals in the Owyhee Field Office have the potential to substantially alter the number of such ranch operations that will remain viable and present. The

wide spread public benefit of Rangeland Fire Protection Association activity and their benefit to preservation of GRSG habitat should be considered in the evaluation of Alternative impacts on grazing opportunity.

Comment Number: IDMTSG-14-0130-16

Comment Excerpt Text:

However, the management action analysis needs to be supplemented with consideration for the unintended consequences that are created by increased fuel loading attributable to reduced livestock grazing.

Comment Number: IDMTSG-14-0153-34

Comment Excerpt Text:

Natural fire return intervals in Wyoming big sagebrush average 100-240 years (Baker 2007). Wyoming big sagebrush recovers slowly after fires, which typically result in 100% sagebrush mortality; recovery to pre-fire canopy cover takes over 100 years (Cooper et al. 2007). The Idaho – Southwest Montana DEIS mischaracterizes this as 15 to 30 years, citing Manier et al. (2013:133-134). DEIS at 4-69. Manier et al. (2013) repeatedly reference the very slow recovery times of sagebrush following fire, and the closest that they come to supporting the DEIS characterization is to note that in mountain big sagebrush habitats (as opposed to the drier Wyoming big sagebrush communities that dominate the planning area) with ideal soil and climate parameters, recovery can be as little as 20 years (at p. 79). However, even mountain big sagebrush can take 75 years or more to recover in certain circumstances (Baker 2011). Please rectify this apparent hard-look failure in the impacts analysis.

Comment Number: IDMTSG-14-0180-36

Comment Excerpt Text:

The July 1 Clarification and Refinement letter sent to BLM by the Governor outlines a wildfire strategy that focuses on prevention, suppression, and restoration. These measures also require BLM to take certain actions within one year of signing the Record of Decision. This strategy provides certainty that the

measures will be implemented and that action will be taken.

Additionally, in 2012, Idaho, in collaboration with BLM established Rural Fire Protection Associations. These Associations, discussed in further detail in the attached comments from the Idaho Department of Lands, have already been established, and funded by the Idaho State Legislature and assisted BLM in the 2013 fire season. Additional Associations continue to be added and IDL recently established a full time position in their office to manage them.

In contrast, under Alternative B and D, “impacts on sage-grouse from fire suppression activities would largely be the same as Alternative A.” This determination is shocking, considering inadequate regulatory mechanisms for wildfire control was the primary purpose for the “warranted but precluded” determination. However, Alternative B does not alter the status quo. BLM reaches the same conclusions for Alternative D, saying on page 4-55, “overall, Alternative D would reduce impacts to wildfire similar to Alternative B.”

Comment Number: IDMTSG-14-0180-44

Comment Excerpt Text:

The present DEIS is comprised of general statements about possible effects and do not constitute a “hard look.” For example, on page 4-296, the DEIS is quick to dismiss Alternative E’s extensive fire management approach because it “overall has fewer management actions to protect [sage-grouse] from fire than other action alternatives.” In contrast, the DEIS praises Alternative B, while providing vague descriptions of how that alternative can affect the impacts of fire. Again, BLM fails to understand that the Service wanted a coherent strategy to address this threat, rather than a laundry list of conservation measures. This effects analysis does not address the fact that only Alternative E provides certainty of implementation for fire management, and every other threat.

SECTION 8 - FISH AND WILDLIFE

SECTION 8.1 - ESA CONSULTATION

Comment Number: IDMTSG-14-0150-1

Comment Excerpt Text:

The purpose identified for the EISs by the December 9, 2011 Notice of Intent (NOI)³ is “to avoid a potential listing under the Endangered Species Act.” Our review found that the analyses and alternatives considered in both Draft LUPA EISs entirely fail to address such purpose. Neither of the Draft LUPA EISs analyzes whether the greater sage-grouse presently meets the qualifications for listing (as either endangered or threatened) under the Endangered Species Act (ESA)⁴ if current land use plan management direction continues. Western Range Service’s analysis demonstrates that the greater sage-grouse does not presently meet the criteria to be listed as either endangered or threatened, so there is no need to change current management direction anywhere within the species range to avoid a potential listing under the ESA. Thus, the only alternative that is reasonable and rational as a final decision in this case is a true no action alternative to continue the management that was in place before the BLM implemented interim sage-grouse conservation measures through their December 27, 2011 Instruction Memorandums (2011 BLM IMs)⁵.

Comment Number: IDMTSG-14-0166-1

Comment Excerpt Text:

The Plan Amendments also do not meet the PECE Policy standards for ensuring that conservation measures are certain to be effective when implemented. First, the Preferred Alternatives D and E do not provide explicit incremental objectives and dates for the conservation effort, and do not describe the steps necessary for implementing the conservation effort. The draft monitoring framework merely states an implementation workbook will be completed within one year of the ROD to track the status of implementation of each management action, and that it will be “maintained as actions occur.”¹³ The draft mitigation strategy states that BLM will establish a Mitigation Implementation Team for each

management zone covering the planning area that will “coordinate mitigation strategies” among various federal and state land management agencies. However, the strategy provides no clarity on when the team be assembled, what strategies they will adopt, and how mitigation strategies will ensure sage-grouse survival and recovery in conjunction with the implementation of the alternatives in this LUPA/DEIS.¹⁴

Furthermore, many of the alternatives do not provide quantifiable, scientific valid parameters that will allow BLM and Forest Service to measure the success of these efforts. In its framework regarding effectiveness monitoring the LUP/EIS merely states in one single paragraph that the BLM and Forest Service in coordination with state agencies will analyze monitoring data to accomplish effective monitoring for the Amendment as implemented. Additionally, the LUP/EIS provides that effectiveness monitoring will be used to inform the BLM and USFS’ adaptive management strategy, without further detailing any metrics or even measurable timelines.¹⁵

Finally, although the LUP Amendments mention monitoring and evaluating the success of conservation efforts, they provide no further details regarding the framework for the monitoring and evaluation process, a timeline for monitoring and evaluation, and as mentioned above metrics for evaluating conservation success. In its draft monitoring and evaluation plan the BLM and USFS state they will begin working with the Western Association of Fish and Wildlife Agencies (WAFWA) collecting various data including baseline vegetation cover data and disturbance data, and document progress annually toward full implementation of the land use plan. However, the agencies do not provide further detail on a deadline for data collection.¹⁶ Furthermore, the agencies propose that data will be reported every five years “or as needed to respond to emerging issues,” providing no assurance that the public will be able access monitoring and evaluation data.¹⁷ Thus the LUP Amendments are not certain to be effective because they lack quantifiable parameters and provisions for monitoring and evaluating the

implementation status or the success of conservation efforts, without which BLM will be unable to evaluate whether the Amendments will actually conserve and restore sage-grouse populations and habitats.

Comment Number: IDMTSG-14-0181-2

Comment Excerpt Text:

Thus, in both the Section 10 and Section 7 context, there is no absolute prohibition on activities that might “take” a species. An ESA listing does not summarily put off limits mining projects that might adversely affect the species or its critical habitat. 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 allow the applicant’s project to move forward while conserving the species.

By contrast, the Agencies’ proposed phosphate lease and saleable minerals closures potentially would put up to nearly 11 million acres of public land off limits from such mineral development, regardless of site-specific species occurrence and habitat conditions or of mitigation opportunities that might be offered by the project proponent and authorized following ESA Section 7 consultation or pursuant to a Section 10 permit. 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 that the Agencies are attempting to avoid. Further, if the Agencies’ objective in this land use planning process is to provide “adequate” regulatory mechanisms in response to the Fish and Wildlife Services’ “warranted, but precluded” finding and to avoid an ESA listing, each alternative that would impose restrictions beyond what is required or adequate under the ESA should not be considered within a reasonable range of alternatives to serving that objective.

SECTION 9 - LANDS AND REALTY

Comment Number: IDMTSG-14-0049-17

Comment Excerpt Text:

That study found, inter alia, that yearling females avoid infrastructure when selecting nest sites, and yearling males avoided leks inside of development. And perhaps most importantly, the study confirmed that sage-grouse declines are explained in part by lower annual survival of female sage-grouse and that the impact on survival resulted in a population-level decline.¹⁶ Although that study focused impacts from infrastructure associated with energy development, the results of the study can be correlated to other permanent infrastructure as well.

¹⁶ Technical Team Report at 20.

For these reasons, we recommend that the LUPA prohibit the construction of new permanent infrastructure within lands specially designated for sage-grouse protection.

SECTION 9.1 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0026-11

Comment Excerpt Text:

When avoidance areas and exclusion areas are discussed we were not sure if it applies to all rights-of-way (ROWs) or just those listed in Alternative D-Lands and Realty (LR)-3. We feel that there are some types of ROWs that would still be appropriate, for instance fish screens to promote listed fish recovery.

Comment Number: IDMTSG-14-0026-9

Comment Excerpt Text:

We were unclear on how existing lands identified for disposal under current Land Use Plans would be affected under Alternative D. Would they still be available for disposal?

Comment Number: IDMTSG-14-0049-24

Comment Excerpt Text:

We propose that general sage-grouse habitat should be managed as ROW avoidance areas, and therefore no ROWs should be permitted unless there is no other reasonable and less intrusive alternative.

Where possible, ROWs should be co-located with existing ROWs in order to limit the footprint of the ROW and the associated developments. The National Technical Team Report supports these approaches for general sage-grouse habitat.²⁵ Additionally, new or valid-existing rights to develop should always include a thorough evaluation that prioritizes burying powerlines where possible, to limit the above-ground disturbance and to avoid creating perches for predators.

Comment Number: IDMTSG-14-0049-7

Comment Excerpt Text:

As noted in the DEIS, developments associated with Rights-of Ways (“ROWs”) -- including but not limited to powerlines, pipelines, and renewable energy projects -- can significantly disrupt sage-grouse, “altering their behavior and potentially disrupting aspects of their life history requirements, leading to lowered productivity and reduced populations.” DEIS at 1-29. For this reason, Alternatives B, C, and F all consider PPMAs as ROW exclusion areas. DEIS Table 2-3 at 2-33. Under this paradigm, there shall be no new authorizations in PPMAs unless development occurs within an existing developed footprint. DEIS Table 2-3 at 2-33. We agree that areas specially designated for sage-grouse protection should be managed as ROW exclusion areas, and thus we request that all land set aside under a special management designation for sage-grouse be managed as ROW exclusion areas.

Comment Number: IDMTSG-14-0049-8

Comment Excerpt Text:

Additionally, because powerlines impact at least 39% of the sage-grouse range and deaths resulting from collisions with powerlines have been found to be a significant source of mortality for sage-grouse in southeastern Idaho, we strongly encourage the agencies to take advantage of opportunities to remove, bury, or modify existing powerlines within specially designated habitat.⁷ Similarly, the agencies should reclaim areas that have been developed for powerlines that are no longer in use.

Comment Number: IDMTSG-14-0053-2

Comment Excerpt Text:

It is extremely important to develop corridor routes used to deliver production generated on the western landscape to economic markets. This may cause localized impact along the route, but will limit the development of numerous routes that will over all have greater impact on habitat. It is much easier for energy companies to condemn private using eminent domain than develop shorter and better routes using all land ownership. These routes need to be identified and designated for all users. It will have less impact on all habitat in general. I did not see this discussion in any of the alternatives, and it should have been included.

Comment Number: IDMTSG-14-0135-1

Comment Excerpt Text:

Transmission lines should be disallowed in all priority (core), important (medial), and general sage-grouse habitats. In addition, new lines within at least 5 miles of any of these management zones should be mitigated appropriately. Studies show that Common Ravens are a major predator of sage-grouse eggs. Given that ravens move an average of 5 miles and as far as 40 miles from transmission line nests and roosts to forage each day, it is important that the FEIS address the impacts of transmission lines near but outside of known grouse habitat.

Comment Number: IDMTSG-14-0153-18

Comment Excerpt Text:

The NTT Report recommends that all electrical distribution lines be buried within Core Areas, period; BLM does not evaluate this under any alternative.

Comment Number: IDMTSG-14-0153-41

Comment Excerpt Text:

Importantly, while only scattered oil and gas exploration has occurred in the Idaho-Southwest Montana planning area, full-scale geothermal and wind production projects have been undertaken here. So the direct threat of habitat destruction and indirect impacts of sage grouse abandoning surrounding lands that are otherwise important from a habitat

perspective are more serious still for wind and geothermal projects than they are for oil and gas development (see, e.g., DEIS at 4-291), which is more of a potential than current threat in the planning area. Thus, both these types of industrial development need to be excluded, on no uncertain terms, from Priority Habitats.

Comment Number: IDMTSG-14-0169-40

Comment Excerpt Text:

5 Management measure D-LR-3, which states that new authorizations would be denied for new commercial geothermal and oil and gas development, and mineral development, appears to contradict other measures in the preferred alternative that would allow fluid minerals development, and locatable and salable mineral development in priority habitat.

Comment Number: IDMTSG-14-0183-16

Comment Excerpt Text:

The second point of concern is safety. If powerlines and buried pipelines are nearby, a fault on the electric line can cause a dangerous rise in electrical potential in the earth, which can result in an impressed voltage potential on the pipeline. This situation is only a problem for a short amount of time until the protective equipment on the powerline senses the fault and trips the line. However, if a pipeline worker is working on any aboveground pipeline equipment (i.e., test stations, valves, etc.) at the time of the fault, the worker can be exposed to high-voltage potentials (both step and touch potentials) that could cause harm to the worker. For this reason, some pipeline companies are hesitant to collocate facilities with powerlines and others require special design measures to mitigate the potential threat.

The authorized alternative needs to recognize that collocation is not always practicable or even feasible and should provide for a process to allow additional ROWs where collocation cannot be accommodated. Given the importance of the western electric grid to the safety and well-being of those who live in the West, IPC encourages the BLM to coordinate with WECC to accommodate priority pathways that need

upgraded or expanded in the final sage grouse management plan.

Comment Number: IDMTSG-14-0183-17

Comment Excerpt Text:

NERC Transmission Planning (TPL) electric reliability standards require that utilities evaluate the simultaneous loss of 2 high-voltage transmission circuits on a common structure when determining the transfer capability of a transmission path. If collocation on common structures is required, a path transfer capability may be jeopardized, which could undermine the purpose and need of a particular project (i.e., collocating a line could result in a de-rating of the existing line and/or a lower rating of the proposed line). This would result in an overall decrease in transfer capability and would require the construction of even more lines.

Comment Number: IDMTSG-14-0183-26

Comment Excerpt Text:

Pg. 2-65, Last paragraph.

The EIS states that buried fiber-optic lines or similar would be allowed under Alternative D. Electric utilities often install fiber optic lines on existing aboveground structures for the control and operation of their facilities. Please confirm that aboveground fiber optic lines would be allowed under the authorized action.

Comment Number: IDMTSG-14-0206-8

Comment Excerpt Text:

Unless they involve valid existing rights or an incremental upgrade of an existing facility, the following types of development should be excluded from CHZ:

- Oil and gas development (subject to the specific discussion, below);
- Commercial wind energy projects, including met towers;
- Nuclear development;
- Commercial solar energy projects;

- Mineral development (leasable minerals, common varieties);
- Commercial scale hydroelectric projects;
- Airports
- Landfills;
- Commercial geothermal projects; and
- Ancillary facilities, such as roads, landfills, and support buildings associated with these types of infrastructure projects.

The rationale for excluding these projects is that they are not needed to serve an existing need and involve large-scale construction and maintenance activities that adversely affect sage grouse.

Comment Number: IDMTSG-14-0206-9

Comment Excerpt Text:

However, Alternative D would categorically exclude a number of activities that could be essential to serving existing needs. We believe that the following activities excluded in Alternative D should be allowed to go through the CHZ exemption process provided by Alternative E:

- Transmission lines;
- Small hydropower projects;
- Paved and gravel roads; and
- Small sand and gravel extraction sites needed for road or other maintenance activities

Comment Number: IDMTSG-14-0210-7

Comment Excerpt Text:

Rather than call for the use of perch discouragers, NorthWestern Energy recommends the BLM reference the BMPs (see below) for power lines in sage-grouse habitat they are currently helping develop. Likewise, current APLIC guidance should be applied to minimize avian electrocution and collision risks.

Comment Number: IDMTSG-14-0212-12

Comment Excerpt Text:

the Agencies should clarify in the Final LUP Amendment that the ROW or travel management provisions should recognize the ability of valid existing rights, including mineral lessees or leasable minerals exploration projects, to develop infrastructure necessary for the development of projects, subject to appropriate mitigation.

Comment Number: IDMTSG-14-0212-6

Comment Excerpt Text:

For any management action that potentially would interfere with the exercise of valid existing rights, the Final LUP Amendment should provide flexibility for case-by-case exceptions to protect such rights without the need to amend the LUP. For example, the Final LUP Amendment should recognize that, if a BLM right-of-way through sage-grouse habitat is required to access an existing phosphate lease, the right-of-way exclusion area provisions of the LUP or other restrictions on rights-of-way will not be applied in a manner so as to make accessing the lease area unreasonable or unduly uneconomical—e.g., by requiring a 25-mile road detour around sage-grouse habitat where two miles of road would provide proper access—and without considering possible mitigation. With respect to future phosphate mining opportunities, the Final LUP Amendment should similarly allow sufficient flexibility for mineral development to coexist with sage-grouse conservation.

Comment Number: IDMTSG-14-0242-20

Comment Excerpt Text:

The COT objective is to avoid development of infrastructure within P ACs. Alternative D proposes to implement conservation measures that are consistent with the COT. Alternative E proposes to implement conservation measures that are largely consistent with the COT, but includes an exception process for large scale infrastructure development. To be consistent with the COT, Alternative E would need to provide some reasonable certainty that those exceptions will only be granted if they are consistent with the COT. Additionally, Alternative E would need

to be modified to ensure that impacts from any exceptions would be avoided, minimized or mitigated, in that order. We encourage close coordination with the State on this element in order to maintain their important collaborative conservation process.

Comment Number: IDMTSG-14-0242-29

Comment Excerpt Text:

Ex-Urban Development

The COT objective is to limit urban and ex-urban development in GRSG habitats and maintain intact native sagebrush communities. Alternative D proposes conservation measures that directly addresses this and meets the COT objectives. Alternative E does not propose conservation measures that directly address this threat and is currently inconsistent with the COT.

**SECTION 9.2 - BEST AVAILABLE INFORMATION
BASELINE DATA**

Comment Number: IDMTSG-14-0049-25

Comment Excerpt Text:

Science also notes that the existence of powerlines may have a direct impact on the use of leks, breeding success, and mortality. For example, the DEIS notes that there is an increase in predator concentration within 4.25 mile of powerlines. DEIS at 4-8. For these reasons, we propose that the LUPA include a minimum four-mile buffer from active leks for new powerlines or similar ROW developments.

Comment Number: IDMTSG-14-0049-31

Comment Excerpt Text:

In additional, because permanent infrastructure fragments sage-grouse habitat, we request that infrastructure be co-located when possible. Preferably, infrastructure would be placed in already disturbed locations where the habitat has not yet been restored. Additionally, the agencies should review the best available science to determine if buffer areas around leks or nesting sites or seasonal construction restrictions would be useful to minimize impacts to sage-grouse and their habitat.

Comment Number: IDMTSG-14-0154-4*Comment Excerpt Text:*

The BLM should work with ROW holders to identify conflict areas and get anti-perching devices installed on existing overhead powerlines in these same habitats. Because approximately 74-80% of sage-grouse females nest within 4 miles of leks (Moynahan 20043, Holloran and Anderson 20054), this measure will help to reduce predatory pressures on nesting and foraging grouse. We recommend deterrent devices on H-frame structures because recent research indicates they are effective tools in reducing perch use of such structures (Lammers and Collopy 20075, Slater and Smith 20106).

Comment Number: IDMTSG-14-0183-37*Comment Excerpt Text:*

Pg. 4-158.

Assumptions

Power lines and other vertical structures in areas naturally devoid of perching opportunities provide a perch for raptors and increase the potential for GRSG to abandon leks (Ellis 1984). Mitigation by burying lines or including design features that do not encourage perching on lines would reduce perching opportunities and subsequent impacts on GRSG (Connelly et al. 2000).

IPC suggest that the BLM carefully evaluates this assumption, which is based on largely scant and anecdotal information.

Vertical Structures--Power poles, towers, and fence posts may provide attractive hunting and roosting perches for common raven and raptors, in addition to natural substrate (e.g., cliffs and rock outcrops). Several studies have shown that predation of sage-grouse, their nests and chicks is not a serious threat when habitat is not limited and of good quality (e.g., Coates and Delehanty 2010, Conover et al. 2009, USFWS 2010). Hagen (2011) reviewing sage-grouse predation literature, concluded that on average predation is not limiting sage-grouse populations, except in fragmented landscapes.

Very limited information is available on the direct behavioral response of sage-grouse to tall structures. The most frequently cited literature supposedly providing evidence of avoidance of tall structures by sage-grouse are either unpublished or non-peer reviewed reports (Ellis 1985, 1987; Braun 1998; Braun et al. 2002). Walters et al. (2014) concluded reviewing published literature on the effect of tall structures on birds that there was no consistent response to tall structures and that the structure's "tallness" could not be isolated from other factors associated with the development such as human activity. Moreover, ideas presented in the discussion of the reviewed papers presented as hypotheses to explain an observed pattern were assumed by other researchers to represent an empirically tested causal mechanism.

Lek Abandonment--Ellis (1984) describes the behavioral response of sage grouse to golden eagles at a lek. Some males flushed, others remained ("master cocks") and continued displaying after a while. This study is based on a single observation and should be considered anecdotal, rather than providing evidence of predation of sage grouse by golden eagles. There is no evidence provided that the lek was abandoned because of the presence of golden eagles. IPC suggest that the BLM carefully evaluates Ellis (1984) and make changes to the statement in the DEIS accordingly.

Perch Deterrents--Mesmer et al. (2013) reviewed available information on the effectiveness of perch deterrents and concluded that these devices had not proven effective in eliminating raptor or corvid perching on transmission and distribution lines (APLIC 2006, Lammers and Collopy 2007). In fact, perch deterrents may encourage raptors and corvids to nest on structures and may increase the level of risk of electrocution for raptors. The negative impacts of perch discouragers must be weighed against the limited benefits they may provide, particularly if they are contributing to mortalities of protected birds and facilitating increases in predator nesting populations.

Comment Number: IDMTSG-14-0183-40*Comment Excerpt Text:*

Table C-1, GOA Number 294 Fit transmission towers with anti-perch devices (Lammers and Collopy 2007).

Mesmer et al. (2013) reviewed available information on the effectiveness of perch deterrents and concluded that these devices had not proven effective in eliminating raptor or corvid perching on transmission and distribution lines (APLIC 2006, Lammers and Collopy 2007). In fact, perch deterrents may encourage raptors and corvids to nest on structures and may increase the level of risk of electrocution for raptors. IPC encourage the BLM to evaluate the effectiveness and suitability of perch deterrents for powerline structures.

Comment Number: IDMTSG-14-0210-4*Comment Excerpt Text:*

Installing new power lines underground or converting existing lines from overhead to underground result in significantly increased cost, reduced reliability, greater ground disturbance during construction and repairs, longer outage periods for customers, and may not always be feasible from engineering and operations perspectives. Underground power lines require a continuous excavation through all habitat types. In sagebrush habitat, this would result in ground disturbance for the entire line route thus creating a linear corridor and greatly increasing edge habitat favored by predators. This is in contrast to overhead lines, which result in a disturbance only at the structure locations. Underground lines also require excavation for repairs or maintenance, which would result in ground disturbance occurring temporally over the life of the line, not just during initial construction. Lengthy linear ground disturbance during construction, repairs, and maintenance can result in large, permanent displacement of excavated soil and subsequent issues with re-establishing native vegetation and preventing the overgrowth of invasive species. A University of California study (Bumby et al. 2009) found that underground power lines have more environmental impacts than overhead power lines for all categories and most scenarios in southern

California. For more detailed discussion of environmental and engineering constraints associated with underground power lines, see Reducing Avian Collisions with Power Lines: The State of the Art in 2012 (APLIC 2012), pages 62-63. NorthWestern Energy encourages the BLM to allow overhead power lines as an acceptable alternative in the Idaho and Southwestern Montana LUP and requests that perceived impacts of overhead lines be compared with increased vegetative fragmentation, creation of both linear corridors and edge habitat for predators, loss of sage brush for extended periods and the re-creation of these impacts when repairs are needed.

Comment Number: IDMTSG-14-0210-6*Comment Excerpt Text:*

Until an effective perch preventer is proven and available, NorthWestern Energy recommends the BLM remove stipulations that require or recommend perch discourager use in the Idaho and Southwestern Montana LUP.

Comment Number: IDMTSG-14-0213-1*Comment Excerpt Text:*

Rocky Mountain Power currently has a number of transmission line projects undergoing various stages of the NEPA process in Idaho including the Gateway West and Boardman to Hemmingway projects. With these projects so far along in the NEPA process, Rocky Mountain Power requests that the BLM consider the efforts that Rocky Mountain Power, BLM, and other agencies working on the NEPA processes for Gateway West and Boardman to Hemmingway have undertaken thus far in its LUP update. In addition, Rocky Mountain Power requests that the Idaho BLM work with BLM offices in neighboring states to ensure a consistent approach when addressing projects that cross state boundaries, such as multi-state electric transmission lines (e.g., Gateway West, Gateway South, Boardman to Hemmingway).

Comment Number: IDMTSG-14-0213-3*Comment Excerpt Text:*

Installing new power lines underground or converting existing lines from overhead to underground are

often raised as possible permit stipulations or mitigation options. However, underground power lines result in increased cost, reduced reliability, greater ground disturbance during construction and repairs, longer outage periods for customers, and may not always be feasible from engineering and operations perspectives. Underground power lines require a continuous excavation through all habitat types. In sagebrush habitat, this would result in ground disturbance for the entire line route. This is in contrast to overhead lines, which result in a disturbance only at the structure locations. Underground lines would also require excavation for repairs or maintenance, which would result in ground disturbance occurring temporally over the life of the line, not just during initial construction. Ground disturbance during construction, repairs, and maintenance can result in large, permanent displacement of excavated soil and subsequent issues with re-establishing native vegetation and preventing the overgrowth of invasive species. A University of California study (Bumby et al. 2009) found that underground power lines have more environmental impacts than overhead power lines for all categories and most scenarios in southern California. For more detailed discussion of environmental and engineering constraints associated with underground power lines, see *Reducing Avian Collisions with Power Lines: The State of the Art in 2012* (APLIC 2012), pages 62-63. Rocky Mountain Power encourages the BLM to allow overhead power lines an acceptable alternative in the Idaho and Southwestern Montana LUP and requests that requirements for placement of lines underground be removed.

SECTION 9.3 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0180-40

Comment Excerpt Text:

BLM provides an analysis for three separate types of infrastructure development and the impacts for each under Alternative E. Surprisingly, different conclusions are reached for each type, despite the fact that Alternative E makes no such distinction itself.

Comment Number: IDMTSG-14-0180-42

Comment Excerpt Text:

BLM does not provide a conclusion as to the impacts from Land Uses and Realty Management with respect to wind energy for Alternative E. Again, the Implementation Commission would make a recommendation for any potential wind energy project, relying on the data provided by the Idaho Department of Fish and Game. Infrastructure development also has the potential to activate a trigger. If a necessary development activates a hard trigger, IHZ is managed as CHZ for the purposes of future infrastructure development. Thus, BLM should have concluded that impacts from wind energy would be reduced, relative to Alternative A. Further, BLM should have concluded that because of Alternative E's adaptive trigger strategy, that impacts would be reduced as compared to any other alternative included in the DEIS.

Comment Number: IDMTSG-14-0183-29

Comment Excerpt Text:

Pg. 3-98; Table 3-36

Table 3-36 grossly over-estimates the acreage of transmission lines within greater sage-grouse habitat. The Draft EIS provides an unsupported assumption that the footprint for a transmission line is 656-feet wide. Typical ROW widths for transmission lines range from 100 to 200-feet wide, and that is not even the footprint of the structures or lines. The assumed width in the Draft EIS is over three times wider than the majority of ROWs.

Comment Number: IDMTSG-14-0183-33

Comment Excerpt Text:

Pg. 4-15, 1st para.

Impacts from energy development accrue both locally and cumulatively at the landscape scale. Accumulated evidence across landscape-scale studies show that GRSG populations typically decline following oil and gas development (Holloran 2005; Walker et al. 2007; Doherty et al. 2008). Oil and gas infrastructure and associated human activity have been shown to adversely affect GRSG populations collectively and in

some instances, impacts have been directly attributed to certain anthropogenic features (e.g., roads, power lines, noise, and associated infrastructure; Walker et al. 2007; Doherty et al. 2008; Lyon and Anderson 2003; Holloran 2005; Kaiser 2006; Aldridge and Boyce 2007).

Connelly et al. (2004) provided a broad and general review of powerline- sage-grouse interaction and combined powerlines with other energy developments such as oil and gas exploration and roads, as well as other anthropogenic activities such as campgrounds, landfills, and agriculture activities. The authors state that non-renewable energy development—a large category that includes all industrial development from oil and gas exploration to the electric power grid—impacts sage-grouse habitat on a large spatial scale, but do not provide specific information on powerlines. Information on the impact of transmission lines on a landscape level by Leu and Hanser (2011) and Johnson et al. (2011) would be more appropriate to reference in relation to sage-grouse persistence in the landscape.

Walker et al. (2007) showed that all top models to explain lek persistence included a strong positive effect of sagebrush habitat and a strong negative effect of Coal Bed Natural Gas (CBNG) development. Furthermore, the best habitat-plus-CBNG model was 28 times more likely to explain patterns of lek persistence than the best habitat-plus-infrastructure model (including powerlines) and 50 times more likely than the best habitat-only model. Lastly, models with powerline effects were weakly supported compared to models with CBNG, although powerlines appear to have a negative effect on lek persistence. The powerline variable included lines associated with CBNG as well as non-CBNG powerlines. So no attempt was made to isolate the effect of powerlines from the confounding effect of CBNG development. IPC suggest that a more complete statement is included in the USGS report regarding the effects of energy developments on sage-grouse lek persistence in relation to Walker et al. (2007) study. It appears that selective use is being made of the information provided by Walker et al.

(2007), narrowly focusing on the (weak) effect of powerlines on sage-grouse lek persistence.

Doherty et al. (2008, Holloran (2005) and Aldridge and Boyce (2007) evaluated Coal Bed Natural Gas wells, but did not evaluate effect of powerlines. Lyon and Anderson (2003) evaluated the effect of vehicular traffic associated with natural gas developments. Therefore, none of these studies provide information on the effects of powerlines.

Comment Number: IDMTSG-14-0183-38

Comment Excerpt Text:

Table C-1, GOA Number 284

Place new utility developments (powerlines, pipelines, etc) and transportation routes in existing utility or transportation corridors.

Idaho Power is required to comply with a variety of federal regulations and the North American Electric Reliability Corporation (NERC) and Western Electricity Coordinating Council (WECC) standards that affect our ability to collocate facilities. Transmission lines are rated and the rating determines the amount of energy that can be carried on the lines. An economically viable project must achieve a certain capacity rating. Ratings are affected by a number of factors including adjacency to other transmission lines that serve the same pathway. Co-locating a line could result in a derating of the existing line and/or a lower rating of the proposed line, resulting in an overall decrease in transfer capability that would require construction of even more lines. WECC reliability practices may require the reduction of path transfer capability if two circuits located in close proximity experience simultaneous outages. Due to reliability impacts and potential reduction in transfer capability, Idaho Power strongly prefers a 1,500 foot minimum separation between high voltage circuits. Idaho Power also tries to minimize co-location so that IPC is able to maintain service to our customers in case of an outage. Areas are typically served by more than one line and IPC is able to change the path used to deliver power if one line goes out. If lines are co-located, our ability to do this

is limited and areas may experience more frequent and /or longer outages. Thus, the BLM should be carefully evaluating the impacts of stipulating that electrical powerlines be co-located in right-of ways.

SECTION 10 - LEASABLE MINERALS

SECTION 10.1 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0049-10

Comment Excerpt Text:

There are currently 17 leases in Idaho located in sage-grouse habitat. DEIS at 3-103. Under Alternative B, all PPMAs would be closed to geothermal leasing; under Alternative C, 3,725,100 acres would be closed to geothermal leasing; and under Alternative F, 2,727,800 acres would be closed to geothermal leasing. DEIS at 4-187, 4-188, & 4-190. The DEIS assumes that all existing leases would be managed under the stipulations in effect when the leases were issued and that no new stipulations would apply. DEIS at 4-187. Although many of these leases contain stipulations in order to minimally impact sage-grouse and other wildlife, we propose that there should be no new leasing in specially designated areas, and valid existing rights should be subject to a No Surface Occupancy (“NSO”) stipulation. If there is a legal reason why new stipulations cannot be imposed, the federal agencies must explain those legalities in the DEIS. In any event, we propose that areas under a special designation for sage-grouse protection should be managed as closed to geothermal leasing moving forward.

Comment Number: IDMTSG-14-0049-27

Comment Excerpt Text:

Seasonal restrictions should also be considered. For example, the National Technical Team Report recommends applying a seasonal restriction on exploratory drilling that would prohibit surface-disturbing activities during the nesting and early brood-rearing season in all priority sage-grouse habitat. We propose that these seasonal restrictions are employed in general sagegrouse habitat. Because there is very little oil and gas potential in Idaho and southwestern Montana, these restrictions are

reasonable and will not have a significant impact on economic potential in this subregion.

Comment Number: IDMTSG-14-0049-29

Comment Excerpt Text:

Unfortunately in southeast Idaho, we have seen firsthand on several occasions the negative impacts from phosphate mining on fish and wildlife. When selenium is released during mining, the surrounding lands and waters are poisoned to a level that is fatal to fish, birds, wildlife, and even livestock. The impacts from phosphate mining are not contained in the land immediately surrounding the mine, however, as selenium travels and bioaccumulates in the atmosphere and in water. This problem may impact riparian areas that sage-grouse rely on for brood-rearing and during their life cycle. We have also seen that the implementation of Best Management Practices (“BMPs”) in southeast Idaho has not done enough to minimize the fatal impacts of selenium contamination.

Due to these widespread and deadly impacts, we propose that no new phosphate mining should be permitted in any sage-grouse habitat unless and until there is proven technology to capture and contain all selenium that may be released during mining. Anything less will be ineffective in protecting sage-grouse and sage-grouse habitat around phosphate mines, especially in the Pocatello BLM Field Office.

Comment Number: IDMTSG-14-0049-9

Comment Excerpt Text:

According to the DEIS, there has never been a single producing oil and gas well in the entire state of Idaho, and while the Dillon Field Office in Montana has 47 active oil and gas leases, none of them are producing. DEIS at 3-102 to 3-103. During the development of the 2006 Resource Management Plan for the Dillon Field Office, the BLM’s evaluation of development potential found no areas of “high” development potential and only 190,722 acres of moderate potential in the area covered by the RMP (which includes over 1.3 million acres of federal mineral estate). Thus, asking that special designation areas for sage-grouse be closed to fluid minerals leasing should

be an easily enforced stipulation that will not have any major negative economic impact. Additionally, because we request that special designation areas be managed as ROW exclusion areas, it may not be cost effective to develop fluid mineral resources if there is no easy means for transporting fluid minerals to processing facilities and markets. See DEIS at 4-173

Comment Number: IDMTSG-14-0131-8

Comment Excerpt Text:

The southeastern Idaho area contains 19,040 acres of non-leased Known Phosphate Leasing Areas (KPLAs). The Draft LUPA/EIS states (page 4-202) that there are ten (10) active phosphate leases within GRS habitat; the Draft is silent on whether such leases are classified as PPMA or if any new restrictions are proposed for these leases. Despite the uncertainty of determining the consequences of non-energy mineral development on GSG, all alternatives will result in loss in availability of phosphate minerals (see Table I).

Comment Number: IDMTSG-14-0149-13

Comment Excerpt Text:

We appreciate the acknowledgment of valid existing rights throughout the LUPA/DEIS, but are concerned the planning documents offer no explicit statements of what constitutes valid existing rights, how they relate to the new land use management options considered, or that valid existing rights will be protected. We recommend that it be clearly stated in the final LUPA/EIS and ROD that the new stipulations proposed in the preferred alternative will not apply to lands already subject to valid existing oil and gas lease rights.

Comment Number: IDMTSG-14-0149-14

Comment Excerpt Text:

It is important for the agencies to recognize that oil and natural gas leases are existing rights that cannot be modified by a land use plan. *Sierra Club v. Peterson*, 717 F.2d 1409, 1411 (D.C. Cir. 1983); *Solicitor's Opinion M-36910*, 88 I.D. 909, 912 (1981). Once BLM has issued a lease without a No Surface Occupancy (NSO) stipulation and in the absence of a nondiscretionary statutory prohibition against development, the BLM cannot completely deny

development on the leasehold. As such, BLM has no legal authority to impose mitigation measures such as an NSO Condition of Approval (COA) if it would exceed the terms and conditions of previously issued lease.

Comment Number: IDMTSG-14-0159-16

Comment Excerpt Text:

The description in the DEIS documents as to what precisely constitute the "valid existing rights" that will survive the proposed LUPA process is obscure. What is better-defined in the proposed LUPA process is that there is a working assumption by BLM and the USFS that future proposed mineral lease modifications will have restrictions on modifying existing leases without any underlying authority to insist on those modifications.

Comment Number: IDMTSG-14-0159-31

Comment Excerpt Text:

Under the Pickett Act, Presidents Taft and Wilson withdrew approximately 10,500 km² in Idaho, Utah and Wyoming and formally created the Western Phosphate Reserve. The Mineral Leasing Act of 1920 ended the acquisition of phosphate through the Mining Law and rendered moot the need for phosphate withdrawal and classification actions. In the 1960's and 1980's, government investigations in the Western Phosphate Reserve resulted in the identification of Known Phosphate Leasing Areas (KPLA). KPLAs are areas where the phosphate resource is available only through the competitive leasing provisions of the Mineral Leasing Act.

The DLUPA/DEIS indicates that in the planning area, there are 34,000 acres of unleased KPLAs. DEIS Vol. II B at 4-314. Under the No-Action Alternative (Alternative A) and the Governor's Alternative (Alternative E), 11% of the unleased minerals in the planning area within KPLAs would be closed to non-energy solid mineral leasing. Six hundred and twenty acres (2%) would be open subject to net surface occupancy stipulations.

be open subject to net surface occupancy stipulations.

Under the BLM/USFS Preferred Alternative, Alternative D, 3,900 of unleased KPLA-designated acres minerals in the planning area would be closed. This is in addition to an astonishing 10,882,600 of non KPLA-designated acres proposed to be closed for nonenergy solid mineral leasing in Alternative D. This is four times as many nonenergy solid mineral leasing acres subject to closure as the Governor's Alternative.

There is no explanation or discussion for the authority to simply close public lands to non-energy leasable mineral prospecting and leasing under the LUPA process under Alternatives B, C and D. Importantly, there is no reconciliation of the multiple-use mandate under FLPMA and the KPLA designation or why, under law, KPLA-designated areas important to the Nation's food security must simply yield to severe restrictions from access to phosphate needed to make nutrients essential for American agriculture.

Comment Number: IDMTSG-14-0166-7

Comment Excerpt Text:

[Alternative D] requires Required Design Features for post-leasing actions at the individual operation level.⁴² There is no evidence that RDF's will be effective in providing meaningful on the ground conservation. For instance, one RDF requires fluid mineral operations to “[c]luster disturbances associated with operations (fracturing stimulation, liquids gathering, etc.) and facilities as close as possible.”⁴³ This RDF is vague and does not provide specific instructions to developers on actions that would be sufficient to comply with the RDF. The alternative fails to adopt best science that calls for specific restrictions (e.g. oil pad density requirements) based on observed sage grouse response to surface disturbances.

Comment Number: IDMTSG-14-0212-1

Comment Excerpt Text:

The phosphate lease area closures in Alternatives B, C, D, and F are not properly tailored. Rather, the closures potentially are stricter than an ESA listing and do not adequately consider mitigation. The Agencies' objective in amending the LUPs was to

conserve the sage- grouse and preclude the need to list the species under the ESA. While a potential sage-grouse listing and its regulatory consequences may be discouraging, the phosphate lease closures may be even more so. Indeed, the ESA permits the Agencies to at least consider each proposed action individually, taking into consideration project-specific circumstances, species and habitat conditions, potential effects to the species, and potential mitigation. 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, see 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 that specifies the actions that will be taken by the project proponent to minimize and mitigate effects to the listed species, see 16 U.S.C. § 1539(a)(1)(B); 50 C.F.R. § 17.22(b)(1)(iii). Similarly, if an agency such as BLM or the Forest Service 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. See 50 C.F.R. § 402.14(a). If the Service determines that the project may adversely affect the species but is not likely to jeopardize its continued existence, the Service may issue an incidental take statement allowing a specific level of take, while also allowing the project to move forward.

Thus, in both the Section 10 and Section 7 context, there is no absolute prohibition on activities that might “take” a species. An ESA listing does not summarily put off limits mining projects that might adversely affect the species or its critical habitat. 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 allow the applicant's project to move forward while conserving the species.

By contrast, the Agencies' proposed phosphate lease closures potentially would put up to nearly 11 million acres of public land off limits from phosphate development, regardless of site-specific species occurrence and habitat conditions or of mitigation opportunities that might be offered by the project proponent and authorized following ESA Section 7 consultation or pursuant to a Section 10 permit. 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 that the Agencies are attempting to avoid. Further, if the Agencies' objective in this land use planning process is to provide "adequate" regulatory mechanisms to avoid an ESA listing, each alternative that would impose restrictions beyond what is required or adequate under the ESA should not be considered within a reasonable range of alternatives to serving that objective.

Comment Number: IDMTSG-14-0212-11

Comment Excerpt Text:

Draft LUPA/EIS is unclear regarding the management restrictions or limitations, if any, applicable to valid existing rights in the ACECs. If the proposed ACEC designations or management interfere with valid existing rights, the same might, depending on their implementation, conflict with existing mineral leases or leaseable minerals interests related to existing prospecting or exploration authorizations.

Comment Number: IDMTSG-14-0212-26

Comment Excerpt Text:

The management actions in Alternatives B, C, D, or F that would close certain areas to phosphate leasing potentially could make phosphate development in open areas technically or economically infeasible. Mineral resources do not recognize lease boundaries, and often times a phosphate resource will cross two or more lease areas. If the resource is found to be trending into an adjacent lease area, the prospector

often will seek a "fringe" or "preference right" lease for the adjacent area to chase the resource. If the full resource originating on an open lease cannot be developed because fringe or adjacent leases are closed, it might not be economically or technically feasible to develop the resource on the open lease or at all. Because the management actions in Alternatives B, C, D, or F do not ensure that such fringe or preference right leases would be available in the future, the alternatives potentially are not "reasonable."

Comment Number: IDMTSG-14-0212-27

Comment Excerpt Text:

D. The Agencies failed to properly define the environmental baseline regarding the impacts of leaseable minerals development.

To determine the effects of a proposed action on the environment, an EIS must first disclose the baseline conditions of the affected environment. See 40 C.F.R. § 1502.15. The affected environment includes biological, physical, social and economic elements of the environment. See BLM NEPA Handbook, at 53. Although the Agencies proposed to close large areas to phosphate leases to protect the sage-grouse or its habitat, the Agencies provided little, if any, explanation of impacts that phosphate mining has had on the species in past, particularly the near past. Our understanding is that the impacts on sage-grouse from phosphate mining in Idaho has been limited, particularly within the last decade, where no new mines have been started in high-value sage-grouse habitat or impacted significant amounts of the bird's habitat. Because the Agencies failed to provide the environmental baseline information regarding past impacts of phosphate mining, the Agencies' analysis is flawed.

In the same vein, the Agencies' justifications for closing the areas to phosphate leases despite the lack of information showing significant prior impacts from such activities cannot withstand scrutiny. The error was arbitrary and capricious because the Agencies failed to withstand scrutiny. The error was arbitrary and capricious because the Agencies failed to

articulate a satisfactory explanation for its action including a rational connection between the facts found and the choice made, show a relationship between the information and the decision, and demonstrate that it did not act on the basis of speculation or surmise. See, e.g., 16 U.S.C. §§ 1533(b)(8), (3).

SECTION 10.2 - BEST AVAILABLE INFORMATION BASELINE DATA

Comment Number: IDMTSG-14-0182-6

Comment Excerpt Text:

It is important to note that the current oil and gas development in the Payette area is unlike the unconventional (shale) development in states such as Wyoming and Colorado which were the subject of the study upon which the NTT Report is based. To date it has involved vertical drilling into conventional sands in a lacustrine basin, without the heavy truck traffic generated by horizontal drilling and multi-stage hydraulic fracturing. However, the DEIS does not take into account this difference, and to the extent its conclusions about fluid mineral development in Idaho are based on literature developed in other states, they are misplaced and arbitrary.

SECTION 10.3 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0131-14

Comment Excerpt Text:

This statement of “consequences” is wholly deficient and fails to disclose the following:

- Minerals can only be developed where they exist; the development will only occur where it is economically possible to do so. The development of any mineral resource is very capital intensive and entails significant financial risk. If a resource cannot be economically developed, the resource simply will not be developed. The draft LUPA/EIS needs to disclose the millions of tons of minerals (such as phosphate) that will not be available for development as a consequence of the Alternatives.

Comment Number: IDMTSG-14-0180-41

Comment Excerpt Text:

BLM states that Alternative E does not provide assurance that oil and gas development would only occur in IHZ if it would not cause a decline in sage-grouse populations. However, this assurance is provided through the Implementation Commission, as discussed in detail above. The Implementation Commission will review development projects and make recommendations to the Governor, who in turn will make recommendations to BLM, as to whether certain projects would activate a hard or soft trigger.

Comment Number: IDMTSG-14-0180-43

Comment Excerpt Text:

Further, without providing any evidence to support it, BLM concludes that Impacts with respect to geothermal energy are the same as Alternative A. Again, impacts here would be the same as other types of energy development. It is unclear why BLM reached this determination and why, if Alternative E treats all types of development the same, why geothermal impacts would be the same as Alternative A, while oil and gas development impacts would be reduced relative to Alternative A. What distinction has BLM found in the state’s treatment of these types of infrastructure development? There should be none and thus, BLM’s conclusion that impacts from geothermal energy would be the same as Alternative A, with no supporting analysis is incorrect.

Comment Number: IDMTSG-14-0212-29

Comment Excerpt Text:

Alternative B and C

Alternative B states that “10,429,290 acres, or 33 percent of the federal nonenergy solid leasable mineral estate decision area (including all federal nonenergy solid leasable mineral estate in PPMA), would be closed to prospecting and leasing.” Draft LUPA/EIS p. 4-203. However, merely restating the amount of acres that would be closed for minerals leasing does not constitute an analysis of how the closures would impact leasable minerals in the planning area. BLM must explain in detail the

significant impacts that such proposed closures would have on leasable minerals.

Alternative C provides a similarly inadequate description of the impacts on leasable minerals and suffers the same flaws. See Draft LUPA/EIS p. 4-204 to -205.

2. Alternative D

The Agencies' analysis of the impacts to leasable minerals development is inadequate. There is no analysis of the impacts that mitigation requirements, application of the Agencies' restrictions and design features, and limitations of surface disturbance could have on leasable minerals development. The Agencies must analyze and disclose the potential effects that these management actions could have on leasable minerals.

Comment Number: IDMTSG-14-0212-30

Comment Excerpt Text:

Alternative F

Alternative F states that the impacts from nonenergy leasable minerals would be similar to the impacts described in Alternative B, implying that the restrictions that could impact leasable minerals are the same as in Alternative B, which is not the case. See Draft LUPA/EIS p. 4-207. For example, Alternative F would implement a three percent disturbance cap that includes fire impacts and Alternative B's disturbance cap would not consider fire in the determination. Because the management actions and restrictions that could impact leasable minerals differ between Alternatives B and F, the Agencies must provide an analysis of how Alternative F would impact leasable minerals development, not just assume that the impacts will be the same as Alternative B.

SECTION 10.4 - CUMULATIVE IMPACT ANALYSIS

Comment Number: IDMTSG-14-0131-13

Comment Excerpt Text:

A very significant shortcoming of the draft LUPA/DEIS is that it fails to analyze the cumulative

effects of the draft LUPA/DEIS for other parts of the Western Phosphate Field. The draft LUPA/DEIS for Utah contains similar alternatives resulting in over 26,000 acres of KPLA being off-limits for phosphate development. The cumulative effect of the selection of any of these alternatives for these state plans could result in two-thirds (67%) of the known phosphate leasing areas being unavailable for development. Such a prohibition will severely restrict the ability to access phosphate needed to make nutrients essential for American agriculture. Furthermore, the Draft LUPA/EIS needs to discuss the effects of Alternatives on the KPLA and the consequences of eliminating or greatly restricting access to the KPLA, an area that already has been set aside by the federal government for competitive phosphate leasing.

Comment Number: IDMTSG-14-0131-20

Comment Excerpt Text:

No consideration is given as to the consequences of removing the Idaho (unleased) KPLA phosphate from its intended use of developing nutrients for American agriculture. This effective withdrawal has implications for local economies and for national food cost and security.

Comment Number: IDMTSG-14-0131-30

Comment Excerpt Text:

The consequences of the loss of these minerals needs to be discussed including: (a) where additional phosphate will come from to make fertilizer for American agriculture, (b) the significance of the loss of fertilizer to nutrient availability in America; (c) potential impacts to fertilizer and food costs; and (d) implications for food security for the nation as a whole.

Comment Number: IDMTSG-14-0212-15

Comment Excerpt Text:

In fact, mining companies can bring valuable resources and knowledge to sage-grouse conservation. P4 Productions has developed conservation or mitigation plans for sage-grouse or other upland birds as part of its development of restoration plans for mine projects or future mine projects. The company also owns or controls private ranching properties that

contain sage- grouse habitat. Working in partnership with the mining companies to conserve non-federal lands or federal lease lands through voluntary agreements can offer direct, immediate benefits to sage- grouse. If the Agencies close all federal nonenergy leasable mineral estate lands to prospecting or leasing, the Agencies potentially will be missing valuable opportunities to provide a net benefit to sage-grouse conservation. The opportunity cost would be particularly stark with respect to conservation on private lands. If P4 Production is no longer able to develop phosphate on BLM lands, there might no longer be an incentive for the company to pursue or implement sage-grouse conservation strategies on its private lands and the species would lose the benefit of those potential actions.

Comment Number: IDMTSG-14-0212-31

Comment Excerpt Text:

Draft LUPA/EIS p. 4-314.

NEPA requires more than this. The Agencies did not attempt to quantify the extent to which the reasonably foreseeable future actions may affect nonenergy leasable minerals or to describe with any particularity the nature of those impacts, beyond the statement that Alternative C would result in the largest closure area. The various projects identified in table of reasonable foreseeable actions, Table 4-75, are not specifically mentioned again, nor is there any discussion of the various acreages of vegetation that may be impacted by such projects. Additionally, there is no discussion in the Draft LUPA/EIS of the combined impacts resulting from the sage-grouse conservation measures provided in the alternatives with the reasonably foreseeable nonenergy leasable minerals projects. The Agencies must discuss how the proposed conservation measures will impact the environment by altering existing management of past, present, or foreseeable activities on or uses of the public lands. The Agencies' analysis of the cumulative impacts of the proposed LUP amendment and leaseable minerals development (or other uses of the public lands) was insufficient and therefore violated NEPA. See *Te-Moak Tribe*, 608 F.3d at 606. NEPA

requires the Agencies to take a hard look at the cumulative impacts of the proposed LUP amendment and other projects; this the Agencies failed to do.

Comment Number: IDMTSG-14-0212-5

Comment Excerpt Text:

The Agencies should consider the economic and strategic importance of phosphorus in developing sage-grouse conservation measures that could impact phosphate mining. Food production requires application of fertilizers containing phosphorus in order to sustain crop yields. Modern agriculture is dependent on phosphorus derived from phosphate rock. Southeast Idaho's open-pit phosphate mines are a major supplier of phosphate, producing approximately 15% of the nation's and 4% of the world's phosphate. See <http://www.blm.gov/id/st/en/prog/energyminerals/minerals/phosphate/Phosphate.html>. However, current global phosphate reserves are projected to be depleted in 50-100 years. See Codell et. al., *The Story of Phosphorus: Global food security and food for thought*, 19 *Global Env'tl. Change* 292 (2009) (attached hereto as Attachment 4). While phosphorus demand is projected to increase, the expected global peak in phosphorus production is predicted to occur around 2030. See id. The Agencies should take a hard look at the depletion of global phosphate reserves and related food scarcity, and the potential impacts that draconian sage-grouse conservation measures that close areas to or unduly burden phosphate mining might have on phosphate and food supplies.

SECTION II - LIVESTOCK GRAZING

Comment Number: IDMTSG-14-0157-17

Comment Excerpt Text:

Under the NTT Report, retirement of grazing privileges is also an option. Section 4.6.5. The opinions of the Solicitor (M-37008, as clarified) provide a legal evaluation of when BLM may and may not retire grazing permits and the transitory nature of retirement such that a retired permit is not permanent absent some congressional action and is subject to reconsideration and reversal during

subsequent land use planning decisions. *Id.*, Clarification of M-37008, at 6. Alternative B references, and other Alternative references, to retirement of grazing privileges should comport with the Solicitor's opinions.

Comment Number: IDMTSG-14-0157-6

Comment Excerpt Text:

Chapter 4, contains references to retirement of grazing privileges. See, e.g., 4.6.5, p. 4-15. Any effort to retire grazing privileges must comport with the Taylor Grazing Act, the federal courts' rulings on the Taylor Grazing Act, and the Department of the Interior Solicitor's Opinion M-37008. As noted in that M-Opinion, the elimination of grazing may:

- Disrupt the orderly use of the range;
- Breach the Secretary's duty to adequately safeguard grazing privileges;
- Be contrary to the protection, administration, regulation, and improvement of public lands in grazing districts;
- Hamper the government's responsibility to account for grazing receipts; or
- Impede range improvements as authorized by the Taylor Grazing Act and Federal Land Policy and Management Act ("FLPMA").

Comment Number: IDMTSG-14-0216-3

Comment Excerpt Text:

Put simply, the TGA places limits on the BLM's discretion to devote grazing districts for purposes other than grazing and, in proposing sage-grouse specific management standards and guidelines, the BLM is crossing the bounds of its discretion.

SECTION 11.1 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0026-5

Comment Excerpt Text:

LG/RM-2 discussed grazing management measures and habitat objectives under Alternative D. The discussion should include language such as "not meeting one indicator or characteristic does not necessarily mean an area is not providing suitable

sage-grouse habitat". This is important because site potential and capability need to be taken into account and Land Managers need to have the ability to adjust objectives based on principals of adaptive management.

Comment Number: IDMTSG-14-0026-6

Comment Excerpt Text:

Alternative E/LG/RM-2 discusses adaptive regulatory triggers. These triggers should be defined and the subsequent changes to grazing permits should be transparent. (i.e. through an assessment and a grazing decision or through some other mechanism)

Comment Number: IDMTSG-14-0030-4

Comment Excerpt Text:

Alternative D allows further declines in rangeland health. Alternative D emphasizes the need for livestock permittees to achieve the Idaho Rangelands Health Standards. This clearly does not work. Currently 61 allotments in Idaho are not meeting rangeland health standards. (DEIS at 3-73) Allotments that are not meeting Rangeland Health Standards should be closed to grazing until they can meet the standards.

Comment Number: IDMTSG-14-0049-18

Comment Excerpt Text:

The LUPA should incorporate coordinated livestock grazing and sage-grouse habitat objectives in all grazing allotments or permit renewals in priority sage-grouse habitat. Particular emphasis should be placed on how grazing affects sage-grouse nesting and early brood-rearing habitat. The National Technical Team specifically recommends managing livestock grazing to maintain residual cover of herbaceous vegetation to reduce predation during nesting. The BLM and USFS should consider modifying grazing management to meet seasonal sage-grouse habitat requirements though changes in season or timing of use; number of livestock; distribution of livestock use; intensity of use; and type of livestock. 18

18 Technical Team Report at 14-15.

Comment Number: IDMTSG-14-0049-20

Comment Excerpt Text:

Another impact of overgrazing is the spread of invasive cheatgrass, a common problem in sagebrush steppe habitats. In order to minimize the spread of cheatgrass, the LUPA should set a livestock forage removal limit to ensure that natural forage is maintained in abundance.

Comment Number: IDMTSG-14-0049-33

Comment Excerpt Text:

Fires have the capacity to harm sage-grouse habitat in a number of ways. First, fires destroy vegetation necessary for sage-grouse survival. Additionally, following a fire, cheatgrass and other invasive species may thrive while sagebrush and native grasses need longer to recover. Livestock grazing after a fire can exacerbate these impacts. We therefore recommend that livestock not be introduced into a fire-impacted landscape for a minimum of two years after a fire. We urge the federal agencies to review the best available science on an ongoing basis to determine if a longer period is advisable.

Comment Number: IDMTSG-14-0050-1

Comment Excerpt Text:

The federal government, via the agencies BLM and USFS management, permits privately owned domestic livestock grazing on the majority of the public lands it manages. The negative impacts of domestic livestock grazing are well documented. The BLM and USFS know that domestic livestock grazing is the most widespread land use in the sagebrush landscape but continues denying domestic livestock's negative impact on sage-grouse habitat. Research indicates that the removal of domestic livestock from public land is the recommended strategy to improve ecological conditions and protect public resources (Fleischner, 1994) (Donahue, 1999) (Belsky, Matzke, Uselman, 1999) (Wuerthner, Matteson, 2002). The no domestic livestock grazing alternative must be included and seriously considered in order to avoid violation of NEPA that imposes a duty on Federal agencies to take a "hard look at environmental consequences" of its actions.

Comment Number: IDMTSG-14-0050-5

Comment Excerpt Text:

The following alternatives must be included and seriously considered in the proposed EIS:

- a) EIS alternatives must include enforceable terms and conditions for domestic livestock grazing in all sage-grouse habitat
- b) New measures must be implemented immediately, not years or decades from now during domestic livestock grazing permit renewals
- c) Domestic livestock grazing use must be reduced or removed where there is any conflict with sage-grouse needs
- d) The agency must include voluntary permanent retirement of domestic livestock grazing allotments as a mitigation measure for negative impacts on sage-grouse habitat.

Comment Number: IDMTSG-14-0056-15

Comment Excerpt Text:

Targeted grazing authorizations should not be restricted to the mandatory terms and conditions of an existing grazing permit. (D-FM-6, page 2-125) The vast majority of all grazing permits do not contain the flexibility needed in terms and conditions to implement an effective fuels management strategy.

Comment Number: IDMTSG-14-0056-20

Comment Excerpt Text:

As indicated within the general discussion, priority for completing allotment assessments and implementing management changes must be given to allotments within areas with declining sage grouse population levels. (E-LG/RM-4, page 2-135 and 2-136) A cause and effect relationship must be established (E-LG/RM-6, page 2-137) prior to implementing any management changes and the changes (D-LG/RM-6, page 2-137) must be tailored to address a specifically identified and confirmed problem.

Comment Number: IDMTSG-14-0056-23

Comment Excerpt Text:

Any selected alternative needs to contain language allowing for off-road travel for administrative use by grazing permit holders. Travel restrictions should not impact the ability of permittees to access and manage allotments.

Comment Number: IDMTSG-14-0056-4

Comment Excerpt Text:

Given the benefits shown above, any alternative that arbitrarily reduces, eliminates or allows retirement of livestock grazing AUMs is contradictory to the goal of long-term sage grouse conservation. In addition, there is statutory evidence and case law, that the BLM is overstepping its bounds in the DEIS by suggesting that grazing permits may be terminated permanently. The BLM is authorized to decrease or temporarily discontinue grazing through a decision process, but the Taylor Grazing Act and Federal Land Policy Management Act mandate that forage resources on grazing districts, if deemed healthy, are to be made available for livestock grazing. Eliminating grazing on public land will also result in reduced or eliminated grazing on intermingled state land and a subsequent decline in funding available to the endowed institutions of the state.

Comment Number: IDMTSG-14-0102-9

Comment Excerpt Text:

NRCS encourages inclusion of Management Action 0-LG/RM-3 on page 2-135, "Work cooperatively with other land managers to allow livestock operations that utilize mixed federal, private and/or state land to be managed at the landscape scale to benefit GRSG and their habitat" in the proposed action in the Final EIS. We are interested in working with BLM, USFS, livestock producers, and others on integrated ranch planning to manage grazing and improve sage-grouse habitat across all landownerships. We believe that sage-grouse populations can best be managed and improved at the landscape scale with all parties working together in a coordinated and cooperative manner.

Comment Number: IDMTSG-14-0105-17

Comment Excerpt Text:

Page 2-137 D-LG/RM-7: PPMA: Considering retiring an allotment is not an option in Owyhee County. Retiring an allotment impacts more than the permittee. There are major economic and social considerations to be considered.

Comment Number: IDMTSG-14-0105-19

Comment Excerpt Text:

Vol12, Page 2-190: Alternative D and E - Livestock Grazing

Alternative D predicts a reduction in grazing opportunity due to implementation of management to achieve GRSG objectives. The basis for such prediction is not revealed and is not consistent with the US Fish and Wildlife Services failure to find any conclusion that livestock grazing was a direct contributor to habitat loss.

Comment Number: IDMTSG-14-0151-13

Comment Excerpt Text:

BLM rightly fulfilled its legal obligation to consider a no-grazing option. It also included a reduced-grazing alternative that would have reduced grazing by 25%. However, Alternative F was sketchy and unclear because the DEIS did not outline how the reductions in grazing would be accomplished; which allotments would be closed, when, and for how long; how BLM would decide those things; or any other specifics of the plan. Obviously, affected permittees would have wanted explicit answers to all of those concerns and many more. Thus, ultimately, like the no-grazing alternative, it was clearly not meant to be seriously considered by BLM, or it would have been analyzed in much more detailed. In reality, this is not a reduced grazing alternative, because it maintains livestock at levels close to actual use. BLM should have included alternatives that significantly reduced livestock grazing. BLM should have included alternatives that applied specific mandatory measurable use criteria to conserve sage-grouse habitats and populations, along with reductions in livestock numbers. Very importantly, BLM should have considered an alternative that conducted a capability and suitability-

type analysis of grazing conflicts with sage-grouse needs, and acted to remove a grazing allocation from lands with a high degree of conflict, and apply mandatory measurable conservative use periods, and avoid breeding period and winter use in sage-grouse habitats in any lands where grazing might continue.

Comment Number: IDMTSG-14-0151-15

Comment Excerpt Text:

The DEIS is not explicit about its timeframe for allotment NEPA analyses. Given the agencies' frequent and repeated use of the renewal rider, the site-specific planning might not happen for ten, twenty, or more years. Where BLM has recently renewed a permit, it won't come around again for at least ten years, and that is under the best case scenario where BLM actually conducts timely NEPA according to a schedule, something it has never demonstrably achieved. To demonstrate the likelihood and timeliness of any proposed actions to protect sage-grouse, the BLM should have included a spreadsheet of the permit expirations for all allotments in the planning area and the date when BLM planned to undertake analyses. In the meantime, BLM must apply mandatory measurable standards of use, as WWP decried in Scoping comments.

Comment Number: IDMTSG-14-0151-2

Comment Excerpt Text:

First and foremost, BLM's DEIS has failed to recognize the serious and detrimental impact of livestock grazing on Greater sage-grouse habitat in the planning area. A good example of the level of recognition that is necessary can be found in the BLM's HiLine DRMP, released in Montana in June 2013. This document recognizes the impact of livestock grazing on naturalness, stating:

Livestock grazing has the potential to impact naturalness, the undeveloped character, and to create conflict with recreation users. Manipulation of vegetation, alteration of soils, and the presence of fecal matter would create unnatural conditions and would impact opportunities for solitude, particularly in areas where livestock congregate. Range facilities, such as fences, water troughs, and tanks have the

potential to degrade wilderness characteristics by creating new developments, disturbing visual resources, and influencing wildlife migration, reproduction, and mortality (e.g., sage-grouse/fence collisions).²⁷[HiLine Draft Resource Management Plan and Environmental Impact Statement at 671.]

Here, the DEIS fails to recognize the basic realities that livestock grazing is ecologically deleterious, economically inefficient, and socially unnecessary. Instead, the preferred alternative maintains the status quo grazing management throughout the project area without a "hard look" at the reality of grazing impacts, including impacts to native vegetation communities, soil resources, microbotic crusts, and wildlife habitat quality and quantity

Comment Number: IDMTSG-14-0151-20

Comment Excerpt Text:

The COT Report specifically stated that "Adequate monitoring of grazing strategies and their results, with necessary changes in strategies, is essential to ensuring that desired ecological conditions and sage-grouse response are achieved." COT at 45. Specific language about monitoring of grazing should be included in the DEIS. Mandatory measurable use standards must be applied, and these must be triggers for removal of livestock from the pasture or allotment.

Comment Number: IDMTSG-14-0151-49

Comment Excerpt Text:

ID DEIS at 1-33 claims that grazing being limited or stopped is outside the scope of the EIS. That is not the case. In fact, BLM includes an alternative it constructed to remove or limit grazing to be reasonable alternatives in Idaho (see Alt C, and Alt F 25% AU reduction based on 3 years average actual use). The Oregon DEIS Preferred Alternative would eliminate grazing on 100,000 acres between Hart Mountain and Steens. Idaho BLM failed to take a hard look at removal of livestock from significant habitat areas for sage-grouse needed to protect sage-grouse habitats and populations

Comment Number: IDMTSG-14-0151-51

Comment Excerpt Text:

BLM chose to analyze a No Grazing alternative (it appears that BLM interpreted WWP's alternative to mean No Grazing). We described the need for BLM to look at the magnitude of threats that grazing posed so that grazing disturbance could be removed from particular high risk areas. In areas where grazing disturbance continued to be imposed after a fair analysis – we requested agencies consider conservative measurable use standards and triggers for livestock removal from pastures or allotments as standards were met; seasonal avoidance of grazing disturbance to sage-grouse breeding habitats, and other basic conservation measures. We knew BLM would never choose a full No Grazing alternative, All of these components are absent from the DEIS and its analysis.

Comment Number: IDMTSG-14-0151-52

Comment Excerpt Text:

Thus, BLM cannot both analyze a No Grazing alternative – and at the same time under Planning Criteria claim it cannot address allocations. Further, DEIS at I-35 states that BLM will consider habitat. These are missing from the DEIS in regards to grazing. A valid rationale and analysis of why there are no clear, measurable use standards and strong action requirements related to grazing disturbance are missing from the DEIS. There are no concrete regulatory controls on livestock grazing disturbance in the DEIS.

Comment Number: IDMTSG-14-0151-6

Comment Excerpt Text:

The paper “A Blueprint for Sage-grouse Conservation and Recovery (Braun 2006) states “if livestock grazing is permitted on public rangelands, it is to not exceed 25-30% utilization of herbaceous forage each year. Grazing should not be allowed until after 20 June and all livestock should be removed by 1 August with a goal of leaving at least 70% of the herbaceous production each year to form residual cover to benefit sage-grouse nesting the following spring.” The DRMPA/DEIS does not adopt any such meaningful management parameters. WWP's Scoping comments

described why, on the very depleted and cheatgrass-vulnerable Idaho lands, a much lower level of 10-15% should be applied to any areas that continue to be grazed.

Comment Number: IDMTSG-14-0151-63

Comment Excerpt Text:

Old Land Use Plans with 50% utilization are outdated and ineffective at maintaining ecological condition. See Manier et al. 2013. BLM must amend plans to have much more protective measurable use standards, as Terms and Conditions of grazing permits. See WWP Alt, see Braun Blueprint. Given the rate at which cheatgrass is advancing in the Bruneau as Simplot and the hand full of other permittee cattle herds, use and disturbance levels much lower the Blueprint are needed. See Peterson 2006 and mapping, also Great Basin Rapid Ecological Assessment, and cheatgrass layer that extends into Idaho, but is not portrayed in the Idaho DEIS

Comment Number: IDMTSG-14-0151-64

Comment Excerpt Text:

Further, utilization standards must be applied to the array of native forage species. As described in the Catlin 2013 report on cd, in depleted landscapes, BLM's range monitoring methods result in focus only on some larger grass species.

Comment Number: IDMTSG-14-0151-65

Comment Excerpt Text:

It is also necessary for biologists developing measurable use standards to understand that the agency method relies not on total plant height, but plant biomass. So 40% or 50% utilization typically results in a very short residual cover or stubble height (less than 4 inches) on nearly all native species. See Forest Service utilization gauge on cd. This supports WWP's alternative suggestion of 10% utilization, especially on the characteristically depleted sagebrush habitats across much of the species range.

Comment Number: IDMTSG-14-0151-74

Comment Excerpt Text:

BLM states under Alt F that it will “reduce authorized grazing by 25% within occupied habitat”. What is the current “authorized grazing” in each of the habitat categories? DEIS at 4-65 describes “applying a 25 percent reduction to the three-year average billed use”. Does billed use differ from actual use? How have agencies been verifying actual use is accurately reported?

Comment Number: IDMTSG-14-0153-37

Comment Excerpt Text:

We applaud the grazing response to drought measures from Alternative D, which requires adjusting grazing management to provide adequate food and cover for sage grouse during drought. But greater specificity is needed here regarding how stocking rates will be adjusted.

Comment Number: IDMTSG-14-0153-48

Comment Excerpt Text:

In addition to these standards, for sage grouse Priority and General Habitats there should be a decision procedure and actions described below, depending on habitat conditions.

1. Assess which lands meet the Connelly et al. (2000) guidelines both in riparian areas and upland areas in Table 3. Include the conservation community and grazers in this assessment.

2. For those not meeting these guidelines, determine that the allotment does not meet rangeland health standards. To meet these standards, the sagebrush community must meet or exceed the height and percent canopy cover percents for sagebrush, native grasses, and forbs in Table 3 (Connelly et al. 2000).

3. Change grazing use as necessary so that upland and riparian areas have a positive 2 or better Grazing Response Index (GRI) score for allotments not meeting standards.

4. For allotments that meet standards, insure grazing practices produce a "0" or plus net GRI score.

5. In sage grouse nesting areas, do not allow grazing until after the 20th of June (Braun 2006).

6. During permit renewal, inventory the amount of forage produced in the allotment, assess the allotment ecological conditions, and document past grazing use. As a part of permit renewal, conduct a range capacity analysis to assess the stocking rate for the allotment. Stocking levels for allotments that meet standards should lead to less than 25% utilization (Braun 2006) and for allotments not meeting standards, less than 15% utilization.

7. For allotments not meeting the rangeland health standards, prohibit grazing during a severe or worse droughts as defined by the national drought monitor.

8. For allotments that meet the standards, reduce grazing use prior to a drought to utilization levels less than 10-15% utilization for forage expected during the drought.

9. In sage grouse habitats, produce an annual end-of-season report for each allotment. This report should note the planned grazing use for the season, note the grazing use that occurred, report the results of any monitoring, document precipitation/drought information, describe any projects completed, and note successes or problems encountered. These should include conservation community and grazer information and be posted on the web.

Comment Number: IDMTSG-14-0153-49

Comment Excerpt Text:

Furthermore, we recommend that BLM should include a provision to retire livestock grazing allotments on a willing-permittee basis when they come up for renewal under all alternatives, as is included under all alternatives in the BLM's South Dakota RMP Draft EIS. The requirement that surrendered allotments become part of a grass bank is bad policy for sage grouse conservation, as grass banks will almost always be grazed. Allowing retired allotments to be purchased and taken out of service is a far preferable outcome for grouse.

Comment Number: IDMTSG-14-0153-50*Comment Excerpt Text:*

Placing salt blocks in upland areas is not an effective means of drawing cattle use away from riparian areas. Bryant (1982:784) found that salt placement and alternate water sources did not influence cattle preference for riparian habitats, and came to the following conclusion: "These cattle used the salt when convenient but did not alter behavior patterns to obtain it." Thus, the BLM should not rely on the placement of salt blocks as a means to draw livestock away from riparian habitats.

Comment Number: IDMTSG-14-0157-15*Comment Excerpt Text:*

The FEIS should explain why, with the vast array of regulatory mechanisms for both BLM and Forest Service lands and the ability of the agencies to adapt use to existing habitat conditions, an assumption would be made that these mechanisms are inadequate so that a listing of the species would result.

Comment Number: IDMTSG-14-0166-6*Comment Excerpt Text:*

Alternative D also proposes to "conduct" land health assessments "where possible" at the watershed or meaningful landscape-scale beginning in the PPMA. This language is vague, as it does not provide a timeline or scale of implementation, or any assurance that it will actually occur. However, land health assessments are critical to understanding where grazing has degraded sage-grouse habitats and what management strategies are necessary to restore the habitat. Thus Alternative D provides an inadequate land health assessment process.

Comment Number: IDMTSG-14-0169-20*Comment Excerpt Text:*

[This comment refers specifically to Alternative D] The plan should limit grazing utilization to 25 percent annually on uplands, meadows, flood plains and riparian habitat.

Decades of livestock grazing have altered plant communities and soil and reduced productivity in

sagebrush steppe (Knick et al. 2003; West 1983). Impacts attributable to historic or heavy grazing in sage-grouse habitat have not been remedied because plant communities are still not given rest from grazing, even under ecologically oriented grazing schemes (Connelly et al. 2004: 7-30 – 7-31, citing others). Furthermore, the water developments have increased the area that can be grazed, increasing the distribution and often the intensity of grazing, so that even where livestock numbers have been reduced, they still exert a significant influence on those habitats (Connelly et al. 2004: 7-33). The BLM has also identified continued problems associated with "historic overgrazing" (e.g., NW Colorado: 512) and many areas still do not exhibit habitat characteristics preferred by sage-grouse.

Comment Number: IDMTSG-14-0169-21*Comment Excerpt Text:*

Limiting grazing is recommended to support rangeland restoration (Van Poolen and Lacey 1979, defining light utilization as 20-40 percent utilization of annual forage production by weight; Holecheck et al. 1999, defining light-moderate utilization as 30-35 percent utilization). Holecheck et al. (2010: 290), citing Gregg et al. (1994) and Sveum et al. (1998), noted that grazing must be kept at conservative levels (25 to 35 percent use) "for high nesting success by sage-grouse." Braun (2006, unpublished) similarly recommended limiting grazing use to 25-30 percent utilization.

Comment Number: IDMTSG-14-0169-23*Comment Excerpt Text:*

[This comment refers specifically to Alternative D] The plan should require that livestock grazing maintain = 18 cm grass height in sage-grouse nesting and brood-rearing habitat.

It is unclear if the preferred alternative would require that livestock grazing maintain a minimum grass height in sage-grouse nesting and brood-rearing habitats (see Table I). 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

sage-grouse populations rangewide (see Aldridge and Boyce 2007; Holloran et al. 2005, review of the literature). The final Idaho/SW Montana plan should explicitly require that livestock grazing maintain = 18 cm grass height in sage-grouse nesting and brood-rearing that are critical to sage-grouse reproduction.

Comment Number: IDMTSG-14-0169-29

Comment Excerpt Text:

[This comment refers specifically to Alternative D] The BLM should reconsider whether sage-grouse habitat is “chiefly valuable” for livestock grazing.

Most grazing on BLM lands occurs within grazing districts established by the Taylor Grazing Act of 1934 (43 U.S.C. § 315). The act required the Secretary of Interior to determine that lands within grazing districts were “chiefly valuable” for livestock grazing (43 U.S.C. § 315). However, the Secretary can also separately conclude that any lands within grazing districts are “more valuable or suitable for any other use than for [grazing]” (43 U.S.C. § 315f). To meet the purpose and need of the National Greater Sage-Grouse Planning Strategy (76 Fed. Reg. 77009) and the draft Idaho/SW Montana plan (ES-4), the Secretary should, as part of the current planning process, reconsider whether sage-grouse habitat, or a subset of extant habitat (e.g., priority habitat), in grazing districts is still “chiefly valuable” for grazing as opposed to other priorities, such as sage-grouse conservation. The Secretary can adjust boundaries of grazing districts to exclude grazing where it may continue to harm the species.

Comment Number: IDMTSG-14-0169-30

Comment Excerpt Text:

[This comment refers specifically to Alternative D] The plan should facilitate voluntary grazing permit retirement in sage-grouse range.

The preferred alternative would facilitate voluntary grazing permit retirement in sage-grouse habitat, although grazing allotments offered for retirement could be converted to forage reserves for grazing use during fire rehabilitation or restoration efforts elsewhere, “when such actions are determined to

result in a net benefit to [sage-grouse] habitat...” (vol 2, 2-137, Table 2-18, D-LG/RM-7). Permitting grazing use on closed allotments would likely reduce its value to sage-grouse. The preferred alternative should simply close allotments offered for retirement.

Comment Number: IDMTSG-14-0169-31

Comment Excerpt Text:

Two other alternatives in the draft plan, Alternative B (NTT report) and Alternative F (conservation organizations) would also allow for voluntary grazing permit retirement, but only in priority habitat (vol 2, 2-137, Table 2-18, D-LG/RM-7, F-LG/RM-7). It is inexplicable why the conservation alternative would limit grazing permit retirement to priority habitat. The Sage-Grouse Recovery Alternative,2 the basis for Alternative F, does not limit permit retirement to priority habitat, and neither should Alternative F.

Comment Number: IDMTSG-14-0169-32

Comment Excerpt Text:

The voluntary grazing permit retirement provisions in Alternatives B and F also require that land managers “[a]nalyze the adverse impacts of no livestock use on wildfire and invasive species threats (Crawford et al. 2004) in evaluating retirement proposals” (vol 2, 2-137, Table 2-18, D-LG/RM-7, F-LG/RM-7). While this provision was included in the NTT report and could rightly be included in Alternative B, it was not included in the Sage-Grouse Recovery Alternative. (It is interesting that the stipulation is also not included in the preferred alternative). We request that this stipulation be removed from Alternative F and not be added to the preferred alternative. Alternatively, if this provision is included in either alternative, we request that planners also be required to analyze the beneficial impacts of eliminating livestock grazing in sage-grouse habitat on sage-grouse ecology; native vegetation, including species composition and structure; biological crusts and soil retention; restoration and resiliency of riparian and upland habitats; plant and animal abundance and diversity; water infiltration, and water quality and quantity; and climate change

Comment Number: IDMTSG-14-0169-45

Comment Excerpt Text:

For range management, sage-grouse habitat objectives should be based on, in priority order, potential natural community within the applicable Ecological Site Description, Connelly et al. (2000: 977, Table 3), or other objectives that have been demonstrated to be associated with increasing sage-grouse populations.

Utilization levels should not exceed 25 percent annually on uplands, meadows, flood plains and riparian habitat (Holecheck et al. 2010 and others). Habitat objectives should be applied to all sage-grouse habitat areas.

Comment Number: IDMTSG-14-0169-46

Comment Excerpt Text:

Management plans should include three specific conservation measures:

1. Grazing should maintain = 18 cm grass height in nesting and brood-rearing-rearing habitat (Connelly et al. 2000; Braun et al. 2005).
2. Livestock grazing should be restricted where cheatgrass (*Bromus tectorum*) occurs in sagebrush steppe to avoid contributing further to its incursion on the landscape (Reisner et al. 2013).
3. Grazing permit retirement should be prioritized in sage-grouse habitat.

Comment Number: IDMTSG-14-0178-1

Comment Excerpt Text:

Most of the alternatives in the Draft would result in reduced grazing. Reducing livestock numbers is not effective as a mitigation strategy, and would in fact be detrimental to sage grouse habitat and, ultimately, sage grouse numbers. Grazing should be used to reduce the risk of catastrophic wildfire, improve forage, remove invasive species and provide open space. Stability in grazing management allows ranches to maintain intact and prevents urbanization and fragmentation of sage grouse habitat.

Comment Number: IDMTSG-14-0178-10

Comment Excerpt Text:

[This comment refers to Alternative D] We are particularly concerned with the use of standards that will be prescribed as a result of Table 2-8, in particular, the 7" stubble height. Annual variations, landscape variations, the technical intricacies of measuring stubble height, and other limitations would make this standard a counterproductive way to address nesting cover. The LUPA/DEIS does not identify when residual cover measurements should be taken, nor do they identify that different standards apply at different times. The Connelly reference for 7 inches is to be used post hatch, not at nest-initiation. Consequently, these measurements would need to occur at the end of the growing season, allowing regrowth from fall. Research indicates that residual heights of 3.5-3.9 inches are adequate prior to nesting (Hausleitner, 2005) Therefore, if measurements are taken of residual height in the fall or just prior to nesting this standard should be applied instead of the 7 inch standard. The difference and the time of the monitoring is critical to accurately determining the health of the range in relation to sage grouse needs.

Comment Number: IDMTSG-14-0178-11

Comment Excerpt Text:

Our concerns related to, what we believe to be, the arbitrary reduction of grazing on BLM/FS lands as described above are carried into Alternative D. This co-preferred alternative assumes "moderate decline in permitted grazing," (2-190). However, the structure of the LUPA/DEIS makes it very difficult to conduct a detailed assessment of what will precipitate or justify those predetermined grazing cuts.

Comment Number: IDMTSG-14-0178-12

Comment Excerpt Text:

[This comment refers to Alternative D] Though Table 2-8 provides useful guidelines in the conservation of the species, it is essential that it is applied appropriately as intended by the author. Both reality and sound science show that only by use of the continued proper grazing management tool can the goals of this table be met. These habitat characteristics are listed in table form, yet the

alternative is silent on ensuring that any conservation measures, allocations or prescriptions (Management Actions), to be imposed for any particular use will be predicated upon existing vegetation and be within the ecological potential of the site. That is, BLM should not impose grazing restrictions based on herbaceous cover needed for nesting when there is not any existing sagebrush within the area in question; or BLM cannot mandate a particular residual grass cover height if the existing grasses do not have the potential to grow to the prescribed residual height and/or the prescribed grass heights are not within the ecological potential of the area in question. Arbitrarily mandating specific Required Design Features (RDF's) or Best Management Practices (BMP's) at a land use planning level is unacceptable. These items should only be considered as a "tool box" to be used at the activity plan level and then only used after an impact assessment has been made. This will avoid indiscriminant and unnecessary restrictions on land uses.

Comment Number: IDMTSG-14-0178-2

Comment Excerpt Text:

We cannot agree with the generalized statement on 2-21 that "there are currently no science-based studies that demonstrate that increased livestock grazing on public lands would enhance or restore GRSg habitat or maintain or increase GRSg abundance and distribution." We are troubled that this attitude, that grazing use is a negative impact and that no evidence to the contrary exists, seems to pervade the Draft. Particularly in regards to fuels management and invasive species control, flexibility in managing livestock numbers can, and should, be utilized as an invaluable tool. Authorized grazing on public lands has decreased steadily over the past several years, which has also coincided with increased fire prevalence in Idaho and down trending sage grouse populations. It is unrealistic to state that there is not room for increasing grazing given these facts. Furthermore, there are multiple studies which indicate the benefits of livestock grazing. Where livestock grazing has been reduced, arbitrarily in many circumstances, it is inaccurate for this LUPA/DEIS to imply that increased grazing would not benefit sage

grouse nor its habitat. Please see below and refer to Attachment I for a detailed list of scientific studies that show the benefits of grazing in sage grouse habitat.

The following points and references further delineate the benefit of grazing on public lands.

- The western ecosystem evolved with large-herbivore grazing, and losing public lands grazing would severely damage ecological balance (Burkhardt, 1995).
- Improving range science and management practices are bettering the condition of the range (CAST, 1996). Ranching on both public and private land "has been found to support biodiversity that is of conservation concern" (Knight, 2007). Areas with flourishing and diverse plant and wildlife populations are often found in their present state because of, and not despite, the practice of grazing (NRCS, 2004).
- Grazing improves greater sage-grouse habitat by increasing the quality and accessibility of forbs for sage grouse (Neel 1980, Derner et al.1994, Evans 1986). Grazing stimulates plant and root growth and allows sunlight to get through to the growth points. Hoof movements soften the hardened earth so that seeds can germinate and grow and water can penetrate (Savory, 2010).
- Livestock grazing can reduce and modify fuel loads in a way that decreases the potential spread and extent of wildfires (Diamond et al. 2009). Ranchers are often first responders to wildfire, and grazing greatly reduces the risk of catastrophic wildfire (Davies, 2010). (See details below)
- Grazing can also be used to control invasive weeds (Olson and Lacey 1994, Walker et al.1994). (See details below)
- Grazing with appropriate range improvements can be utilized in some areas to improve greater sage-grouse habitat to

mitigate for the disturbance caused by other multiple-use activities, such as mineral development.

- Ranchers' water improvements provide habitat where none existed before (Marty, 2006).
- Grazing makes productive use of a renewable, otherwise unusable resource—grasses and shrubs out on the range—turning them into a high quality source of protein and fiber for a growing population. This is particularly significant given the fact that thousands of acres of open space are lost in the United States each day (USDA Forest Service, 2006).
- Reduced grazing on federal lands will result in greater grazing pressure on private lands which typically provide the best sage grouse habitat. The net effect of reducing livestock on federal lands is negative for sage grouse.

It should not be overlooked that, only through continued grazing use, ranchers and land managers have the ability to manage range conditions that sage grouse thrive in. According to the Natural Resources Conservation Service (NRCS), grazing “has been responsible for retaining expansive tracts of sagebrush-dominated rangeland from conversion to cropland” and can “stimulate growth of grasses and forbs, and thus livestock can be used to manipulate the plant community toward a desired condition.”

Comment Number: IDMTSG-14-0178-9

Comment Excerpt Text:

Alternative C “focuses on the complete removal of livestock grazing from all occupied sage grouse habitat...” (ES-15, 2-64) while Alternative F “focuses on restrictions...” (ES-16). For the reasons described above in the “Benefits of Livestock Grazing” section, these alternatives will prove to be disastrous to both the environment and the economy of the planning area.

Given the benefits shown above, any alternative that arbitrarily reduces, eliminates or allows retirement of

livestock grazing AUMs is contradictory to the goal of long-term sage grouse conservation. In addition, there is statutory evidence and case law, that the BLM is overstepping its bounds in the LUPA/DEIS by suggesting that grazing permits may be terminated permanently. The BLM is authorized to decrease or temporarily discontinue grazing through a decision process, but the Taylor Grazing Act and Federal Land Policy Management Act (FLPMA) mandate that forage resources on grazing districts, if deemed healthy, are to be made available for livestock grazing.

Comment Number: IDMTSG-14-0179-13

Comment Excerpt Text:

It is critical for the BLM, Forest Service and State to better describe the regulatory mechanism for monitoring range conditions including forbs, hiding cover, riparian conditions and upland conditions. In addition, the condition of nesting and brood rearing habitats needs to be monitored. Waiting until a sage-grouse population is in decline over a broad area would appear to be too late to start reviewing range conditions and grazing practices. It is better to make several small course corrections over time than to abruptly attempt to change course. If a trigger is tripped and grazing is determined to be a primary cause, it is also unclear whether grazing would be suspended until conditions improve, or just slightly altered until there is an upward trend and an undetermined timeline for meeting objectives.

Comment Number: IDMTSG-14-0180-29

Comment Excerpt Text:

There are several similarities and consistencies between Alternative D and Alternative E for grazing. However, the most important distinction between the two alternatives is that Alternative D does not provide certainty of implementation. Instead, Alternative D and the measures pulled from Alternative B merely provide best management practice suggestions, with no mechanism to ensure that they will be implemented. Further discussion of these similarities and differences can be found in comments submitted by the Idaho Department of Agriculture.

Comment Number: IDMTSG-14-0186-12

Comment Excerpt Text:

Page 2-21 [91]. The DEIS states that “There are currently no science-based studies that demonstrate that increased livestock grazing on public lands would enhance or restore GRSG habitat or maintain or increase GRSG abundance and distribution.” While this is true in terms of increases beyond Permitted Use, the document also cites Davies et al 2010, who noted that moderately grazed areas did help reduce the threat (severity, etc.) of wildfire over areas that were not grazed. Further, it is equally true that there are currently no science-based studies that demonstrate that decreased livestock grazing on public lands would enhance or restore GRSG habitat or maintain or increase GRSG abundance and distribution.

Comment Number: IDMTSG-14-0186-23

Comment Excerpt Text:

Page 2-137 [207]. D-LG/RM-7. I do not believe the law, including the TGA, provide for “retiring an allotment.” To the extent that this notion is “adopted from Idaho State Plan, p 4.64), such “adoption” is irrelevant to federal law and regulation.

Comment Number: IDMTSG-14-0201-3

Comment Excerpt Text:

Livestock grazing should be managed to leave behind sufficient grass at least 7 inches high--to provide adequate hiding cover in sage grouse nesting areas, and to prevent the degradation of springs and watercourse habitats needed by sage grouse to raise their chicks;

Comment Number: IDMTSG-14-0206-30

Comment Excerpt Text:

Not every failure to meet sage grouse objectives on an allotment necessarily will lead to a change in grazing management. Two situations stand out. First, some areas lack the ecological potential to meet the objectives. These areas have passed an ecological threshold – typically conversion to annual grasslands – that makes it impractical to restore a vegetation community composed of sagebrush and native grasses and forbs. In these areas, other resource

management objectives should guide decisions on grazing management. Second, current grazing is not always a causal contributor to the failure to meet the habitat objectives. Current grazing should not be blamed where it does not contribute to the failure to meet habitat objectives

Comment Number: IDMTSG-14-0215-3

Comment Excerpt Text:

Alternatives should include enforceable terms and conditions for livestock grazing in all sage-grouse habitat;

- New measures to be implemented immediately, not years or decades from now during permit renewals.
- Grazing use removed where there is conflict with sage-grouse needs.
- Permanent retirement of grazing allotments as a mitigation measure for negative impacts on sage-grouse habitat

Comment Number: IDMTSG-14-0216-1

Comment Excerpt Text:

In the RMPA/EIS, the BLM describes the purpose and need as follows: “This effort responds to the USFWS’s 2010 Finding which identified inadequacy of regulatory mechanisms as a significant threat.” RMPA/EIS at I-11. “Changes in management of GRSG habitats are necessary to avoid the continued decline of populations that are anticipated across the species’ range.” RMPA/EIS at I-11. Put most simply in the federal register notice of intent, the core purpose of the RMPAs is to “avoid a potential listing under the Endangered Species Act.” 76 FR 77009. As applied to livestock grazing and range management, the BLM’s statement of the purpose and need is inaccurate and misleading because the FWS never found, nor has the BLM found, that existing regulatory mechanisms applicable to livestock grazing and range management pose a threat to sage grouse habitat or populations, much less that changes in such regulatory mechanisms are necessary to avoid a listing decision.

Comment Number: IDMTSG-14-0228-3

Comment Excerpt Text:

Alternative D & E, the BLM's preferred alternatives, and Alternative E, created by the state of Idaho, allow BLM discretion in determining wild horse and grazing levels and set the stage for the reduction of AMLs or even zeroing out of HMAs. These alternatives do not address the major threats to sage grouse, specifically the massive livestock grazing that is occurring on 100% of PPH and 97% of PGH. Indeed, Alternative D envisions no change in areas open to livestock grazing, and Alternative E would actually increase the area available for livestock grazing in the planning area! This despite the fact that at least 1.9 million acres of livestock grazing allotments in in PGH and PPH are not meeting rangeland health standards.

These alternatives should be revised to include a clear description of the BLM's legal mandate to manage wild horses and burros as natural components of the public lands and a specification that grazing/AUM reductions should be borne by discretionary livestock grazing and not by wild horse and burros, which the BLM is mandated to protect.

Alternative F, which would reduce wild horse AMLs by 25% in the occupied habitat areas is not justified given the minimal overlap of wild horses with such habitat (just 3% in PPH and 1% in PGH) and the small number of wild horses (617/7,404 AUMS) vs. the massive number of livestock (2.2 million AUMs/183,000 cows [year round equivalent]).

Comment Number: IDMTSG-14-0242-24

Comment Excerpt Text:

Grazing

The COT objective is to conduct grazing management in a manner consistent with local ecological conditions that maintains or restores healthy sagebrush shrub and native perennial grass and forb communities and conserves the essential habitat components for sage-grouse (e.g., shrub cover, nesting cover). Additionally, the COT recommends restoration of areas which do not currently meet this standard. Both Alternative D and

Alternative E provide measures that currently meet the COT objectives for grazing management.

Comment Number: IDMTSG-14-0242-26

Comment Excerpt Text:

Range Management Structures

The COT objective is to avoid or reduce the impact of range management structures on sage-grouse. Both Alternative D and Alternative E propose to implement conservation measures that meet the COT objective

Comment Number: IDMTSG-14-0242-27

Comment Excerpt Text:

Fences

The COT objective is to minimize the impact offences on GRSG populations. Both Alternative D and Alternative E propose to implement conservation measures that meet the COT objective

Comment Number: IDMTSG-14-0311-1

Comment Excerpt Text:

That cooperation will be greatly enhanced and promoted if the following language is adopted as part of the selected alternative in the Record of Decision for this SEIS for Greater sage-grouse:

"Where grazing privileges in Greater Sage-grouse habitat are lost, relinquished, or canceled, or are associated with base properties that are sold without the prior transfer of such privileges, the AUMS making up such privileges shall not be reissued for grazing use but shall instead be held for watershed protection and wildlife habitat purposes."

The Fund recommends and requests that this language be incorporated into the final SEIS for greater sage-grouse for Idaho and Southwest Montana.

Comment Number: IDMTSG-14-0325-14

Comment Excerpt Text:

LIVESTOCK GRAZING [This comment corresponds to the headings in Table 2-17 and Table 2-18]

C-LG/RM-I proposes that no grazing be allowed in occupied GRSG habitat. It has not been conclusively shown that removing grazing results in stabilization of or increase in GRSG populations. It has been shown that certain grazing practices can have a net-positive effect on GRSG habitat. Further, it would be onerous if not impossible to determine what habitat is occupied and what is not.

Comment Number: IDMTSG-14-0325-15

Comment Excerpt Text:

F-LG/RM-I proposes a 25% reduction in grazing. It has not been conclusively show that removing grazing results in stabilization of or increase in GRSG populations. It has been shown that certain grazing practices can have a net-positive effect on GRSG habitat (USGS).

C-LG/RM-I and F-LG/RM-I should not be considered for inclusion in any LUPA.

Comment Number: IDMTSG-14-0325-18

Comment Excerpt Text:

Range Improvements.

Alternatives B-F require that range improvements conserve, enhance and restore GRSG habitat. Most range improvements are not intended to benefit GRSG or GRSG habitat. They are intended to provide a grazing function, such as cattle containment, supplemental feed distribution or water supply. None of these Alternatives contain adequate standards to clearly determine if a proposed improvement fulfills these requirements. Without clear and quantifiable standards, it will be essentially impossible to demonstrate compliance.

It has not been demonstrated that rangeland improvements constitute a significant threat to GRSG or its habitat. Rangeland improvements have not resulted insignificant habitat loss.

Inclusion of these management actions will provide no significant benefit while severely limiting or eliminating compatible land uses.

**SECTION 11.2 - BEST AVAILABLE INFORMATION
BASELINE DATA**

Comment Number: IDMTSG-14-0050-2

Comment Excerpt Text:

Decreasing or eliminating the authorized levels of privately owned domestic livestock grazing and limiting seasons of use will:

1. Prevent and limit future increases in ecological departure
2. Reduce the existing direct impacts from domestic livestock on sage-grouse and sagegrouse habitat
3. Allow the removal of fences to decrease sage-grouse/fence collision risks and mortality, and to decrease predation
4. Help reduce wildfire risks by reducing spread and establishment of invasive weeds
5. Allow recovery of meadows, and riparian areas on those allotments that failed to meet rangeland health standards
6. Allow recruitment of sage-brush in domestic livestock impacted areas
7. Ensure recovery of aspen groves
8. Protect pinyon-juniper communities

Domestic livestock grazing has at least the following major impacts and:

- Significantly Alters Plant and Animal Communities (Wagner 1978, Jones 1981, Mosconi & Hutto 1982, Szaro et al. 1985, Quinn & Wal-Genbach 1990, as cited in Fleischner, 1994) (Belsky, Matzke, Uselman, 1999) (Donahue, 1999) (Wuerthner, Matteson, 2002)
- Decreases Biodiversity (Fleischner, 1994) (Wilcove, Rothstein, Dubow, Phillips, Losos, 1998) (Belsky, Matzke, Uselman, 1999) (Wuerthner, Matteson, 2002)

- Leads to Elimination of Native Predators (Donahue, 1999) (Wuerthner, Matteson, 2002) (GAO, 2005)
- Leads to Introduction of Invasive Plants and Diseases (Mackie 1978, Longhurst et al. 1983, Menke, Bradford 1992, as cited in Fleischner, 1994) (Wilcove, Rothstein, Dubow, Phillips, Losos, 1998) (Donahue, 1999)
- Leads to Soil Compaction and Accelerated Erosion (Fleischner, 1994) (Belsky, Matzke, Uselman, 1999) (Donahue, 1999) (Wuerthner, Matteson, 2002)
- Leads to Hydrologic Disruption and Contamination (Fleischner, 1994) (Belsky, Matzke, Uselman, 1999) (Wuerthner, Matteson, 2002)
- Leads to Habitat Destruction (Fleischner, 1994) (Wilcove, Rothstein, Dubow, Phillips, Losos, 1998) (Belsky, Matzke, Uselman, 1999) (Donahue, 1999) (Wuerthner, Matteson, 2002)

Comment Number: IDMTSG-14-0050-3

Comment Excerpt Text:

In addition, the Appendix “K” “Livestock Grazing (Table K-1) data does not provide any date(s) that the rangeland health categories were assigned. This health category must be current or it is valueless and could possibly be considered purposeful deception by the BLM and USFS to the public and the decision makers. This omission error must be corrected and accurate, current data supplied and dated in order to avoid a violation of the NEPA law.

Comment Number: IDMTSG-14-0105-16

Comment Excerpt Text:

Vol2, Page 2-90-91: Tables 2-14,2-15, & 2-16. Habitat Characteristics

The habitat descriptions do not address the potential for the presence of most desired insect populations that benefit brood rearing within brood rearing habitat. Information is now available showing that grazed areas are significantly more productive of such insects. One characteristic of habitat value should be

the potential for increased desirable insect species at a given site (do grazing practices encourage population of preferred insects).

Comment Number: IDMTSG-14-0105-22

Comment Excerpt Text:

Pages 3-63 to 3-66 3.7.1 Conditions within the Planning Area Emergency Stabilization and Rehab (ESR) Management actions by Alternative E. Table 2-18

This discusses Intensive livestock grazing as controlling cheatgrass competition. It states that "a sufficient number of livestock cannot be concentrated on a small enough area to reduce the cheatgrass seed. In addition, this type of grazing can be detrimental to remaining perennial grasses". It should be noted that if grazing were applied early enough, even late winter in some of the affected areas, that cheatgrass would not mature to seed level, or at least would be reduced. The perennial grasses are slower to emerge and would not be affected by the intensive grazing.

Contact herbicides such as Glyphosate and pre-emergence herbicides such as imazapic and sulfometuron methyl are listed as being highly effective in controlling invasive annual grasses. This is true, in small areas, but when dealing with cheatgrass invasion on a landscape level, these herbicides are not cost-effective.

Pre-emergence herbicides are exactly that, they inhibit sprouting of the seeds in the ground. If you want to have the perennial grasses expand, there must be also seed in the ground to sprout and grow. Perennial grasses that are there and rooted will not be involved, but there will be no new seeding from the plants. This was tried several years ago on Highway 78 by the Cove Recreation Area of Strike Dam. A good kill resulted, but even now there is very little grass growing and this area is susceptible to the wind and dust storms that frequent this area. The only way that pre-emergence herbicides will work is to seed with perennial grasses after the initial treatment. This has been tried several years ago on

Highway 78 by the Cove Recreation Area of Strike Dam. The Air Force has had great success rate applying the herbicide imazapic at their Training Range on Saylor Creek. This particular herbicide, not only inhibits cheat grass, but encourages growth of the native grasses and Sage Brush. Again, it is not cost effective, but has good results with favorable moisture conditions. Targeted or intensive grazing is very cost effective and if the timing is correct, may help control the cheatgrass. This is ongoing research by the University of Idaho Rangeland Center. See prospectus, "Grouse and Grazing: How does spring livestock grazing influence sage-grouse populations?" December 2012. Cheat grass is a primary threat to habitat. To not consider grazing as a viable, cost-effective management tool has not been studied enough. USDA/ARS in Nevada where the precipitation is equal or less has had significant results in reductions of cheat grass through grazing in late season.

Comment Number: IDMTSG-14-0130-17

Comment Excerpt Text:

There is no published research that supports restricting or closing grazing, in areas adjacent to burns, in order to compensate for loss of habitat attributable to wildfire.

(D-ESR- 5, page 2-134).

Comment Number: IDMTSG-14-0151-11

Comment Excerpt Text:

Without information on existing grazing in the planning area, it is more difficult to tell whether the DEIS is really making substantive changes to benefit sage-grouse. Nowhere does the DEIS provide a thorough disclosure of existing grazing management, as required by NEPA. Specifically, failing to indicate actual recent livestock use on the cattle allotments makes the preferred alternative unclear. The DEIS should have included actual use for each allotment in the chart that lists authorized AUMs in Appendix N. Because the DEIS lacks sufficient and accurate baseline information, it lacks a barometer with which to measure the proposed actions in sage-grouse habitats.

Nowhere does the DEIS disclose the seasonality of grazing within the planning area, which prevents the reader from understanding how spring or spring-fall grazing regimes could affect sage-grouse in the planning area. It also does not provide trailing routes, pasture rotation plans, etc. It does not overlay grazing use that occurs by allotment on top of sage-grouse breeding habitats (lek, nesting, early brood rearing period), or on top of sage-grouse winter habitats.

Comment Number: IDMTSG-14-0151-14

Comment Excerpt Text:

BLM failed to conduct a Capability and Suitability analysis to properly identify and resolve conflicts with continued livestock use. BLM failed to conduct a risk analysis to determine the risk of cheatgrass or other weed advances and irreversible habitat-altering invasions with continued livestock use, as well as with its unspecified number and kind of treatments, seedings and fuelbreaks.

Similarly, BLM failed to address passive restoration and precautionary active management in any substantive way at all.

Comment Number: IDMTSG-14-0151-26

Comment Excerpt Text:

If monitoring and habitat assessments and changes only occur as part and parcel of site-specific grazing decisions (as the DEIS repeatedly implies), the chance to "adapt" to changing conditions will be limited. In light of the agency's own acknowledgment/assumptions about climate change affecting the habitat availability for GRS, it would have been a reasonable alternative to include some across-the-board adaptations (lowered livestock authorizations, for example) in the DEIS.

Comment Number: IDMTSG-14-0151-68

Comment Excerpt Text:

BLM references using the HAF to incorporate into adaptive management. But what specific actions will be taken? What thresholds of habitat degradation will prompt specific and effective change and conservation?

Comment Number: IDMTSG-14-0151-86*Comment Excerpt Text:***Livestock Weight**

The BLM must clarify the weight of livestock the DEIS is using for an AUM's or HM's forage consumption. The NV DEIS is based on the claim that an AUM is 800 lbs. of air-dried material per AUM. Current range analyses use, at a minimum, 1000 lbs. per AUM. This really is based on a 1980s management mindset. Plus, forage impacts of large calves must also be taken into account. The agencies must specify what forage consumption ID BLM AUMs and Forest HMs are currently being based. What forage consumption is stocking based on under all DEIS Alts.? What weight was the current allocation in the LUPs to be amended based on? If it was 800 lbs., lands will be significantly over-stocked as 1000 lbs. per AUM or more is the current agency allocation assumption, due to breeding of larger sized animals, hormones, supplements, etc.

Comment Number: IDMTSG-14-0153-60*Comment Excerpt Text:*

The failure to recognize the key role of livestock grazing in cheatgrass-wildfire dynamics (see DEIS at 4-10, 4-120) is a key 'hard look' problem with the Draft EIS. Livestock grazing also leads to cheatgrass invasion, as overgrazing eliminates native bunchgrasses and degrades biological soil crusts, both of which represent the ecosystem's natural defenses against this invasive weed (Reisner et al. 2013, Attachment 18). Cheatgrass invasions, spread by livestock overgrazing, increase fire frequency to unnatural levels (D'Antonio and Vitousek 1992). By itself, livestock grazing doubles to triples the spread of cheatgrass, and fire alone increases by two to six times the spread of cheatgrass; but for any fire that occurs in an area that is grazed by domestic livestock the spread of cheatgrass is multiplied, to 10 to 20 times the rate in an ungrazed natural system in the absence of fire (Chambers et al. 2007). Once established, cheatgrass accelerates fire in sagebrush habitats to unnaturally frequent levels (Balch et al. 2013), wiping out the sagebrush that sage grouse depend on for their survival, and laying the

groundwork for a cheatgrass monoculture where wildlife habitat values are completely destroyed. Thus, livestock grazing plays a key role in the spread of cheatgrass, both pre-fire in the sagebrush understory, and post-fire leading to conversion to annual grasslands. BLM states,

The cheatgrass fire cycle causes GRSG habitat loss and degradation on an annual basis. Currently, there are no management actions that can effectively alter this trend.

DEIS at 4-11. This statement is erroneous, and is directly contradicted by the finding of Yeo (2005), who demonstrated that cessation of livestock grazing leads to recovery of grass cover in sagebrush ecosystems, and restoration of rangeland health. BLM's 'hard look' failure in this instance leads to the result that the appropriate management actions (removal of livestock grazing entirely from cheatgrass-infested ranges, or at the very least removal of livestock from allotments that have burned for a minimum of three years) are not applied in either of the Preferred Alternatives.

Comment Number: IDMTSG-14-0153-9*Comment Excerpt Text:*

The federal agencies must pursuant to NFMA reach a determination regarding the science that is most relevant, reliable, and accurate regarding the amount of forage that needs to remain to provide sage grouse hiding cover. Connelly et al. (2000) recommended leaving residual grass cover at least 18 cm in height, available during the nesting season. This finding was empirically confirmed by Hagen et al. (2007). Gregg et al. (2012) found that forb components are critical for early brood rearing, and recommended that land managers establish standards for these. We are concerned that the BLM's emphasis on grazing to reduce cheatgrass in some alternatives will collaterally reduce nesting cover below this critical threshold. Herman-Brunson et al. (2009) found that sage grouse nest survival decreased when residual grass cover was < 16 cm in height. According to Kaczor (2008: 26) grass height is positively correlated with nest success, and this researcher recommended,

“Land managers should attempt to leave or maintain maximum grass heights [greater than or equal to] 26 cm, the inflection point for 50% nest success.” See Attachment 8, and see Kaczor et al. (2011), Attachment 9. Heath et al (1997) also found that near Farson, Wyoming, nests with taller grass heights were more successful than those with shorter heights. The agencies should implement a standard within the plan to address a measurable stubble height that must remain throughout the nesting season in grouse nesting habitat. We recommend at minimum using the 7.1-inch residual stubble height standard as recommended by Connelly et al. (2000). Attachment 10. The Forest Service should evaluate this standard and other residual stubble height standards for nesting and other habitats to determine which approach best represents the best science.

In addition, Braun (2006) recommended a maximum 25% forage utilization standard for livestock. Please review the scientific literature and make a determination regarding what percentage of available forage should be dedicated to forage utilization for domestic livestock

Comment Number: IDMTSG-14-0157-16

Comment Excerpt Text:

Alternative B would allow livestock grazing on 10.9 million acres in Sage-grouse habitat, at least in theory. However, there are a number of restrictive provisions that undermine access to habitat, especially Preliminary Priority Management Areas ("PPMAs"). Alternative B should make crystal clear that the NTT Report's recommendation of no more than 3 percent anthropogenic disturbance does not apply to livestock grazing. Although this appears to be the case in the NTT Report itself, that report could have been more clearly written. The 3 percent cap appears to apply to "discrete anthropogenic disturbances." NTT Report at 7. Disturbances are later defined as either discrete, and covered by the 3 percent cap, or diffuse and apparently not covered by the cap. Livestock grazing is considered a diffuse disturbance. Id. at 8. However, the DEIS did not clearly state that the NTT Report's 3 percent cap is

inapplicable to livestock grazing. This omission should be clearly corrected in the FEIS.

Comment Number: IDMTSG-14-0157-3

Comment Excerpt Text:

DEIS Chapter 3, Affected Environment, discusses livestock grazing in Section 3.8. The FEIS should explain why current laws, regulations, and management are insufficient to address the need for Sage-grouse conservation without undertaking land use plan amendments of the nature proposed by the DEIS. As noted in Section 3.8, BLM must meet or ensure progress toward BLM's Standards and Guidelines for Livestock Grazing Administration that are currently required by BLM grazing regulations. The Fundamentals of Rangeland Health are found at 43 C.F.R. § 4180.1 and establish baseline requirements for the physical function and biological health of water quality and plant and animal populations or communities on the public rangelands.

Comment Number: IDMTSG-14-0157-4

Comment Excerpt Text:

Specifically to the issue of ranching and Sage-grouse, scientists from the U.S. Department of Agriculture, the Service, and the University of Wyoming have studied effective ecosystem conservation of sagebrush plant communities. See Kirk W. Davies, et al., Saving the Sagebrush Sea: An Ecosystem Conservation Plan for Big Sagebrush Plant Communities, 144 Biological Conservation 2573-2584 (Nov. 2011), available at www.sciencedirect.com/science/article/pii/S0006320711002692. The scientists recognized that livestock grazing is "nearly ubiquitous" across the sagebrush ecosystem but that its impacts vary considerably by management. Id. at 2575. The scientists also determined that moderate levels of grazing and periods of rest and/or growing season deferment do not negatively impact sagebrush plant communities and can serve to decrease the risk, size, and severity of wildfires. Id. The scientists concluded that the sagebrush ecosystem can be conserved so as to protect sagebrush-obligate species such as the Sage-grouse, sustain livestock production, maintain ecosystem functions, and decrease the risk of

catastrophic wildfires. Like the paper published in the *Rangeland Ecology and Management* periodical, this study concludes that well-managed livestock grazing has either a limited negative impact or beneficial impacts to sagebrush communities. *Id.* at 2579. Reducing incentives for ranchers to sell their base ranch property "is critical to successfully protecting remaining sagebrush communities." *Id.*

Comment Number: IDMTSG-14-0157-5

Comment Excerpt Text:

none of the proposals within the various action alternatives adequately acknowledges that the No Action Alternative would protect Sage-grouse habitat through limitations to areas open to grazing or available animal unit months ("AUMs"), modification of grazing strategies, or changes to seasons of use, as described in the nature and types of effects that could occur under the various action alternatives. See Section 4.2.2. Y -3 II notes that the Idaho DEIS does cite to scholarly articles for the benefits of livestock grazing regarding control of noxious weed invasion, fire prevention and moderation, and prevention of habitat fragmentation. See Section 4.2.3, page 4-50. But this analysis should be expanded and included in the action alternatives.

Comment Number: IDMTSG-14-0168-24

Comment Excerpt Text:

2-21

"There are currently no science-based studies that demonstrate that increased livestock grazing on public lands would enhance or restore GRSg habitat or maintain or increase GRSg abundance and distribution."

Comment

Please delete the statement. The same sentence occurs in the Nevada — NE California Sage-Grouse EIS. The top down, one-size-fits-all EIS template presents a less than knowledgeable view of the scientific process. To write a science-based study demonstrating that increased livestock grazing on public lands would enhance or restore GRSg habitat or maintain or increase GRSg abundance and

distribution would require the researcher to study a specific number of acres in an area for a long period of time, preferably an area with few if any livestock, then increase the livestock for a long time and show positive GRSg results. That study would arguably only apply to that piece of land.

There are numerous BLM and US Forest Service studies as well as academic studies that demonstrate that allowing livestock grazing on public lands can enhance or restore native vegetation by reducing cheatgrass, which will directly enhance and restore GRSg habitat and maintain and increase GRSg abundance and distribution. Two examples include Pellant, Mike. 1996. *Cheatgrass: The Invader That Won the West*, Bureau of Land Management, Idaho State Office, 3380 Americana Terrace, Boise, Idaho 83706) and *Field Guide for Managing Cheatgrass in the Southwest*, United States Department of Agriculture Forest Service Southwestern Region TP-R3-16-4 December 2012).

Also see "Targeted Grazing: A Natural Approach to Vegetation Management and Landscape Enhancement." (Launchbaugh 2006)

There are numerous research papers including Davies (2011) that state that though "appropriately managed grazing is critical to protecting the sagebrush ecosystem, livestock grazing per se is not a stressor threatening the sustainability of the ecosystem. Thus, cessation of livestock grazing will not conserve the sagebrush ecosystem."

Comment Number: IDMTSG-14-0168-28

Comment Excerpt Text:

3-64-3-65

"Intensive livestock grazing is often suggested for controlling cheatgrass competition. Although targeted grazing may have some applications for fuels management, it is not effective in reducing cheatgrass competition (Hempy-Mayer and Pyke 2008). During the short time when cheatgrass is highly palatable in the spring, a sufficient number of livestock cannot be concentrated on a small enough area to reduce the cheatgrass seed significantly or reduce cheatgrass

seed lying on the soil surface. In addition, this type of grazing can be detrimental to remaining perennial grasses, opening the site up for further cheatgrass expansion in the future"

Comment:

As cited above, both BLM and US Forest Service have scientific publications detailing how livestock grazing successfully controls cheatgrass. For the EIS authors to ignore their own agency publications in favor of Hempy et al. does not meet the IQA requirements nor does it meet NEPA and CEQ guidelines for best available science.

Comment Number: IDMTSG-14-0169-10

Comment Excerpt Text:

Grazing management was identified as a threat to sage-grouse by three expert panels and in recent reviews (Connelly et al. 2011b: 555-556, Tables 24.1, 24.2). Federal government scientists have suggested that "livestock grazing across the public lands of western landscapes has impacted and will continue to impact the quality of those habitats and their ability to support source populations of sagebrush bird species" (Rich et al. 2005: 592). In their study on sage-grouse in eastern Oregon, Call and Maser (1985: 3) made the following basic assumption: "[w]here there are conflicts between sage grouse and livestock on public lands, it may be essential to give priority to sage-grouse if they are to continue to exist on these areas."

Comment Number: IDMTSG-14-0169-11

Comment Excerpt Text:

Livestock grazing appears to spread cheatgrass through multiple effects (Chambers 2008) and grazing is probably not effective to control cheatgrass in preparation for restoring sagebrush steppe (Hempey-Mayer and Pyke 2008). Other information suggests that there are simply not enough livestock available to graze at the preferred locations, at the preferred intensity, at the preferred times during the year, to control cheatgrass at a landscape-level (McAdoo et al., undated, factsheet). The number of livestock and grazing intensity required to control cheatgrass

would also probably have additional negative effects on native vegetation, soil, and other resources in sagebrush steppe that could outweigh any potential benefits from cheatgrass control. The removal of herbaceous perennials by grazing may increase water and nitrate availability to cheatgrass, and less perennial herbaceous cover may increase cheatgrass invasion (Chambers et al. 2007). The removal of cheatgrass by grazing may also increase cheatgrass seed production the following year (Chambers et al. 2007). Cheatgrass invasibility is lowest on sites with relatively high cover of perennial herbaceous species (Chambers et al. 2007).

Comment Number: IDMTSG-14-0169-13

Comment Excerpt Text:

Cheatgrass incursion in sagebrush steppe began in the 1850s with the introduction of domestic livestock, which trampled the biological soil crust that occupied the interspaces between native vegetation (Mack 1981) and facilitated the species' spread. Intact, lichen-dominated biological soil crusts can significantly inhibit germination and root penetration of cheatgrass (Deines et al. 2007), while the presence of cheatgrass can negatively affect biological soil crust richness and cover (Ponzetti et al. 2007). Moss-dominated biological soil crusts may also effect germination of annual grasses, including cheatgrass (Serpe et al. 2006). The diversity, cover and resiliency of biological crusts are positively correlated to low abundance of cheatgrass, low level of soil disturbance and high moss cover (Ponzetti et al. 2007). Shinneman et al. (2008) discovered that herbaceous and biological soil crust cover and species richness and diversity were generally greater on ungrazed than grazed areas in semi-arid shrubsteppe in western Colorado. Reisner et al. (2013) found that livestock contribute to the spread of cheatgrass by trampling the soil crust.

Comment Number: IDMTSG-14-0169-14

Comment Excerpt Text:

The recent proclamation by Davies et al. (2011: 3) that "livestock grazing per se is not a stressor threatening the sustainability of the [sagebrush] ecosystem" failed to consider the role of livestock

grazing in altering the outcome of competitive interactions between bunchgrasses and cheatgrass, or the role of disturbance in succession and community assembly in sagebrush steppe (see Reisner 2010).

Comment Number: IDMTSG-14-0169-15

Comment Excerpt Text:

Developing and implementing grazing systems that are positive or neutral for sage-grouse is complex (Vavra 2005) (and may be impossible). Kuipers (2004) found (weak evidence) that nesting habitat selected by sage-grouse hens, nest success and brood-rearing habitat were associated with greater canopy cover, residual grass, and forb availability, respectively, on sites that were not grazed, or only lightly grazed in spring in Wyoming. Woodward (2006) (c.f. Adams et al. 2004) confirmed some of these findings and noted that reduced grazing/light grazing and/or deferred grazing in sage-grouse nesting habitat in spring lessened impacts on shrubsteppe vegetation and reduced conflicts with sage-grouse. Aldridge et al. (2008) recommended altering grazing practices in sagebrush steppe during times of drought to conserve herbaceous vegetation for sage-grouse.

Comment Number: IDMTSG-14-0169-16

Comment Excerpt Text:

Some references recommend implementing high intensity, short-duration (rotation) grazing systems to conserve prairie grouse (e.g., Lupis et al. 2006). Notwithstanding the fact that sagebrush-steppe in the Great Basin region did not evolve with herbivory by large, hooved mammals (Mack and Thompson 1982), Holechek et al. (1999) reviewed the literature and found that forage production generally did not differ between rotation grazing systems and continuous or season-long grazing. Further, Wolfe et al. (2007) noted that high intensity, short-duration livestock grazing recommended to conserve prairie grouse frequently requires more fencing, which can be negative for sage-grouse

Comment Number: IDMTSG-14-0169-17

Comment Excerpt Text:

Decades of research by range professionals provide direction to recover depleted bunchgrass

communities, restore production and provide cover for sage-grouse and other wildlife species in upland and riparian habitats. Galt et al. (2000) and Holechek et al. (2010) recommend 25 percent utilization to improve productivity and land health compared to higher utilization levels. To maintain adequate cover in riparian areas, U.S. Forest Service researchers determined that 24-30 percent utilization across the riparian zone will maintain 6" residual height (Clary and Webster 1989). These authors also indicated that, for riparian areas in degraded condition, as much as 15 years rest may be needed for recovery (Clary and Webster 1989).

Comment Number: IDMTSG-14-0169-19

Comment Excerpt Text:

Range scientists have determined that stocking rate rather than grazing system is the primary factor affecting rangeland production (Briske et al. 2008; Holechek et al. 1998; Van Poolen and Lacey 1979), yet agencies continue to place emphasis on water developments and increased fencing rather than addressing current forage capacity and landscape constraints. For example, cattle heavily graze riparian areas before moving on to adjacent uplands to seek forage (Pinchak et al. 1991). Deferred rotation grazing resulted in higher use of meadows and there was no correlation of upland presence of cattle with upland water developments (Gillen et al. 1984).

Comment Number: IDMTSG-14-0169-22

Comment Excerpt Text:

While definitions of light grazing use vary, numerous references have settled on a general 25 percent harvest coefficient for allocating forage for livestock (Holechek et al. 2010: 157, citing Troxel and White 1989; Galt et al. 2000; Lacey et al. 1994; Johnson et al. 1996; White and McGinty 1997; NRCS 1997). Although this rate is more conservative than others prescribed for light grazing, it allows both forage species and livestock to maximize their productivity, allows for error in forage production estimates, accounts for the potential effects of drought, and supports multiple use values (Holechek et al. 2010). Holechek et al. (2010: 157) also noted that, because most ranchers have difficulty monitoring and

measuring annual grazing utilization (and the BLM doesn't regularly monitor and collect utilization information), use of grazing coefficients higher than 25 percent "invariably leads to land degradation...when drought occurs because of rancher reluctance [to reduce livestock numbers]." Limiting livestock grazing to 25 percent utilization would also support other sage-grouse habitat objectives, such as maintaining a minimum stubble height (see Holechek et al. 2010: 164). A case study of the Antelope Springs Allotment in southern Idaho demonstrates that ranching operations can be successful and improve sage-grouse habitat using a 20 percent utilization standard (Stuebner, Times-News, 12/29/13).

Comment Number: IDMTSG-14-0169-26

Comment Excerpt Text:

[This comment refers specifically to Alternative D] The plan should restrict livestock grazing where cheatgrass occurs in sagebrush steppe to avoid contributing further to its incursion on the landscape.

We commend planners for recognizing that livestock grazing is an ineffective tool for controlling cheatgrass in sagebrush steppe (vol 2, 3-64 – 3-65). The Oregon, Nevada/NE California and Utah sub-regional draft sage-grouse plans fail to recognize the futility of managing cheatgrass with livestock. Each would apply early or late season grazing to suppress cheatgrass, potentially to the detriment of sage-grouse (e.g., removal of residual grasses that are important to sage-grouse nesting success).

Comment Number: IDMTSG-14-0169-27

Comment Excerpt Text:

New research, cited in the draft Idaho/SW Montana plan, also recommends restricting livestock grazing, as appropriate, to avoid contributing further to its incursion on the landscape. Reisner et al. (2013) found that, even after controlling for other factors that may contribute to the spread of cheatgrass, there was a strong correlation between grazing effects and cheatgrass incursion. "If the goal is to conserve and restore resistance of [big sagebrush] systems, managers should consider maintaining or

restoring: (i) high bunchgrass cover and structure characterized by spatially dispersed bunchgrasses and small gaps between them; (ii) a diverse assemblage of bunchgrass species to maximize competitive interactions with *B. tectorum* in time and space; and (iii) biological soil crusts to limit *B. tectorum* establishment. Passive restoration by reducing cumulative cattle grazing may be one of the most effective means of achieving these three goals" (Reisner et al. 2013: 1).

Comment Number: IDMTSG-14-0169-28

Comment Excerpt Text:

Although Strand and Launchbaugh (2013) is a useful review, planners should beware of its limitations. It fails to acknowledge that sagebrush systems in the Intermountain West evolved with little herbivory by large, hooved mammals and that grazing fundamentally affects ecosystem processes in sagebrush steppe. It does not acknowledge the role of biological soil crust in impeding cheatgrass incursion or the negative effects of grazing on soil crust. The review suggests that livestock removal and trampling of understory vegetation and plant litter (including in early spring) can help reduce fire fuel loads, but this could be deleterious to sage-grouse. As the draft Idaho/SW Montana plan acknowledged, "[r]esidual cover, especially grass and litter, has often been noted as essential for GRSG for concealment during nesting and brood-rearing" (vol 2, 4-8, citing Sveum et al. 1998; Kirol et al. 2012). Grazing during the dormant season, which is also recommended by Braun (2006, unpublished

Comment Number: IDMTSG-14-0169-3

Comment Excerpt Text:

[This comment refers specifically to Alternative D] Livestock grazing is considered the single most important influence on sagebrush habitats and fire regimes throughout the Intermountain West in the past 140 years (Knick et al. 2005: 68). Grazing remains the most widespread use of sagebrush steppe and almost all sagebrush habitat is managed for grazing (Connelly et al. 2004; Knick et al. 2003; Knick et al. 2011). Livestock grazing disturbs the soil, removes native vegetation, and spreads invasive

species in sagebrush steppe (Knick et al. 2005). Cattle or sheep grazing in sage-grouse nesting and brood-rearing habitat can negatively affect habitat quality; nutrition for gravid hens; clutch size; nesting success; and/or chick survival (Connelly and Braun 1997; Beck and Mitchell 2000; Barnett and Crawford 1994; Coggins 1998; Aldridge and Brigham 2003). Livestock may directly compete with sage-grouse for grasses, forbs and shrub species; trample vegetation and sage-grouse nests; disturb individual birds and cause nest abandonment (Vallentine 1990; Pederson et al. 2003; Call and Maser 1985; Holloran and Anderson 2005; Coates 2007). The potential conflict between livestock grazing and sage-grouse intensifies near riparian and mesic habitats due to the importance of these areas to sage-grouse, particularly during brood-rearing and in summer. Heavy cattle grazing near springs, seeps, and riparian areas can remove grasses used for cover by grouse (Klebenow 1982). According to Call and Maser (1985:17), “rapid removal of forbs by livestock on spring or summer ranges may have a substantial adverse impact on young grouse, especially where forbs are already scarce.” Manier et al. (2013) also reviewed effects of grazing on sage-grouse habitat.

One expert contended that the “livestock industry has had [a] more negative impact on sage-grouse than any other single factor” and “[i]t’s rare to find any place that hasn’t been grazed” Hudak (2007: 28-29).

Comment Number: IDMTSG-14-0169-4

Comment Excerpt Text:

Grazing infrastructure, such as water developments and fences, also fragment and degrade sage-grouse habitat (Connelly et al. 2004; Braun 1998; Call and Maser 1985; Knick et al. 2003). Fatal collisions with fences were “relatively common and widespread” in sage-grouse breeding habitat in southern Idaho (Stevens 2011), corroborating other evidence that fences may pose a significant risk to low flying sage-grouse (e.g., Danvir 2002, unpublished report). Fences (like other high structures) may serve as perches for raptors and other avian predators of sage-grouse nests, chicks and adults (Connelly et al.

2011b). Fence densities exceed 2 km/km² in many areas occupied by sage grouse (Knick et al. 2011).

Comment Number: IDMTSG-14-0169-47

Comment Excerpt Text:

Other intermediate and long-term adjustments may be required where grazing management is determined to be not compatible with or making progress toward achieving sage-grouse habitat objectives (vol 2, 2-137, Table 2-18, D-LG/RM-6) (no mention of Connelly et al. 2011, as in alternatives B, F).

Comment Number: IDMTSG-14-0169-5

Comment Excerpt Text:

Sagebrush steppe in the Great Basin region did not evolve with significant grazing pressure by large ungulates (Mack and Thompson 1982). Excessive grazing by domestic livestock during the late 1800s and early 1900s had significant impacts on sagebrush steppe and those effects persist today (Knick et al. 2003). Grazing (in addition to other factors) is implicated in the encroachment of conifers in sagebrush steppe, including western juniper (*Juniperus occidentalis*) (Knick et al. 2011, citing Miller and Rose 1999; Kerr and Salvo 2007, unpublished report). Decades of livestock grazing have altered plant communities and soil and reduced productivity in sagebrush steppe (Knick et al. 2003). Cattle grazed at “conservative” levels in sagebrush steppe in the northern Great Basin initially selected bunchgrasses in interspaces between sagebrush plants (France et al. 2008). The removal of native species from interspaces by cattle, in conjunction with other factors, appears to facilitate invasion by cheatgrass (*Bromus tectorum*) into these areas (Reisner et al. 2013; Reisner 2010). The spread of cheatgrass and other invasive plants into degraded rangelands has accelerated the natural fire cycle and threatens to convert vast areas of sagebrush habitat into annual grasslands (Wisdom et al. 2005c; Miller et al. 2011).

Comment Number: IDMTSG-14-0169-6

Comment Excerpt Text:

Beck and Mitchell (2000) reviewed literature for positive and negative direct and indirect effects of livestock grazing on sage-grouse. Their review found

more negative than positive impacts from grazing. (Beck and Mitchell 2000: 994, Table I). However, of greater importance is the scope of the reported positive and negative impacts on sage-grouse and sagebrush habitats. While positive impacts are generally limited to specific areas and circumstances (e.g., light grazing regenerates upland meadow), negative impacts often affect much larger areas, reducing their value to sagegrouse.

Comment Number: IDMTSG-14-0169-8

Comment Excerpt Text:

Connelly et al. (2007), citing Coggins (1998) and Beck and Mitchell (2000), stated that “[t]he large number of documented negative impacts of livestock grazing in sagebrush shrub steppe appears to neutralize or outweigh any positive effects.” Jones (2000) found that 11 of 16 analyses of the effects of livestock grazing in arid ecosystems revealed significant negative effects on a range of ecological components from livestock grazing, including reduced grass and shrub cover, and reduced total vegetation biomass.

Comment Number: IDMTSG-14-0169-9

Comment Excerpt Text:

Beck and Mitchell (2000) concluded that livestock grazing appears to most affect productivity of sage grouse populations. Moynahan et al. (2007) also noted that condition of greater sage-grouse nesting habitat, an important factor in sage-grouse productivity, is likely affected by livestock grazing, among other influences. Holloran et al. (2005: 648) documented the importance of herbaceous cover, including residual grass, to sage-grouse nesting success and concluded that “annual grazing in nesting habitat, regardless of the timing, could negatively impact the following year’s nesting success [by reducing residual vegetation].” Aldridge and Boyce (2007: 522), citing Manier and Hobbs (2006), suggested that removing cattle or reducing livestock intensity may result in increased shrub cover and/or plant diversity in shrubsteppe. They also suggested that eliminating water impoundments (such as earthen livestock watering holes) may allow water to recharge former mesic sites in sagebrush steppe,

which would benefit sage-grouse (Aldridge and Boyce 2007: 523).

Comment Number: IDMTSG-14-0170-1

Comment Excerpt Text:

there has been academic research in time-controlled grazing. The study demonstrated the success of Holistic Management in protecting sagebrush for the Sage-Grouse.

First, here is the link to a synopsis of the study.

- <http://www.deseretlandandlivestock.com/Sagebrush%20sage%20grouse%20and%20ranching%20a%20holistic%20approach.pdf>

Below is the link to the full study-report.

- <http://oregonstate.edu/dept/eoarc/sites/default/files/publication/613.pdf>

Comment Number: IDMTSG-14-0178-3

Comment Excerpt Text:

Livestock grazing is a key tool to reducing the threat of catastrophic wildfires and should be recognized in the draft for the benefits it provides. Peer-reviewed studies have clearly demonstrated that grazing livestock reduces the threat of catastrophic wildfire by controlling the fuel load and increasing productivity of grasses that are less fire prone (Davies 2011). According to a newly released study entitled, “Livestock Grazing Effects on Fuel Loads for Wildland Fire in Sagebrush Dominated Ecosystems.” (2014 – Journal of Rangeland Applications, in press), grazing provides assistance in fuels management in the following ways:

- A window of opportunity may exist for targeted grazing to reduce annual grasses before perennial grasses initiate bolting or during dormancy.
- Livestock grazing can reduce the standing crop of perennial and annual grasses to levels that can reduce fuel loads, fire ignition potential and spread.

- Grazing after perennial grasses produce seed and enter a dormant state can reduce the residual biomass left on the site and thereby decrease the fire hazard the following spring and summer.
- Grazing can reduce the continuity of fuels, including the amount of herbaceous biomass between shrubs, in sagebrush ecosystems.

As stated above, ranchers are often the first responders to wildfires (Davies, 2010). Recently, several Rangeland Fire Protection Associations (RFPAs) have been established to enable ranchers' ability to safely respond to wildfire alongside BLM and to enhance their capabilities of limiting the spread of wildfires before they grown to catastrophic and unmanageable sizes. For the 2013 fire season, four established RFPAs covered 3,622,000 acres and comprised 168 ranchers and other private citizens who are RFPA members. Additional RFPAs are in the process of developing and will further increase this proactive step to reduce the size of wildfires in sage grouse habitat. Alternative E identifies, RFPAs are a critical and innovative component to preventing and controlling the spread of wildfires. Their existence can only bring positive impacts on the rangeland and on sage grouse. RFPAs are almost entirely made up of ranchers who also graze on public lands. With reduced or eliminated livestock grazing on the range comes the reduced or eliminated presence of ranchers on the range. The effectiveness of the RFPAs, which have proven to be extremely effectual in initial attack of wildfires, correlates directly with the continuance of livestock grazing on public lands. If grazing is reduced as a result of implementation of this LUP/EIS, ranchers will not be around to operate the RFPAs and ensure their continuation, to immediately respond to fire starts, nor to coordinate fire suppression efforts with the agencies. Please refer to attachments 4 and 5 for published new stories regarding RFPAs and the value that rancher provide in protecting sage grouse habitat from wildfire.

Comment Number: IDMTSG-14-0179-14

Comment Excerpt Text:

reviewing the recommended distance for fences (E-LG/RM-41:Idaho-CHZ and IHZ on p. 2-152) and other structures (E-LG/RM-42: Idaho-CHZ and IHZ, p. 2-152) based on any more recent recommendations in the scientific literature.

Comment Number: IDMTSG-14-0186-26

Comment Excerpt Text:

Page 2-152-53 [222-23]. D-LG/RM-43, as well as the Idaho State Plan (E-LG/RM-47 at page 2-154 [224]). There exists no rational basis in the science to restrict livestock water developments to lower-quality sage-grouse habitat or to restrict improved livestock distribution into areas that have not had significant prior grazing use. There is no nexus between the mere presence, or mere increased presence, of livestock within a given area and negative impacts upon sage-grouse. In fact, increased presence of livestock may improve the vigor and condition of areas that have become decadent due to lack of livestock use in the past. Further, Davies et al 2010 (relied upon by the DEIS) showed that moderate livestock grazing decreases the risk of wildfire in sagebrush steppe, and that wildfires that do occur in moderately grazed sagebrush rangelands have decreased severity, continuity, and size of the burn as compared to ungrazed rangelands. Those researchers also concluded that moderately grazed rangelands probably increase the efficiency of fire-fighting efforts. Weber et al(___) (not cited by the DEIS, but should have been), in another recent study conducted in southeast Idaho, found similar results.

Comment Number: IDMTSG-14-0325-17

Comment Excerpt Text:

It should be recognized that GRSG often use watering and salting areas as leks, as opposed to salt/supplement and water troughs being placed in pre-established GRSG leks.

SECTION 11.3 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0026-14

Comment Excerpt Text:

We would like the EIS to acknowledge the impacts of grazing management changes on livestock operations. It would be good to look at options like grass banks and AUM buy outs by third parties if grazing becomes unviable on an allotment.

Comment Number: IDMTSG-14-0031-1

Comment Excerpt Text:

This region's sage grouse production is in good shape due to decades of cooperation between ranchers and the BLM. The EIS must adequately acknowledge this condition.

Issue:

The EIS should include an analysis of the importance of this public-private partnership to the sage grouse. Please explore things the FS and BLM can do to strengthen this partnership by keeping ranches economically viable.

Comment Number: IDMTSG-14-0102-4

Comment Excerpt Text:

The adverse social and economic impacts associated with Alternatives C and F could also result in unintended adverse effects on sage-grouse and its habitat. Private lands with livestock operations dependent upon public land grazing are usually located in moister, more productive valley bottoms. Valley bottoms are often used by sage-grouse as brood-rearing habitat. Adverse effects could occur due to increased livestock utilization of these areas and other private and state lands in response to a reduction in AUMs or season of use on federal lands. NRCS Field Office staff report that they are already observing increased livestock utilization of private lands in Owyhee County in response to recent changes in grazing permits there.

Comment Number: IDMTSG-14-0102-5

Comment Excerpt Text:

In addition, producers may convert these valley bottoms or their other private land to introduced

perennial forage species in an attempt to provide enough livestock feed to continue in business. Others will choose to go out of business and sell their land, potentially for development. Either way, valuable sage-grouse habitat could be lost.

Comment Number: IDMTSG-14-0102-7

Comment Excerpt Text:

Further, it is unnecessary to impose severe restrictions like those in Alternatives C and F on livestock grazing use of public lands because appropriate livestock management is compatible with providing sage-grouse habitat. As the U.S. Fish and Wildlife Service (USFWS) stated in their Greater Sage-grouse Conservation Objectives: Final Report, the loss and fragmentation of sagebrush habitats is a primary cause of the decline of sage-grouse populations. NRCS believes maintaining managed livestock grazing as the prevailing land use in sagebrush habitats is the best way to ensure the persistence of large, intact sagebrush habitats for sage-grouse and other species. The USFWS agreed with NRCS in the Conference Report for the Natural Resources Conservation Service Sage-grouse Initiative, which states: " ... a unique opportunity exists to focus NRCS resources to benefit sage-grouse, improve ranch sustainability, and maintain livestock grazing as the prevailing land use to ensure the persistence of large and intact range lands. There is a significant link between conditions required to support sustainable ranching operations and habitat characteristics that support healthy sage-grouse populations."

Comment Number: IDMTSG-14-0157-18

Comment Excerpt Text:

The NTT Report and Alternative B would also impose limitations on water developments which could have an adverse effect on a rancher's ability to move livestock that would otherwise improve Sage-grouse habitat. This imposition should be clarified and recognized for its possible detrimental impacts. The Alternative B does recognize that riparian area management would limit permitted use.

Comment Number: IDMTSG-14-0168-41

Comment Excerpt Text:

4-50

Ultimately, the effects of removing grazing in GRSG habitats on a landscape scale are unknown, and it is unclear whether complete removal would improve GRSG habitat or increase population levels."

Comment:

This statement contradicts with dozens of other statements in the EIS and with scientific literature produced by both the BLM and Forest Service about the benefits of managed livestock grazing to both reduce cheatgrass and improve sage-grouse habitat. There are numerous research papers including Davies (2011) that state that though "appropriately managed grazing is critical to protecting the sagebrush ecosystem, livestock grazing per se is not a stressor threatening the sustainability of the ecosystem. Thus, cessation of livestock grazing will not conserve the sagebrush ecosystem."

Comment Number: IDMTSG-14-0178-22

Comment Excerpt Text:

In instances where alternate forage is available, Torell et al. (2010) note, ranchers are likely to "use deeded lands and meadows more intensively as grazing alternatives to public lands... Unfortunately, these same acreages are often prime habitat for sage grouse, and adjusting seasons of use and stocking levels on deeded rangelands and meadows could be counterproductive."

Additionally, eliminating grazing on public land will also result in reduced or eliminated grazing on intermingled state land and a subsequent decline in funding available to the endowed institutions of the state.

Without public lands grazing, grazing use of significant portions of state and private lands would necessarily cease, and the cattle industry would be dramatically downsized, threatening infrastructure and the entire market structure.

Comment Number: IDMTSG-14-0178-23

Comment Excerpt Text:

In a newly released paper studying the effects of long-term rest compared to grazing under current practices, conclusive evidence was demonstrated that removing grazing from the land provides no benefit to the rangeland (Davies, et al 2014). It finds that:

- Long-term rest causes an accumulation of fine fuels that increases wildfire risk and potential severity and subsequently the cost of fire suppression efforts and the likelihood of conversion to exotic annual grasslands.
- The loss of a forage base with long-term rest may result in livestock producers increasing grazing pressure on other land, converting sagebrush rangelands to introduced grasslands and irrigated forage to off-set forage loss, or if ranching is no longer profitable, selling their private lands for development.

Comment Number: IDMTSG-14-0178-24

Comment Excerpt Text:

Considering that NEPA requires the agencies to weigh the socio-economic impacts of their decisions, it is abundantly clear, and this new study verifies it, that removing, or significantly reducing livestock grazing has a net negative impact on the species, the ecological balance and on the economy, not to mention the livelihoods of countless ranching families. Why then would the agency consider implementing any alternative that arbitrarily reduces grazing, thereby causing devastating impacts to the livelihoods of ranchers and the viability of local communities' economies, while offering no measurable benefit to the ecology of the land and its species?

Comment Number: IDMTSG-14-0178-7

Comment Excerpt Text:

[This comment is in reference to Alternative A] The BLM & USFS should have more fully analyzed the effectiveness of current rangeland health standards and guidelines before developing alternatives, and should have used that analysis for considering appropriate changes to their LUPA/DEISs with

respect to livestock grazing and range management. We believe this type of review would have provided further justification for Alternative E's use of existing Idaho Rangeland Health Standards (IRHS)

SECTION 12 - LOCATABLE MINERALS

SECTION 12.4 - CUMULATIVE IMPACT ANALYSIS

Comment Number: IDMTSG-14-0159-14

Comment Excerpt Text:

A discussion of the range-wide withdrawal for the GRSG is important, as the purpose and need of each DEIS is aimed at shoring up a perceived inadequacy under the ESA and focused on avoiding a range-wide listing for the GRSG. Accordingly, it is important to gain a better understanding of the total number of acres proposed for withdrawal by the Agencies in order to determine whether there is a possibility of avoiding the listing – an essential element of the

Purpose and Need of this LUPA process - because the boundaries for purposes of the ESA are not confined by state borders. See *Defenders of Wildlife et al. v. Salazar*, 729 F.Supp 1207 (D.

Montana 2010) (rejecting a USFWS proposal to delist gray wolf populations in Idaho and Montana.)

Here, the Agencies are considering major withdrawals in the States of Idaho, Nevada, and Utah in separate DEIS documents. However, there is no review or analysis of the cumulative withdrawals throughout these three states. In fact, not only has BLM failed to consider the total withdrawals in all three plans, but has likewise failed to consider the cumulative effects of these withdrawals in all 11 Western states in sage grouse habitat.

SECTION 13 - RECREATION

SECTION 13.1 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0013-1

Comment Excerpt Text:

Between March 1 and May 15, prohibit OHV events from using routes that pass through an active lek.

Impose a time of day restriction (after 10 a.m.) for routes that pass within ¼ mile of an active lek. Consider a reroute around the active lek site as preferable to a seasonal restriction or closure on said route.

Comment Number: IDMTSG-14-0013-2

Comment Excerpt Text:

Adopt a defensible standard OHV sound regulation for grouse mitigation. Consider Idaho's OHV Sound Law – A muffler and Forest Service approved spark arrestor. Your muffler must be at or below 96dB at the half-meter test, SAE J1287. IC 67-7125

Comment Number: IDMTSG-14-0050-21

Comment Excerpt Text:

Although I realize that the BLM and USFS do not control hunting of sage grouse on federal land, an alternative must be proposed in conjunction with state laws to activate a moratorium on all sage grouse hunting until which time the species has returned to a healthy and self-sustaining population. It is absurd that our government should "manage" any wildlife in order to increase wildlife populations so that they can later be hunted by an insignificant segment of the public but even more absurd in any wildlife population that is being considered under the endangered species listing. The below paragraph is taken from the online BLM website and states that there is no evidence that hunting of the sage grouse "poses a significant threat to the species". How ridiculous that anyone would be as reckless and irresponsible as to say that killing of a threatened species does not hurt the population! An immediate moratorium to stop all sage grouse hunting must be included as an alternative within the proposed EIS.

"Does hunting Greater Sage-Grouse pose a threat to the species?"

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.”

http://www.blm.gov/wo/st/en/prog/more/sagegrouse/frequently_asked_questions.print.html#hunting

SECTION 14 - SOCIOECONOMICS AND ENVIRONMENTAL JUSTICE

SECTION 14.3 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0008-2

Comment Excerpt Text:

Furthermore the adoption of the alternatives, other than perhaps E, do not meet the requirements of NEPA (40 CFR 1500-1508) that requires a consideration of the impact on the 'human environment' as the result of any action. The socio-economic analysis within the EIS provides only a macro analysis. With the adoption of Alternative D {B, C, F} there will be a reduction in grazing permits as well as other multiple uses [mining & recreation] within the Intermountain MA/CZ. The impact on the social, cultural, and economic environment of the communities will be significant, and require further analysis than included therein.

Comment Number: IDMTSG-14-0008-4

Comment Excerpt Text:

While the EIS addresses Macro Social and Economic Impacts it doesn't meet NEPA requirements with regards to considering Micro Social Economic Impacts. Specifically ""The council on Environmental Quality's (CEQ's) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR 1500-1508) point-out that the "human environment" is to be "interpreted comprehensively" to include "the natural and physical environment and the relationship of people with that environment" (40 CFR 1508.14). Agencies need to assess not only so-called, "direct" effects, but also "aesthetic, historic, cultural, economic, social, or

health" effects, "whether direct, indirect, or cumulative" (40 CFR 1508.8). Furthermore, the Act stipulates "... when an EIS is prepared "and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment" (40 CFR 1508.14). The EIS's are thus intended to provide a kind of full-disclosure procedure for federal decision-makers, who are then expected to consider the negative as well as the positive implications of potential courses of action, and the unintended as well as the intended consequences, before they proceed.”

The main economic basis in Custer County is mining and then agriculture/ranching. A reduction or major modification to livestock grazing permits would impact the viability of the ranches within the area. While there has been some transition from family owned ranches to corporate/investor owned, local business is heavily dependent on the ranching community and the associated grazing permits. Any implementation of a Sage Grouse Management Plan that would have major changes in the grazing would severely impact the historical cultural economic affect on the community.

Comment Number: IDMTSG-14-0016-1

Comment Excerpt Text:

If grazing permits are reduced as a result of this effort, the negative economic impact to rural communities would be significant. The final EIS should acknowledge the human circumstances and the consequences to the economy.

Comment Number: IDMTSG-14-0031-11

Comment Excerpt Text:

The evaluation does not adequately consider that humans are part of the environment and the impact on the human environment of the proposed regulations and restrictions.

Comment Number: IDMTSG-14-0052-1

Comment Excerpt Text:

The involved agencies must consider not only the environmental consequences in their analysis, but also

the impacts to the human environment and economy, including grazing, mining, oil and gas, and other multiple use industries. If grazing permits are reduced, as a result of this effort, the negative economic impact to rural communities would be significant, and it is important that the final EIS acknowledge this

Comment Number: IDMTSG-14-0056-1

Comment Excerpt Text:

As are many other western states ranchers, our operation is dependent on public land grazing in order to sustain a viable year around livestock operation. My ranch is made up of BLM and USFS permits in addition to private and state lands. Most of my private holdings are wet meadows that are heavily used by sage grouse broods during the summer months. I have participated in NRCS Sage Grouse Initiative Projects to enhance those meadows specifically for sage grouse. If I were to lose even a portion of my federal AUMs my ranching operation would no longer be viable, and I would have to consider all options, which would include selling my private meadows for development. The DEIS fails to take this into consideration when analysis impacts of the analysis.

Comment Number: IDMTSG-14-0056-2

Comment Excerpt Text:

Although improper livestock grazing is considered as only a secondary threat, all alternatives with the exception of alternative E propose significant reductions and increased regulation to all grazing within the planning area. These changes would have a dramatic impact on our own operation, as well as other operators in our industry, which will have a direct impact upon the communities that depend upon our business and on our industry as a whole

Comment Number: IDMTSG-14-0070-1

Comment Excerpt Text:

If our grazing permits are reduced as a result of this effort, the negative economic impact to rural communities would be significant and it is important that the final EIS acknowledge this.

Comment Number: IDMTSG-14-0070-2

Comment Excerpt Text:

It is important that these agencies consider not only the environmental consequences in their analysis, but also the impacts to human environment and economy, including grazing, mining, oil and gas and other multiple-use industries.

Comment Number: IDMTSG-14-0102-3

Comment Excerpt Text:

NRCS is concerned with ensuring the health and welfare of the agricultural community impacted by the DEIS. We concur with the analysis of the impacts of Alternatives C and F on livestock grazing in 4.6.6, 4.6.9, and 4.16.7. We appreciate the inclusion and detailed analysis of Social and Economic Conditions in Chapters 3 and 4 and urge the BLM and U.S. Forest Service (USFS) to give the effects on social and economic conditions equal consideration as those on natural resources in the Final EIS.

Comment Number: IDMTSG-14-0102-7

Comment Excerpt Text:

Further, it is unnecessary to impose severe restrictions like those in Alternatives C and F on livestock grazing use of public lands because appropriate livestock management is compatible with providing sage-grouse habitat. As the U.S. Fish and Wildlife Service (USFWS) stated in their Greater Sage-grouse Conservation Objectives: Final Report, the loss and fragmentation of sagebrush habitats is a primary cause of the decline of sage-grouse populations. NRCS believes maintaining managed livestock grazing as the prevailing land use in sagebrush habitats is the best way to ensure the persistence of large, intact sagebrush habitats for sage-grouse and other species. The USFWS agreed with NRCS in the Conference Report for the Natural Resources Conservation Service Sage-grouse Initiative, which states: " ... a unique opportunity exists to focus NRCS resources to benefit sage-grouse, improve ranch sustainability, and maintain livestock grazing as the prevailing land use to ensure the persistence of large and intact range lands. There is a significant link between conditions required to support sustainable ranching operations and habitat

characteristics that support healthy sage-grouse populations."

Comment Number: IDMTSG-14-0105-11

Comment Excerpt Text:

[Vol2]Page I-35 Bullet addressing social and economic impacts will use IMPLAN, RIMSII, JEDI. From further reading in the document, we don't believe the direct economic and social impacts to the individuals, communities, and county are adequately addressed. There will be significant impacts to the local individuals, communities, and county if certain management actions in the Alternatives are implemented.

Comment Number: IDMTSG-14-0131-15

Comment Excerpt Text:

Besides the effects to American agriculture and national food security, the Draft LUMA/EIS is significantly deficient in describing the potential losses to local economies. The Alternatives will reduce future phosphate development in Southeastern Idaho. The jobs and economic benefits from mineral development are important to the local business community and an important source of tax revenues to federal, state and local governments. For example, in Southeast Idaho the wages and salaries paid to employees of Idaho Mining Association operating member companies was nearly \$140 million in 2006 dollars (Idaho Economics 2007). Total secondary impacts upon total personal income in Southeast Idaho were calculated to be \$250,000,000 for 2006. These mining and mineral processing operations are often a significant part of the local tax base; in 2006 22.5 percent of the total property taxes paid in Caribou County were from mining and mineral processing operations.

The draft LUMA/EIS needs to discuss the specific economic consequences of prohibiting or greatly restricting access to this strategic mineral.

Comment Number: IDMTSG-14-0131-29

Comment Excerpt Text:

The Draft LUPA/EIS fails to discuss how the effective withdrawal of thousands of acres of phosphate

minerals will affect fertilizer supply and prices along with potential consequences on national food security. As discussed in these comments, the importance of phosphate to national security was recognized over 100 years ago as thousands of acres of phosphate deposits were reserved by the federal government. The cumulative effect of such restricted access needs to be examined as there are alternatives in the Utah Greater Sage-Grouse LUPA/EIS that also eliminate access to phosphate deposits. The LUPA/EIS must discuss the consequences of the cumulative loss of such resources, the effects on food production and costs, and losses to local economies including tax revenue because of the prevention of mineral development.

Comment Number: IDMTSG-14-0148-2

Comment Excerpt Text:

The LUP focuses its portrayal of the socio-economic impacts on the entire planning area but does not adequately review the effects of the proposed land use restrictions on specific areas, including individual counties. Thus, the LUP undermines the true impact of its application to the social structure of local communities and to the economy of the western economy.

Comment Number: IDMTSG-14-0151-89

Comment Excerpt Text:

Socioeconomics

Under Alt D, grazing would be maintained at current levels to "maintain the economic benefits to permittees and communities". BLM has not fairly assessed the limited economic values of public land ranching in many areas, the increasing number of hobby ranchers that use public lands ranching as a tax write off, and the full cumulative effects of the ecological degradation caused by grazing. This ranges from loss of sustainable perennial water flows to recreational uses to public lands mitigation adverse effects of climate change

Comment Number: IDMTSG-14-0151-9

Comment Excerpt Text:

In accordance with its multiple use mission, the BLM must consider land uses other than grazing in its calculation of the economic and social values of each alternative, including administrative costs and environmental impacts to water, wildlife, plants, recreation, potential species loss, intrinsic land value, and beauty

Comment Number: IDMTSG-14-0159-9

Comment Excerpt Text:

The significant economic engine that is metal, non-metallic and all mining throughout the range of the GRSG in Idaho, Utah and Nevada is described and attached hereto as Exhibit 8 for each state. The economic calculus for the proposed LUPA must be accounted for not only across the tri-State area but in all of the Agency plans in the GRSG range in the context of the Statement of Purpose and Need, if the conservation measures proposed are aimed at avoiding the ESA listing of the GRSG range-wide.

Comment Number: IDMTSG-14-0160-1

Comment Excerpt Text:

Despite substantial costs incurred for siting lines and scheduling construction to avoid sage-grouse and their habitats, these efforts are typically not considered when analyzing project impacts and determining required mitigation, resulting in significant costs to customers for which there is not mitigation "credit".

BLM should consider these ratepayer concerns in the socioeconomics section of the LUP

Comment Number: IDMTSG-14-0168-30

Comment Excerpt Text:

3-1 78

"County Land Use Plans"

Comment:

Though the EIS authors list the County Land Use Plans they do not use them in the analysis. The

information in the Plans needs to be added to all chapters of the EIS, especially Chapters 3 and 4

Comment Number: IDMTSG-14-0168-31

Comment Excerpt Text:

Table 3-64

"Unemployment"

Comment

The unemployment in Idaho has gone from an average of 3% to an average of 8.7% in the past 5 years! This fact needs to be carried through Chapter 4 and the full extent of the increases in unemployment from implementation of each action alternative need to be thoroughly discussed.

Comment Number: IDMTSG-14-0168-32

Comment Excerpt Text:

Page 3-191

"The proportion of employment associated with mining industries varied by county, from zero percent in 12 of the counties up to 30.4 percent of total employment in Custer County and 22.7 percent of total employment in Caribou County. The average annual earnings per mining-related job in the Socioeconomic Study Area are higher than non-mining jobs."

Comment:

Discuss the detailed economic effects of mineral withdrawals, NSO and CSU restrictions, etc to Custer County employment as well as all other counties in the planning area. Include lost revenue from geology studies, claim staking, plan of operation studies, and mining. Include the lost opportunity taxes; fire, school and hospital revenues; equipment sales, maintenance and rentals and all other factors in Chapter 4. Include the true current situation and impacts to locatable, saleable and fluid minerals, as well as renewable and nonrenewable energy resources not already listed.

For every acre of land proposed for withdrawal, NSO, CSU, and other restrictions the EIS needs to itemize all costs to society. The EIS needs to determine mineral potential and discuss it in Chapter 3 and detail all consequences in Chapter 4, as required by NEPA and CEQ guidelines.

Comment Number: IDMTSG-14-0168-33

Comment Excerpt Text:

The federal government set up the system of livestock grazing as a combination of private and federal lands. The federal government requires private land be appurtenant to federal lands in order to obtain a federal grazing permit.

The EIS does not recognize that oil and gas development occurs across multiple jurisdictional boundaries (public lands, split-estate, and fee simple lands) and does not fit neatly into lands managed only by the BLM. The result is that the EIS has ignored an enormous amount of oil and gas development activity on private lands due to the nature of their development (projects with a federal nexus, etc.) that are clearly subject to management policies contained in each of the action alternatives. As such, the alternatives are either silent on or severely underestimate the resulting impacts which directly impact communities in Idaho and SW Montana.

Chapter 4 needs to be rewritten to recognize the federal — private land interactions.

Comment Number: IDMTSG-14-0168-40

Comment Excerpt Text:

4-50 "If management under Alternative C were to reduce ranchers' ability to keep ranches maintained or profitable, they may be sold and developed, causing loss of habitat (Wilkins et al. 2003).

Comment:

This needs to be carried into the economic impact portion of the EIS.

Comment Number: IDMTSG-14-0168-42

Comment Excerpt Text:

4-51

"Mineral entry withdrawal would be recommended for all ACECs, including all PPMAs, under this alternative, protecting all occupied or potentially occupied GRSG habitat and increasing the level of protection to all associated GRSG populations and sub-populations."

Comment:

Mineral entry withdrawals are normally permanent. The impacts of these withdrawals need to be analyzed for each alternative. Include the revenue to BLM that would be lost due to location and maintenance fees on claims (\$66 million in revenues to BLM in 2012); revenues and jobs lost to geologists and surveyors that locate, stake and file said claims (over \$100 million per year); revenues and jobs lost to those employed to perform exploration drilling on mining claims (over \$1 billion per year); jobs lost by people who manufacture, sell and maintain drill rigs used in mining (over \$2 billion year); jobs lost to people who write plans of operation; jobs lost to federal employees that record mining claims or review plans of operation; jobs lost to companies that would otherwise mine the minerals (this can be estimated from the mineral assessment data), jobs lost to BLM and state employees that inspect mines, and so forth. The direct and indirect losses to service industries, local and state government, fire stations, hospitals, schools and so forth needs to be assessed. Also include the national security risks associated with said withdrawals. Once the mining know-how and exploration and mining equipment are gone, they cannot be retrieved without significant time and costs to society. The entire mining cycle in the US needs to be analyzed and the true impacts need to be revealed.

The same needs to be done for fluid minerals, saleable minerals, etc.

Comment Number: IDMTSG-14-0168-43

Comment Excerpt Text:

4-225

"Potential non-market values associated with ... livestock grazing....BLM did not attempt to quantify these values"

Comment:

BLM either needs to assess all non-market values or no non-market values. To assess the perceived nonmarket values of some items but not others does not meet NEPA's requirements for a balanced analysis.

Comment Number: IDMTSG-14-0178-19

Comment Excerpt Text:

4. Economic Impacts

In our estimation, the LUPA/DEIS seriously undermines the value of a grazing permit to the local and state economy. It also underestimates the socio-economic impacts of grazing permit reductions. The agencies must consider not only the environmental consequences in their analysis, but also the impacts to the human environment and economy, including grazing, mining, oil and gas and other multiple-use industries. If grazing permits are reduced as a result of this effort, the negative economic impact to rural communities would be significant and it is important that the final EIS acknowledge this.

Comment Number: IDMTSG-14-0178-20

Comment Excerpt Text:

The LUPA/DEIS bases its economic review of the value of grazing permits based on "billed AUMs as a baseline, estimated as a multi-year average share of active AUMs..." (4-221). This analysis entirely fails to consider the value of a ranch to the local economy and the trickledown effect that a lost AUM causes to an entire rural community.

In Idaho, where well over half of the land is federally-owned, countless rural communities rely on public lands grazing for their tax base, commerce, and jobs. Few other industries in western rural communities are as stabilizing and longstanding. Ranchers provide seasonal and year-round jobs, bring steady, reliable business to local supply stores and other services, and provide a tax base for rural communities that have little other economic activity. In a study of one western rural community, for example, a 25% reduction in federal grazing led to a 7.3% decrease in sales and a 6.4% loss of jobs (Rimbey et al., 2001)

Comment Number: IDMTSG-14-0178-21

Comment Excerpt Text:

Use of the IMPLAN model may have resulted in an underestimation of the socio-economic impacts of the alternatives in the DEIS. In counties that are at capacity for grazing, removing grazing from federal lands will result in a reduction of AUMs for the entire year. As described by Torell (2010), "If the ranch is dependent seasonally on federal forage, a reduction in federal AUMs may create forage imbalances and produce a greater reduction in grazing capacity than just the loss of the federal AUMs."

Comment Number: IDMTSG-14-0178-24

Comment Excerpt Text:

Considering that NEPA requires the agencies to weigh the socio-economic impacts of their decisions, it is abundantly clear, and this new study verifies it, that removing, or significantly reducing livestock grazing has a net negative impact on the species, the ecological balance and on the economy, not to mention the livelihoods of countless ranching families. Why then would the agency consider implementing any alternative that arbitrarily reduces grazing, thereby causing devastating impacts to the livelihoods of ranchers and the viability of local communities' economies, while offering no measurable benefit to the ecology of the land and its species?

Comment Number: IDMTSG-14-0180-5

Comment Excerpt Text:

Further, BLM's economic analysis is inadequate and fails to provide meaningful public evaluation.

Comment Number: IDMTSG-14-0181-3

Comment Excerpt Text:

the Agencies failed to fully consider the significant economic contributions that the phosphate mining industry provides to Idaho. Approximately two-thirds of \$1.1 billion in gross state product, \$557 million in compensation, and \$107 million in taxes result from the phosphate mining industry in southeastern Idaho. See Attachment I. The Draft LUPA/EIS does not discuss fully these economic benefits or the impacts to the local or state economy of the proposed phosphate lease area closures.

Comment Number: IDMTSG-14-0183-18

Comment Excerpt Text:

IPC's typical construction costs for overhead distribution lines range from \$80,000 per mile to \$150,000 per mile, and typical costs for underground distribution lines of comparable service range from \$500,000 to \$1.5 million per mile for an all-conduit system (which is IPC's standard). Underground lines also require aboveground facilities for terminating, switching, and transforming equipment. Pulling and splicing vaults may be located aboveground or belowground and are placed along the line as well.

Comment Number: IDMTSG-14-0183-39

Comment Excerpt Text:

cost is a major concern as electric utilities have mandates to serve customers with high quality, reliable electric service at the lowest cost possible. Idaho Power's typical construction costs for overhead distribution lines range from \$80,000 per mile to \$150,000 per mile and typical costs for underground distribution lines of comparable service ranges from \$500,000 thousand to \$1.5 million per mile for an all conduit system (which is Idaho Power's standard). These costs would be charged to customers. Consequently, the PUCs would have to make a ruling concerning such costs. Underground lines also require aboveground facilities for terminating, switching, and transforming equipment. The BLM should take into account all environmental, economical, and social impacts of undergrounding powerlines as a seemingly simple proposed mitigation measure in the LUPA/DEIS.

Comment Number: IDMTSG-14-0210-11

Comment Excerpt Text:

Socioeconomics

NorthWestern Energy is concerned that the BLM's socioeconomic analysis in the DEIS is inadequate. Based on the current demand for energy, especially renewable energy such as wind in the western United States, the benefits of transmission lines outweigh impacts associated with the construction, operation and maintenance of properly sited and mitigated lines. NorthWestern Energy recommends that the BLM

revise the socioeconomics section of the DEIS to include a discussion of the benefits of enhancing the reliability and redundancy of high-voltage transmission in the west.

Comment Number: IDMTSG-14-0228-6

Comment Excerpt Text:

7. Social impacts of proposed alternatives must be considered.

NEPA requires federal agencies to consider environmental effects that include, among others, impacts on social, cultural, and economic resources, as well as natural resources. Thus the BLM must consider both legal and social factors and impacts, in making land use decisions, such as setting and maintenance of AML and grazing allocations. This was highlighted in a 1982 National Academy of Sciences/National Research Council report on the BLM's wild horse and burro program:

“Attitudes and values that influence and direct public priorities regarding the size, distribution, and condition of horse herds, as well as their accessibility to public viewing and study, must be an important factor in the determination of what constitutes excess numbers of animals in any area . . . [A]n otherwise satisfactory population level may be controversial or unacceptable if the strategy for achieving it is not appropriately responsive to public attitudes and values. . . .

Biologically, the area may be able to support 500 cattle and 500 horses, and may be carrying them. But if the weight of public opinion calls for 1,000 horses, the area can be said in this context to have an excess of 500 cattle. For these reasons, the term excess has both biological and social components. In the above example, biological excess constitutes any number of animals, regardless of which class above 1,000. Social excess depends on management policies, legal issues, and prevailing public preference..”

The importance of social considerations was reaffirmed in the NAS report of 2013. (Attachment 4).

The prevailing public preference for protecting wild horses and burros in any sage grouse conservation plans can be seen by the more than 7400 public comments that have been submitted on this LUP/EIS, along with recent polls that show 72% of Americans support protecting wild horses and burros on public lands, while just 29% want public lands used for livestock grazing. (Attachment 5).

These social impacts must be analyzed when considering any alternatives that could result in a reduction of wild horse and burro population numbers.

Comment Number: IDMTSG-14-0228-7

Comment Excerpt Text:

8. Economic Impacts

The LUP/EIS considers the economic impacts of livestock grazing on the economy, but omits an analysis of the costs of public lands livestock grazing to the public. The final LUP/EIS should include a full analysis of the costs to the American taxpayer incurred due to 1) below-market grazing rates that do not cover administrative costs; 2) indirect costs for environmental mitigation/restoration, etc.; 3) costs of the removal of wild horses and burros on livestock grazing allotments within HMAs; 4) costs of the government's predator management program as they relate to public lands ranchers. Attachment 6, Congressional Research Service Report, addresses some of these costs and is incorporated herein by reference.

Comment Number: IDMTSG-14-0255-1

Comment Excerpt Text:

If I were to lose even a portion of the AUMs that I use on BLM/FS, my operation would no longer be viable. BLM/FS must study the impacts of the unintended consequences to sage-grouse from reduced livestock grazing on public lands.

Comment Number: IDMTSG-14-0263-1

Comment Excerpt Text:

The agencies, in choosing the final alternative, must consider all, the economic impacts as well as the environmental impacts. Not only is the ranching

industry impacted, mining, oil and gas, hunting, tourism, and other multiple industries are impacted. If one of the radical alternatives is selected that drastically reduces or eliminates grazing it will impact everyone economically as the livestock industry loses their grazing capabilities and cattle numbers are reduced. The dollars generated by ranchers also generate a lot of income throughout the communities. Also, beef and all the by products of beef will be reduced thus creating higher prices for consumers for food and a lot of other products.

SECTION 15 - SOIL

SECTION 15.2 - BEST AVAILABLE INFORMATION BASELINE DATA

Comment Number: IDMTSG-14-0151-92

Comment Excerpt Text:

DEIS 6-1 to 6-30 contains no specific Literature on microbotic crusts and the impacts of grazing disturbance on them.

SECTION 16 - TRAVEL MANAGEMENT

SECTION 16.1 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0013-1

Comment Excerpt Text:

Between March 1 and May 15, prohibit OHV events from using routes that pass through an active lek. Impose a time of day restriction (after 10 a.m.) for routes that pass within 1/4 mile of an active lek. Consider a reroute around the active lek site as preferable to a seasonal restriction or closure on said route.

Comment Number: IDMTSG-14-0032-1

Comment Excerpt Text:

We ask that all BLM and Forest Service actions include proper recognition of the agreement behind the 3-State OHV and National Route Designation decisions which allow continued use of the existing

networks of motorized roads and trails without massive motorized closures.

Comment Number: IDMTSG-14-0049-14

Comment Excerpt Text:

On federal lands in the planning area, there are currently close to 14,000 miles of roads in preliminary priority habitat for sage-grouse and another 4,400 miles in preliminary general habitat. DEIS at 3-85. We propose that the LUPA prohibit the construction of new roads in areas specially designated for sage-grouse and additionally provide for closing and reclaiming roads as opportunities arise.

Comment Number: IDMTSG-14-0049-15

Comment Excerpt Text:

At a minimum, we propose that all recreational travel should be limited to existing roads and trails in all areas specially designated for sage-grouse protection. For BLM lands where a LWC designation is used to protect sage-grouse habitat, motorized recreation should be prohibited and existing roads and trails closed to OHV use.

Comment Number: IDMTSG-14-0049-16

Comment Excerpt Text:

To further lessen the impacts of motorized recreation on sage grouse, the Forest Service and BLM should also consider additional seasonal restrictions in areas with active leks (for example, seasonal closures of trails otherwise open). Roads and trails not designated for motorized recreation within designated areas should be obliterated and restored to native vegetation to improve

sage-grouse habitat. Further research into the impacts of recreational use on sage-grouse is warranted.

Comment Number: IDMTSG-14-0049-30

Comment Excerpt Text:

In general sage-grouse habitat, the LUPA should recommend restoring and reclaiming closed or unused roads and trails. Even if these roads are no longer used, roads and trails may be avoided by sage-grouse as they are more vulnerable to predation in these open spaces. Additionally, cross-country OHV travel may impact sage-grouse by disturbing leks,

nesting sites, and through direct mortality. We request that all OHV travel in sage-grouse habitat is restricted to designated trails. Additionally, because illegal user-created trails off of designated trails is a reasonably foreseeable impact, we request that no trails are designated within three miles of known existing or active leks.

Comment Number: IDMTSG-14-0105-18

Comment Excerpt Text:

Vol 2, Page 2-158 & Page 2-66: Alternative D and E-Travel Management

Both alternatives rely on a blanket restriction on motorized use to existing roads and trails until travel management planning is completed. However, access for administrative use and, in the case of permittees, access to accomplish necessary and/or required maintenance is not exempted in the interim period. Furthermore, at least some existing travel management plans have not recognized and adequately provided for administrative/management access.

Comment Number: IDMTSG-14-0125-3

Comment Excerpt Text:

We strongly disagree with the any other Proposed Alternative. Do not limit motorized travel for ranchers to access their grazing allotment to inspect vegetation and salt their livestock, as well as for miners to access their claims, and for exploration of valuable mineral deposits. These roads are also important for off road recreation vehicles (ORV). Many of these roads lead to old pioneer grave sites. Also a lot of our people have their loved ones ashes buried in these remote sites only accessed by these roads and trails. This is part of the Custom and Culture of the western US. The roads for the most part existed before the creation of BLM/USFS and therefore fall under RS2477 and are under the Counties jurisdiction and control.

Comment Number: IDMTSG-14-0143-1

Comment Excerpt Text:

[specifically referring to Twin Falls Highway District roads]. In order to maintain roadways, both asphalt

and gravel surfaced, we need to access our various material sources. Some of these sources, along with the access roads, are located within habitat areas. What is proposed for continued access to our material sources to allow TFHD to provide perpetual maintenance and operation of our roadways?

2. The roadways within our system, which are located within habitat areas, are used by

sportsman, ranchers, private land owners and recreationalists. It should be noted that these roads are also used by governmental agencies, such as BLM, Forest Service, Fish & Game, etc...for access to public lands necessary to complete their own studies and maintenance.

Are the TFHD roads providing service to the aforementioned people and agencies going to be closed, seasonally or permanently, or will they remain on an open basis annually? This decision has a tremendous impact on our annual maintenance planning and budgetary allocations.

3. Part of our normal roadway system maintenance is to maintain cross-drains under our roads. If roadways are to be closed seasonally this would prohibit TFHD from maintaining the roads and drain systems on an as needed basis. If the roads are closed seasonally how do you propose that TFHD maintains the aforementioned drains?

Comment Number: IDMTSG-14-0153-52

Comment Excerpt Text:

BLM should also apply a maximum road and motorized trail density, no more than 0.7 linear miles per square mile within 2 miles of leks within Priority and General Habitats (after Holloran 2005).

Comment Number: IDMTSG-14-0178-27

Comment Excerpt Text:

The final LUP/EIS needs to contain language allowing for off-road travel for administrative use by grazing permit holders. Travel restrictions should not impact the ability of permittees to access and manage allotments.

**SECTION 16.2 - BEST AVAILABLE INFORMATION
BASELINE DATA**

Comment Number: IDMTSG-14-0064-1

Comment Excerpt Text:

Every other alternative (except Alternative A – no action) reflects a significant reduction in motorized recreation opportunity. Such a drastic change lacks scientific basis.

Comment Number: IDMTSG-14-0153-57

Comment Excerpt Text:

BLM lists three categories of management for off-road vehicle use: open, limited and closed DEIS at 3-83. However, there is no baseline information regarding the acreage of lands designated open to cross-country travel within Priority or General Habitats. This baseline information is critical to assessing the scope of the problem posed by off-road vehicle use to sage grouse.

SECTION 16.3 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0031-3

Comment Excerpt Text:

The preparation of the document must work hard to avoid “confirmation bias. Confirmation bias is a tendency to favor information that confirms an individual’s or group think preconceptions or hypotheses regardless of whether the information is true

(http://en.wikipedia.org/wiki/Confirmation_bias). Only studies with negative motorized conclusions have been cited. The evaluation should have included a broad screening of issues, information, data, opinions, and needs so that it is not based on confirmation bias and meets NEPA procedural requirements.

Comment Number: IDMTSG-14-0031-4

Comment Excerpt Text:

The evaluation and disclosure to the public must include the analysis and a comparison of the magnitude of OHV impacts to naturally occurring impacts for all resource areas used to assess impacts based on site-specific data.

Comment Number: IDMTSG-14-0031-6

Comment Excerpt Text:

Any plan amendment should include adequate site-specific analysis on anticipated impacts of motorized and non-motorized recreational activities, which often have little to no impact on wildlife. The impacts of motorized and mountain bike routes that are primarily used for recreation should not be "lumped in" with highways and other high-speed access roads.

Comment Number: IDMTSG-14-0032-2

Comment Excerpt Text:

We request that all motorized routes currently in use be adequately evaluated by a site specific analysis demonstrating with scientific evidence the claimed impact on sage grouse.

Comment Number: IDMTSG-14-0183-25

Comment Excerpt Text:

Pg. 2-41, Table 2-3, Travel and Transportation

Alternatives D and E would be the same as Alternative B which would "Designate all occupied habitat as limited to existing roads and trails until travel management planning is completed. At that time, all occupied habitat would be limited to designated routes."

The BLM's travel management planning process would not start until after this NEPA process is complete. Given the BLMs current work load and time spent on recent RMP amendments and Travel Management Plans (TMP), it is unlikely that the BLM will have completed TMPs in the near future. Existing authorization holders will likely need to create new access to existing facilities (e.g., reroute around a land slide or to avoid another sensitive biological or cultural resource) and create new access to new facilities. The ban on new roads until a TMP is completed will prevent projects that meet all of the other criteria from moving forward.

Comment Number: IDMTSG-14-0183-35

Comment Excerpt Text:

Pg. 4-16, 3rd para.

Road densities have been directly correlated with GRSG persistence. Compared with occupied GRSG range, extirpated range was 60 percent closer to highways and had 25 percent higher road densities (Manier et al. 2013 citing Wisdom et al. 2011). Within the GRSG range, 95 percent of the mapped sagebrush habitats are within 1.6 miles (2.5 kilometers) of a mapped road; density of secondary roads exceeds 3.1 miles per 247 acres (5 kilometers per square kilometer) in some regions (Knick et al. 2011).

Wisdom et al. (2011) conducted a correlative study where cause and effect cannot be determined. Various anthropogenic factors are likely to co-occur (autocorrelated) and individual contributions of these factors could not be isolated. Therefore, correlations between road densities and GRSG persistence should be interpreted with due caution.

SECTION 16.5 - MITIGATION MEASURES

Comment Number: IDMTSG-14-0013-3

Comment Excerpt Text:

Prescription: Adopt and promote an invasive species related prevention/education program based on the tenets at - <http://playcleango.org/>

SECTION 17 - TRIBAL INTEREST

SECTION 17.1 - CONSULTATION REQUIREMENTS

Comment Number: IDMTSG-14-0236-2

Comment Excerpt Text:

consider designating the following areas as ACECs for GRSG, tangible and intangible cultural resources, other special status species, and geological values. Please consider the following areas for ACEC designation: Big Chili, Monida Pass, Medicine Lodge/Bannock Pass, Big Desert/Craters, Browns Bench/Salmon Falls Creek, Donkey Hills, and Bear Lake Plateau. As designation and management of ACECs is a major issue, we think it would be best to discuss this further through technical consultation between staff [Shoshone-Bannock Tribes]

SECTION 17.4 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0236-1

Comment Excerpt Text:

Oil and gas leasing has high potential to destroy and fragment important GRSG, especially in the Bear Lake Plateau, Idaho and region between Lima to Dillion, Montana. This has been well demonstrated in areas with Oil and Gas reserves. Therefore, the first bullet on page 2-12 should be stricken from “Management Common to All Action Alternatives (Alternatives B, through F)” as this action is in direct contradiction to the purpose and need for the LEIS and would contribute to further losses of opportunities for Tribal members to exercise off-reservation rights to hunt, fish, and gather.

Comment Number: IDMTSG-14-0236-3

Comment Excerpt Text:

Unless the BLM and FS take drastic measures to conserve the GRSG habitat there will be high likelihood of extinction. This would have a direct impact upon subsistence activities and uses of the GRSG by the Shoshone-Bannock Tribes. Considering this, we support Alternative C, but only if the management allow us opportunities to freely access the public domain, exercise our off-reservation Treaty rights, and continue our traditional customs and practices. Therefore, the LEIS and Record of Decision must acknowledge and honor the rights, customs, and practices of the Shoshone-Bannock Tribes. We also feel that the other alternatives would result in continued loss of subsistence opportunities through the degradation and fragmentation of sagebrush habitat by management actions associated with the alternatives.

SECTION 18 - VEGETATION SAGEBRUSH

SECTION 18.1 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0049-34

Comment Excerpt Text:

Additionally, we strongly encourage the agencies to use sagebrush “treatments,” including prescribed fire and herbicides, sparingly. There is very little data that

points to the benefits of these so-called treatments, and the short-term impacts appear inarguably detrimental to sagegrouse.

Comment Number: IDMTSG-14-0100-2

Comment Excerpt Text:

Restoration of sagebrush steppe to provide seasonal sage grouse habitat is wanting in all alternatives. There is a high probability that sage grouse will be listed unless there is a commitment to restore ‘X’ number of acres of sagebrush steppe per year that will meet all the seasonal needs of sage grouse.

All of the alternatives emphasize control of invasive species through various treatments – mechanical, chemical, and grazing management. However, this is what the agencies have been doing without success. Control of invasive species should be considered just one step in the restoration process and not the only or final step.

Most of the invasive species have been dominant on the landscape for an extended period of time. Consequently, the soil seed bank of the invasive species so overwhelms the soil seed banks of desirable native plant species that they cannot become established after the invasive species control.

Comment Number: IDMTSG-14-0151-21

Comment Excerpt Text:

Any removal of juniper or pinyon pine should be limited to areas where removal has a demonstrated benefit to sage-grouse and then only applied to trees with an 8 inch or less dbh/younger age class trees. Trees should be felled by hand and left in place to retain snow and moisture on-site thus shortening the fire season, and to provide safe sites for grass and for seedlings.

Comment Number: IDMTSG-14-0151-38

Comment Excerpt Text:

While science increasingly shows the significant value of passive restoration, the DEIS remains stuck in an outdated range worldview. It fails to seriously examine passive restoration needs of sagebrush ecosystems.

Comment Number: IDMTSG-14-0153-36*Comment Excerpt Text:*

We strongly urge the federal agencies to prohibit vegetation treatments in Priority Habitats except where they are consistent with maintaining optimal sage grouse habitat (NTT 2011). There is a growing scientific consensus that burns and mechanical treatments are deleterious to sage grouse. The agencies also need to assess non-native seedings and restore them to native vegetation if this is the most optimal option for sage grouse habitat, as has been proposed under the Northwest Colorado RMP Amendment Preferred Alternative. BLM and the Forest Service should also adopt a requirement for grazing exclosures and long-term monitoring following vegetation treatments. It is important to rest burned areas from livestock grazing for 3 full seasons following disturbance

Comment Number: IDMTSG-14-0153-42*Comment Excerpt Text:*

BLM asserts that junipers have been expanding into sagebrush habitats as a result of fire suppression over the past century. This is a somewhat dubious claim, given that sagebrush also is eliminated by natural fire, and is contradicted by the management priority of suppressing natural fires in sagebrush habitat. Although natural fire may well have modified distribution of both sagebrush and juniper in presettlement times, such fires were infrequent (as noted elsewhere in these comments). In addition, BLM's presumed management strategy of mechanical removal of junipers, while perhaps beneficial to sage grouse if done in a non-invasive way (i.e., removal of the entire tree from the site), has no natural counterpart under reference conditions. Instead of focusing exclusively on fire as a mediator of juniper spread, BLM should also examine the effects of radical increases in ungulate grazing that have occurred with the onset of large-scale ranching in this area, which could potentially confer competitive advantage on junipers through the removal of both grasses (cattle) and sagebrush (sheep).

Comment Number: IDMTSG-14-0153-43*Comment Excerpt Text:*

We encourage BLM to engage in juniper removal treatments that minimize habitat disturbance to the understory, and to pair juniper removal with a scaling back of livestock grazing

Comment Number: IDMTSG-14-0153-67*Comment Excerpt Text:*

Minimizing the use of herbicides inside sage grouse habitats, and using them as a last resort, is also a good approach for sage grouse Priority Habitats. We are concerned that aerial applications of herbicides and pesticides are reasonably foreseeable in the planning area. Insects are an important food source for sage grouse; this is particularly true during the early brood-rearing phase. Insecticide application could not only sicken or kill grouse directly, but it could also deprive them of an important food source. Aerial herbicide and pesticide applications should be precluded within one mile of sage grouse habitats to avoid inadvertent poisoning of sage grouse. Although the use of Plateau in heavily cheatgrass-infested areas might be allowed in cases where sage grouse are not using the treated habitats, aerial spraying of herbicides and insecticides over or within one mile of sage grouse habitats should not be allowed. Hand spraying might be accomplished by deliberately driving grouse off by teams on foot prior to treatment, and by treating from backpack units rather than aerial or truck/ATV application

Comment Number: IDMTSG-14-0242-22*Comment Excerpt Text:***Non-native/Invasive Plant Species**

The COT objective is to maintain and restore healthy, native sagebrush communities. Both Alternatives D and E propose to implement similar conservation measures to address this objective. We need additional clarity for both Alternative D and E as to site-specific actions to meet the COT objective. Both preferred alternatives have appropriately identified the need to work more extensively at a local scale to coordinate and implement actions that will result in improved wildfire and invasive species

management strategies. As discussed above for fire, inclusion of commitments to implement conservation projects identified in the step-down assessments will be needed to increase our certainty that actions, necessary for GRSG conservation, will occur. The subsequent incursion of invasive nonnative plant species after fire events is extremely difficult to manage. However, as described above for fire, the State has developed a comprehensive strategy including legislative changes and funding that will directly address fire and the potential subsequent invasion of annual grass species

Comment Number: IDMTSG-14-0242-23

Comment Excerpt Text:

Sagebrush Removal

The COT objective is to avoid sagebrush removal or manipulation in sage-grouse breeding or wintering habitats with minor exceptions. Appropriate regulatory and incentive-based mechanisms will be needed to encourage the maintenance of sagebrush. Alternative D proposes conservation measures that directly addresses this and meets the COT objectives. Alternative E does not propose conservation measures that directly address this threat and is currently inconsistent with the COT

Comment Number: IDMTSG-14-0242-25

Comment Excerpt Text:

Pinyon-Juniper Expansion

The COT objective is to remove pinyon-juniper from areas of sagebrush that are most likely to support sage-grouse (post removal) at a rate that is at least equal to the rate of pinyon-juniper incursion. Both Alternative D and Alternative E are similar in addressing this threat. We recommend the selected alternative identify a rate at which treatments should be implemented to meet the COT objective. Additionally, removal of pinyon-juniper trees encroaching within 1000 meters of a lek should be the highest priority.

Comment Number: IDMTSG-14-0325-9

Comment Excerpt Text:

[This comment corresponds to the headings in Table 2-17 and Table 2-18] Integrated Invasive Species.

Loss of habitat due to invasive species was identified as a primary threat to GRSG by FWS. The only "action" proposed by Alternatives B, C, D and F is to mention GRSG habitat (D-IIS-1), to monitor and treat areas "associated with existing range improvements" (B-IIS-4) and to regulate project construction (in D-IIS-5).

Other than these, management of integrated invasive species is essentially no different than BLM's existing policy which has been detrimentally ineffective for various reasons. Further, BLM's efforts at integrated invasive species eradication have been opposed by groups closely associated with Alternatives C and F.

Given the relative importance of this threat as identified by FWS, NTT and USGS, BLM should commit to a program that actively plans, funds, executes and monitors large-scale integrated invasive species infestation eradications projects in a measureable timeframe. Alternatives A, B, C, D and F fail to do this.

**SECTION 18.2 - BEST AVAILABLE INFORMATION
BASELINE DATA**

Comment Number: IDMTSG-14-0046-8

Comment Excerpt Text:

Succession should be discussed to show the progression sagebrush goes through from the seedling stage to old overmature stage, and how that progression affects sage grouse.

Comment Number: IDMTSG-14-0046-9

Comment Excerpt Text:

There is no information on the different stages of vegetation in the AE (ie, seedling, immature, mature and overmature stages), and how many acres there are of each. How are the agencies going to measure the rate of increase or decrease in the acres of each age class over time if you don't even know how many acres there are to begin with?

Comment Number: IDMTSG-14-0053-5*Comment Excerpt Text:*

There have been recommendations made that when sagebrush canopy cover exceeds certain percentages it be treated back to a 15% canopy cover in nesting habitat and 80% of nesting habitat be maintained between 15-25% canopy cover. This is not reasonable in our area. You need to get back to an early seral condition in order for the grasses and forbs to built root mass and vigor allowing them to compete longer with sagebrush when it returns to site potential. To short circuit this process will only lead to unsustainable sagebrush ecosystems that will eventually lose their grass and forb components and possibly end up as perennial grasslands. We as managers are obligated to manage to enhance the sustained productivity of the sagebrush rangelands. Any alternative should have that goal and not limit the tools necessary to accomplish this task.

Comment Number: IDMTSG-14-0053-6*Comment Excerpt Text:*

Most of the research driving habitat guidelines developed through WAWFA and the NTT were done on arid Wyoming Big Sagebrush and shorter sagebrush habitats. These sagebrush habitats recover from disturbance much slower than sagebrush in mesic sites with good soils. The WAWFA and NTT authors admit they reviewed little research about the management of Mountain Big Sage on mesic sites for long term sustainability. In the Upper Snake there are thousands of acres of superb nesting habitat on mesic Mountain Big Sage sites that is important. These sites have some of the most robust sagebrush growth and productive GRSG habitats in Idaho. Some of this area is on Sheep Station land north of Dubois and scientists have compiled years of research on treatment and grazing of Mountain Big Sage stands in a mesic setting. A research paper is currently being peer reviewed that indicates Mountain Big Sage habitat in this setting returns to climax condition on average in 18.33 years after treatment with prescribed fire. In 1989, 1991, and 1993 we used prescribed fire to manage Mountain Big Sagebrush stands on a 5500 acre BLM allotment. When an EA was done for permit renewal in 2013, the areas

treated carried sagebrush canopy covers of 44%, 25% and 18% after being burned 24, 22 and 20 years previously. After managing over 20,000 acres of mountain big sagebrush habitat in the Spencer, Kilgore, Shotgun areas for over 40 years using fire and herbicide treatments repeatedly, our habitat is native, intact and productive as GRSG habitat meeting the WAWFA guidelines for sagebrush cover and exceeding the guidelines for native grasses and forbs. We need to manage these stands to keep them sustainable and prevent fuel loading. Prescriptive management regulations in the LUP/EIS need to give the agencies and lessees the adaptive management to manage site specific sagebrush habitats.

Comment Number: IDMTSG-14-0053-7*Comment Excerpt Text:*

Range renovation must not be included under the disturbance cap or in a no non mitigated disturbance scenario as proposed in Alternative D. On the lower elevations of the GRSG habitat that we manage, there are healthy stands of other brushes that are sprouters (antelope bitterbrush, chokecherry, shiny leaf ceanothus, and snowberry) and increase when burned. Some habitats in areas along the Red Road are carrying total brush canopy covers over 50% and need to be treated. Under this scenario herbicide would be the best choice. We have been using herbicide because the liability of fire is too great, we can control these sprouters better (including Three Tip sagebrush), we have absolute control of what is treated, and with heavy fuel loads fires get hot and can do more damage to the native seed bank. We see minimal impact on forbs in two or three years after herbicide treatment. Terrain and lava flows prohibit mechanical treatment.

Comment Number: IDMTSG-14-0056-12*Comment Excerpt Text:*

Extreme caution must be exercised with any proposal designed to convert non-native perennial grasslands (especially those within lower elevation Wyoming big sagebrush sites) to a sagebrush dominated habitat with native understory. (D-VG-24, page 2-111) Under current technology, confidence in any conversion

attempt is lacking and may lead to undesired conditions for multiple species, not just sage grouse

Comment Number: IDMTSG-14-0063-1

Comment Excerpt Text:

The INPS is sponsoring a Rare Plant Conference on February 26 and 27. This conference will bring together many professional botanists and lay plant enthusiasts to discuss the status of rare plants within Idaho. The result of the conference will be an updated rare plant list. We ask that your agencies review the new list and revise your list of Special Status Species accordingly.

Comment Number: IDMTSG-14-0100-3

Comment Excerpt Text:

Anyone familiar with the sagebrush steppe across southern Idaho can point to the numerous restoration attempts that have failed for one or more reasons. Many associated with the management of sagebrush steppe across southern Idaho can also tell you about the few projects that were successful. Unfortunately, probably no one can explain why the few projects were successful. Agency's record the kind of equipment used and who the contractor was but fail to document pre-existing conditions, soil types, seedbed condition, seed placement, etc. Some will argue that restoration of sagebrush steppe across southern Idaho is prone to failure. If this argument is accepted, sage grouse will become listed sometime in the future.

The key to understanding the factors that will consistently result in successful restoration of sagebrush steppe (big sagebrush species and native perennial forbs and grasses) across southern Idaho is conducting basic plant/seed physiology and agronomy research. Forget about the kind of equipment used and focus on the seedbed preparation and seed placement. Study seedling

growth and development under different seedbed preparations, seed placements, moisture regimes, and soil types. Document the soil moisture conditions before and changes in moisture after seeding. Document soil seed banks before seeding and

seedling reestablishment after seeding. We cannot continue to spend millions of dollars throwing seed out there in hopes that the next time will be more successful. Start with the necessary documentation and research to ensure future seeding is consistently successful.

Comment Number: IDMTSG-14-0151-46

Comment Excerpt Text:

This omits reference to . This is despite livestock grazing being a primary causal agent of flammable invasive species expansion in unburned sagebrush habitats, as well as burned habitats that receive minimal rest from weed-promoting grazing disturbance post-fire. Harmful facilities and infrastructure must be considered a threat. Intensive areas of livestock disturbance must be consider disturbance. Whisenant 1991, Billings 1994, Connelly et al. 2004, USFWS WBP Finding, Reisner et al. 2013, Manier et al. 2013.

Comment Number: IDMTSG-14-0151-56

Comment Excerpt Text:

The DEIS relies on the outdated Vegetation Treatment EIS from 1991, and the Final Veg Treatments on BLM Lands in 17 Western States (Weed EIS). BLM ignores the fact that it has no integrated weed prevention measures currently in place, or a NEPA-compliant plan to address the direct, indirect and cumulative impacts of a massive treatment scheme that underlies these EISs.

Comment Number: IDMTSG-14-0151-93

Comment Excerpt Text:

BLM signed MOUs saying that it would use the very important scientific work on sagebrush communities that came out of the interior Columbia Basin Ecosystem project. This has been ignored.

Comment Number: IDMTSG-14-0151-95

Comment Excerpt Text:

Table 3-6 provides only the most general of sagebrush veg communities "within PPH and PGH" on BLM and Forest lands. Sage: Low, mixed, tall; Perennial grass; Annual Grass; Conifer encroachment; Crested Wheatgrass. This identifies ¼ million acres

of crested wheatgrass, but that appears to be much less than the land areas acknowledged as seedings, and much less cwg than we have observed across this region. Please explain.

Comment Number: IDMTSG-14-0151-98

Comment Excerpt Text:

We are mystified at the basis for the information used to derive Table 3-4 "Habitat Conditions, Trends, and Primary Threats ...". While quite high percentages of sagebrush cover are shown to be present in the Upper Snake and areas outside SW Idaho, SW Idaho has very low cover. Is this because the Jarbidge was lumped in with SW Idaho? What inputs were used in this, and all other "modeled" vegetation?

Comment Number: IDMTSG-14-0153-56

Comment Excerpt Text:

We are concerned that the federal agencies are not fulfilling NEPA's baseline information requirements with regard to the analysis of alternatives. Specifically, there is no baseline information presented on the spatial extent of cheatgrass infestations in the planning area (See DEIS at 3-27), despite the fact that this has been identified as a major threat to sage grouse persistence. There also is no baseline information on the spatial extent of non-native grasses such as crested wheatgrass, which also are deleterious to sage grouse. DEIS at 3-28. It would seem that GIS data should be available based on the widespread digitization of LANDSAT, LANDFIRE, and other remote sensing. This information should be included in the EIS to inform impact analyses under the various alternatives

Comment Number: IDMTSG-14-0168-35

Comment Excerpt Text:

4-9

"70 percent of an area should be in 10 to 30 percent sagebrush canopy cover to meet GRSG sagebrush habitat objectives. "

Comment:

The 70 percent figure comes directly from the NTT Report. The NTT presents no scientific data that a one-size-fits-all goal of 70% sagebrush cover is scientifically defensible, achievable, would result in stable sage grouse populations, would not result in irreparable harm to other species, and would not negatively affect local economies.

Comment Number: IDMTSG-14-0169-13

Comment Excerpt Text:

Cheatgrass incursion in sagebrush steppe began in the 1850s with the introduction of domestic livestock, which trampled the biological soil crust that occupied the interspaces between native vegetation (Mack 1981) and facilitated the species' spread. Intact, lichen-dominated biological soil crusts can significantly inhibit germination and root penetration of cheatgrass (Deines et al. 2007), while the presence of cheatgrass can negatively affect biological soil crust richness and cover (Ponzetti et al. 2007). Moss-dominated biological soil crusts may also effect germination of annual grasses, including cheatgrass (Serpe et al. 2006). The diversity, cover and resiliency of biological crusts are positively correlated to low abundance of cheatgrass, low level of soil disturbance and high moss cover (Ponzetti et al. 2007). Shinneman et al. (2008) discovered that herbaceous and biological soil crust cover and species richness and diversity were generally greater on ungrazed than grazed areas in semi-arid shrubsteppe in western Colorado. Reisner et al. (2013) found that livestock contribute to the spread of cheatgrass by trampling the soil crust.

Comment Number: IDMTSG-14-0169-18

Comment Excerpt Text:

Native bunchgrasses in sagebrush steppe, such as bluebunch wheatgrass and Idaho fescue, also require rest after being grazed during the growing season. Hormay and Talbot (1961) designed rest-rotation grazing to allow recovery after each grazing session, allowing sensitive native bunchgrasses to recover their vigor. Other BLM and USFS researchers have provided guidance for recovery of native bunchgrasses that may require multiple years of rest to restore vigor (Anderson 1991; Mueggler 1975).

Anderson and Inouye (2001) working in sagebrush steppe in southern Idaho determined that native perennial grasses were recovering after 45 years of livestock exclusion and the increasing trend of these native grasses was inversely correlated to non-native invasive species such as cheatgrass.

Comment Number: IDMTSG-14-0169-24

Comment Excerpt Text:

Tall, dense, vegetational cover may provide scent, visual and physical barriers to predation on nesting sage-grouse hens, sage-grouse nests and chicks, and may enhance nest success (Gregg et al. 1994; Herman-Brunson et al. 2009). Holloran et al. (2005) also found that taller, thicker residual grass cover in dense sagebrush with moderate-high canopy cover (up to 40 percent) appears to increase the probability of sage-grouse nest success. Their research indicated that herbaceous cover and height were more important than shrub cover or height to nest success (Holloran et al. 2005; see also Rebholz 2007). Rebholz (2007) similarly found that increased grass cover improved the likelihood of nest success. Hagen et al. (2007) conducted a quantitative meta-analysis of existing research on greater sage-grouse nesting and brood-rearing habitat and confirmed that female sage-grouse typically select nesting sites with greater sagebrush cover and grass height compared to random locations, and that brood areas usually had less sagebrush, taller grasses, and greater forb and grass cover than at random sites.

Comment Number: IDMTSG-14-0169-28

Comment Excerpt Text:

Although Strand and Launchbaugh (2013) is a useful review, planners should beware of its limitations. It fails to acknowledge that sagebrush systems in the Intermountain West evolved with little herbivory by large, hooved mammals and that grazing fundamentally affects ecosystem processes in sagebrush steppe. It does not acknowledge the role of biological soil crust in impeding cheatgrass incursion or the negative effects of grazing on soil crust. The review suggests that livestock removal and trampling of understory vegetation and plant litter (including in early spring) can help reduce fire fuel

loads, but this could be deleterious to sage-grouse. As the draft Idaho/SW Montana plan acknowledged, “[r]esidual cover, especially grass and litter, has often been noted as essential for GRSG for concealment during nesting and brood-rearing” (vol 2, 4-8, citing Sveum et al. 1998; Kirol et al. 2012). Grazing during the dormant season, which is also recommended by Braun (2006, unpublished

Comment Number: IDMTSG-14-0178-4

Comment Excerpt Text:

Control of invasive species has a direct correlation with controlling wildfires. For the reasons mentioned above, grazing can be used as a tool to reduce many of the invasive species which also serve as fine fuel loads for fires. Peer-reviewed studies have proven that when rangeland is burned, it is much less prone to invasion by annual invasive weeds like cheat grass if it has been grazed (Davies, 2009). Due to reduced fuel loads and cooler burn temperatures, grazed rangeland is more likely to reestablish native bunch grass communities, while burned ground that has not been grazed is more likely to establish cheat grass communities. In light of these findings, appropriate grazing should be recognized in the RMPA as a primary tool in the prevention of wildfire and reduction of invasive weeds—two of the primary threats to sage grouse habitat. Diamond et al. (2009) found that targeted grazing may be a critical tool for breaking the exotic annual grass-fire cycle by decreasing the probability of fire disturbance.

Additionally, Diamond et al. (2009) found that, on areas already invaded by exotic annual grasses, strategic grazing could reduce fuel loads and continuity enough to prevent a flame front from carrying across the treated areas, even under peak fire conditions. Ample research, including that of Olson and Lacey (1994) and Walker et al. (1994), has found livestock grazing to be an effective tool for the control of invasive plant communities.

Comment Number: IDMTSG-14-0178-5

Comment Excerpt Text:

Encroachment of another species, pinion juniper, also poses a primary threat to sage grouse. Conifer

encroachment is detrimental to sagebrush obligate wildlife because of the loss of sagebrush, fragmentation of sagebrush habitats, potential decreases in herbaceous forage, and increased predation (Connelly et al., 2000; Miller et al., 2005). The trees use significantly more water and out-compete bunchgrasses, forbs and sagebrush as they grow. This reduces forage for sage grouse as well as for livestock. To combat this, ranchers have partnered with NRCS to remove early-phase invading conifers. They have contributed to the treatment 200,000 acres of lands range-wide in core habitats. Again, refer to Attachment 2 for just one of many examples of these efforts. The LUPA/DEIS should focus on encouraging more such public/private partnerships for juniper removal.

Comment Number: IDMTSG-14-0183-36

Comment Excerpt Text:

Pg. 4-69, 5th para.

Depending on the species and the size of a burn, sagebrush can reestablish itself within five years of a burn, but a return to a full pre-burn community cover can take 15 to 30 years (Manier et al. 2013, pp. 133-134).

According to Bukowski and Baker (2013), historical fire rotations were estimated at 171-343 years for Wyoming sagebrush (*Artemisia tridentata tridentata*) and 132-217 years for mountain big sagebrush (*Artemisia tridentata vaseyana*). The authors conclude that historical sagebrush landscapes were complex, often dominated by large expanses of mature sagebrush that varied in density, but with finer-scale sagebrush mosaics, recently burned areas, and significant areas of sagebrush with trees. These landscapes fluctuated over decades to centuries at both local and landscape scales. Given this information, it is unlikely that sagebrush can return to a full pre-burn community cover 15 to 30 years after a burn

Comment Number: IDMTSG-14-0222-1

Comment Excerpt Text:

I ask what is being done to control Juniper encroachment on existing sagebrush environments?

Comment Number: IDMTSG-14-0232-1

Comment Excerpt Text:

The BLM ID SG EIS bases its current habitat analysis on what is referred to in a Footnote in Table 3-4 as info coming from the Idaho Governor's Sage Grouse Task Force in 2012. EIS Table 3-4 Col. 1, "Existing condition based on modeled vegetation" has a footnote showing the info came from the ID Gov Task Force.

I assume this is the source of the info?

<http://cloud.insideidaho.org/webapps/search/search.aspx?searchterm=sage%20grouse>

Does this information specifically identify all areas of crested wheat/Siberian wheat seedings undertaken by BLM? This includes forage seedings, as well as post-fire ESR seedings. If not, where can we obtain this information? Who do we contact in BLM if we have questions about vegetation info used, and how it was categorized? For example, in looking at page 3-13 of the EIS "Existing condition of modeled vegetation in east central Idaho", it shows 97% of the mountain big sage, and 92% of the Wyoming big sage in East-central ID have 10-30% canopy cover. How was this arrived at? Given that there are large areas of rabbitbrush or other veg types? Is it ONLY the undisturbed vegetation shown here. And if that is the case, how much land area that should naturally be occupied by these vegetation types does not fit the 10-30% mold?

SECTION 18.3 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0322-1

Comment Excerpt Text:

The major problem of the deficiency is that the draft EIS does not contain an adequate presentation and analysis concerning the critical importance that improving or restoring destroyed good sage-grouse

habitat will have in reversing the current trend of diminishing sage-grouse numbers.

Comment Number: IDMTSG-14-0325-7

Comment Excerpt Text:

VEGETATION [This comment corresponds to the headings in Table 2-17 and Table 2-18]

Habitat Restoration.

C-VG-10 is shortsighted as this would eliminate livestock water sources, eliminate options to move livestock water area away from viable springs/seeps, and possibly dry-up water sources for livestock, GRSG and other wildlife.

Comment Number: IDMTSG-14-0325-8

Comment Excerpt Text:

[This comment corresponds to the headings in Table 2-17 and Table 2-18] C-VG-11 is shortsighted in trying to eliminate crested wheatgrass. Crested Wheatgrass and other nonnatives may have potential to restabilize areas where native seed is unlikely to survive or is unavailable; it may out-compete invasives; and it is also beneficial as a preferential alternative forage source for cattle and wildlife, leaving native grasses and forbs more available for GRSG.

"Active restoration of cheatgrass infestation areas" promoted by C-VG-11 is a desirable action. As it may relate to all VG Alternatives, the prejudice toward eliminating or prohibiting annual grasses is misdirected. Mosaic open areas comprised of [non-invasive] annual or other non-native grasses can be a valuable management option. As mentioned above, these areas are likely to be grazed preferentially by livestock and wildlife, removing pressure for the more dispersed native forbs and grasses. These areas could also serve as valuable fire breaks and access areas without disruption of sagebrush stands.

SECTION 18.4 - CUMULATIVE IMPACT ANALYSIS

Comment Number: IDMTSG-14-0180-45

Comment Excerpt Text:

BLM's analysis of cumulative effects is lacking for vegetation. BLM assumes because Alternative E's CHZ is smaller than BLM's PPMA that cumulative effects would be greater than other alternatives. However, even though Alternative E's CHZ is smaller than BLM's PPMA, it doesn't mean the rest of the zones are any less protected. 73% of the male population resides in CHZ and 22% are in IHZ. Alternative E allows BLM to prioritize its resources. In spite of the PPMA designation, BLM may not be able to commit adequate resources to respond to threats within all of PPMA.

SECTION 18.5 - MITIGATION MEASURES

Comment Number: IDMTSG-14-0159-27

Comment Excerpt Text:

Restoration efforts include reseeding, sagebrush seedlings, invasive annual grass expansion prevention, reseeding on State owned lands by federal contractors, and conifer removal on state owned lands by federal contractors. A reseeding strategy must be completed within one year of signing the Record of Decision and implementation of restoration to offset wildfire losses in CHZ and IHZ since 2011 must be completed within 2 years of signing the Record of Decision. Offset models of wildfire losses in CHZ and IHZ should be completed 3 years after signing the Record of Decision. A sagebrush seedlings strategy should be completed within one year of the Record of Decision. Planting should be completed in CHZ within two years of signing the Record of Decision and within 3 years for IHZ.

Comment Number: IDMTSG-14-0159-28

Comment Excerpt Text:

For invasive annual grass prevention, modeling and strategy should be completed within 1 year of signing the Record of Decision. Techniques to prevent further spread in CHZ and IHZ should be implemented within 2 years of signing the record of

decision. Offset of annual grass spread in CHZ and IHZ should occur within 3 years of signing the Record of Decision. A Memorandum of Understanding (MOU) for reseeding on state-owned lands should be signed within 1 year of the Record of Decision. State lands should be reseeded within one year of a wildfire. An MOU for conifer removal should be signed within 1 year of the Record of Decision. Conifer removal on state lands should occur within the timeframe of federal projects.

These measures will be permanent, in contrast to BLM's existing temporary IMs for fire management. No other Alternatives in the LUPA/DEIS include a time frame for

implementation.

change.²⁹ Additionally, several researchers have shown that loss of winter or breeding habitats resulted in decreased GRSG populations.³⁰ Both population and habitat triggers are tripped at

20% loss within a conservation area.

Comment Number: IDMTSG-14-0159-29

Comment Excerpt Text:

Restoration efforts include reseeding, sagebrush seedlings, invasive annual grass expansion prevention, reseeding on State owned lands by federal contractors, and conifer removal on state owned lands by federal contractors. A reseeding strategy must be completed within one year of signing the Record of Decision and implementation of restoration to offset wildfire losses in CHZ and IHZ since 2011 must be completed within 2 years of signing the Record of Decision. Offset models of wildfire losses in CHZ and IHZ should be completed 3 years after signing the Record of Decision. A sagebrush seedlings strategy should be completed within one year of the Record of Decision. Planting should be completed in CHZ within two years of signing the Record of Decision and within 3 years for IHZ.

Comment Number: IDMTSG-14-0159-30

Comment Excerpt Text:

For invasive annual grass prevention, modeling and strategy should be completed within 1 year of signing the Record of Decision. Techniques to prevent further spread in CHZ and IHZ should be implemented within 2 years of signing the record of decision. Offset of annual grass spread in CHZ and IHZ should occur within 3 years of signing the Record of Decision. A Memorandum of Understanding (MOU) for reseeding on state-owned lands should be signed within 1 year of the Record of Decision. State lands should be reseeded within one year of a wildfire. An MOU for conifer removal should be signed within 1 year of the Record of Decision. Conifer removal on state lands should occur within the timeframe of federal projects.

These measures will be permanent, in contrast to BLM's existing temporary IMs for fire management. No other Alternatives in the LUPA/DEIS include a time frame for implementation.

Comment Number: IDMTSG-14-0159-35

Comment Excerpt Text:

Alternative D's mitigation strategy is "no net unmitigated loss" which means at best, a 1:1 ratio of acres. However, Alternative D essentially excludes infrastructure in its most restrictive management zone, so the opportunity for mitigation is essentially illusory. The Governor's Alternative approaches this issue more practically, with a general exclusion in CHZ but with a limited exemption process that reflects the valid existing rights of potential permit applications

Comment Number: IDMTSG-14-0322-2

Comment Excerpt Text:

Also missing is a plan of action with goals and objectives that will provide the methods, practices, and resources to accomplish the goals and objectives needed in the effort to improve or restore important sage-grouse habitat.

Comment Number: IDMTSG-14-0325-9

Comment Excerpt Text:

[This comment corresponds to the headings in Table 2-17 and Table 2-18] Integrated Invasive Species.

Loss of habitat due to invasive species was identified as a primary threat to GRSG by FWS. The only "action" proposed by Alternatives B, C, D and F is to mention GRSG habitat (D-IIS-1), to monitor and treat areas "associated with existing range improvements" (B-IIS-4) and to regulate project construction (in D-IIS-5).

Other than these, management of integrated invasive species is essentially no different than BLM's existing policy which has been detrimentally ineffective for various reasons. Further, BLM's efforts at integrated invasive species eradication have been opposed by groups closely associated with Alternatives C and F.

Given the relative importance of this threat as identified by FWS, NTT and USGS, BLM should commit to a program that actively plans, funds, executes and monitors large-scale integrated invasive species infestation eradications projects in a measureable timeframe. Alternatives A, B, C, D and F fail to do this.

SECTION 19 - VEGETATION RIPARIAN

SECTION 19.1 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0050-4

Comment Excerpt Text:

If the BLM and USFS truly want to restore riparian and meadow areas to benefit wildlife it needs to permanently remove the domestic livestock from those areas. It would seem much more likely that the ongoing degradation of riparian areas and meadows by domestic livestock is a limiting factor for sage-grouse because those areas are important brood-rearing habitat.

Comment Number: IDMTSG-14-0153-10

Comment Excerpt Text:

36 C.F.R § 219.8(a)(3). The plan must establish widths for riparian management zones, to which the

management outlined in the quoted section above will apply

Comment Number: IDMTSG-14-0153-44

Comment Excerpt Text:

While not necessarily associated with livestock grazing, in some areas, tamarisk and Russian olive are increasing in riparian areas; we are concerned that this will also degrade brood-rearing habitats through sage grouse avoidance of trees and creation of raptor perching and nesting habitat. What is the relationship between tamarisk and Russian olive invasion and livestock overgrazing in riparian habitats, and what does BLM propose to do to address the spread of these invasive trees?

SECTION 19.2 - BEST AVAILABLE INFO BASELINE DATA

Comment Number: IDMTSG-14-0151-80

Comment Excerpt Text:

Functioning condition of riparian/wetlands does not indicate 'stability', as PFC areas erode and headcut all the time. It does not represent sustainable use on often very limited and desertifying meadow/spring seep riparian areas. Why are there no meadow grazing, trampling standards here? Or sources of weeds/ Potential sources of West Nile, and other threats?

Comment Number: IDMTSG-14-0153-45

Comment Excerpt Text:

There appear to be deficiencies in BLM's riparian and wetland surveys across the planning area, and the DEIS does not present summary statistics for acreage of sage grouse habitat that is not meeting Properly Functioning Condition criteria. Please address this deficiency in baseline information, as riparian areas are crucial to sage grouse as brood-rearing habitats, and present this information in full in the FEIS

SECTION 19.5 - MITIGATION MEASURES

Comment Number: IDMTSG-14-0186-25

Comment Excerpt Text:

Page 2-141 [211]. D-LG/RM-16. As stated elsewhere herein, there exists an inherent discrepancy between

riparian and lentic condition that is better for sage-grouse, and “proper functioning condition” of the riparian/lentic resource. Specifically, some forbs (a specific example being dandelion) are highly preferred by sage-grouse, but are non-native species. The presence of these non-natives on a riparian/lentic area usually is used to justify an assessment by the agencies of less-than proper functioning condition. Likewise, moist or wet meadows in “proper functioning condition” are often – almost always – composed of deep-rooted perennial, sod-forming, grasses that preclude or severely curtail the presence of forbs. The agencies cannot simultaneously manage the same spot on the landscape for both. The FEIS/LUPA must rectify this discrepancy

Comment Number: IDMTSG-14-0191-1

Comment Excerpt Text:

Reduce first year mortality by focusing the chosen alternative on the improvement/protection of riparian habitat, leaving an abundance of woody and herbaceous vegetation standing tall enough to provide optimal cover for nesting and brood-rearing. This will mean excluding cattle from these riparian strips for most of the growing season.... particularly late in the season, when vegetation must be allowed to remain tall and dense. These riparian strips need to be kept intact through the nesting and brood-rearing months. Once the young grouse have dispersed from the cover of the riparian zone, then short duration cattle grazing could occur in these zones, as long as the vegetation has a sufficient period of time for recovery before the end of the growing season. In some regions, cattle grazing in riparian zones may simply be incompatible with maintaining the proper vegetative condition for grouse nesting and brood-rearing. So, cattle exclusion should be an option on a site-specific basis.

SECTION 20 - WATER

SECTION 20.3 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0151-7

Comment Excerpt Text:

Eroding soil and manure throughout watersheds end up in streams as increased sediment load, excessive nutrients, and pathogen contamination. Various grazing management strategies have not been found to reduce such watershed degradation.⁶³ The Final RMP/EIS needs to discuss the impacts of each of the alternatives on the soil and watershed conditions within the planning area and to provide appropriate mitigation measures under each alternative. A list of impaired waters and the sources of contamination within the watersheds of these public lands would be an appropriate place to begin taking a “hard look” at potential grazing effects from the public lands

Comment Number: IDMTSG-14-0178-18

Comment Excerpt Text:

[This comment refers to Alternative D] Water Developments (2-66, 4-104) –Restricting water developments or even removing existing developments, as prescribed by Alternative D would have a net negative impact on the species and on the agencies’ ability to manage the range.

SECTION 21 - WILD HORSE AND BURROS

Comment Number: IDMTSG-14-0050-11

Comment Excerpt Text:

Alternatives described would allow the BLM/USFS too much capricious discretion in forage allocations to private domestic livestock and wild horses and wild burros. In some alternatives, reductions in forage allocations would be borne equally by domestic livestock and wild horses and wild burros, despite the fact that domestic livestock vastly outnumber wild horses and wild burros in terms of: 1) land impacted (66% of BLM land used for domestic livestock vs. 12% of BLM land used for wild horses and wild burros); 2) forage allocated within wild horse and wild burro Herd Management Areas (82+% for private domestic livestock vs. 18% for federally-protected wild horses

and wild burros); and 3) population numbers (domestic livestock outnumber wild horses and wild burros by at least 50-1 on BLM land).

Comment Number: IDMTSG-14-0057-11

Comment Excerpt Text:

The genetic impacts of the proposed plan must be thoroughly examined including scientific data to justify the erroneous claim that any removal and upheaval would not negatively affect the genetic diversity of the mustangs and that any wild horses/burros allowed, by some miracle, to remain would be adequate for the genetic viability and future survival of a self-sustaining population. The agency must also analyze and disclose all critical genetic data on each of the wild horse and burro herds with all genetic reports provided and the impacts on the genetic health of each herd and its individual members in the planning areas who may be affected by the proposed GSPGS must be analyzed and all genetic information must be included in the final EIS.

Comment Number: IDMTSG-14-0057-8

Comment Excerpt Text:

Full disclosure of all forage allocations, AUMs and a complete list of livestock grazing allotments within federally designated wild horse/burro areas is necessary including the proportion of each allotment situated within all federally designated wild horse/burro habitat, and livestock forage allocations within each allotment in the HMAs/HAs for the purpose of allowing for an accurate analogy and credible examination. The final EIS must include orders prohibiting reductions of current AUMs of forage for protected wild horses and burros. The EIS alternatives must include AUMs for wild horses/burros to ensure self-sustaining genetically viable populations of wild equines. There must be allowance for increasing AUMs for wild horses/burros when reliable scientific data concludes that the genetic viability of a current population is threatened.

Comment Number: IDMTSG-14-0198-1

Comment Excerpt Text:

In some alternatives, reductions in forage allocations would be borne equally by livestock and wild horses, despite the fact that livestock vastly outnumber wild horses in terms of: 1) land impacted (66% of BLM land nationally used for livestock vs. 12% of BLM land used for wild horses); 2) forage allocated within wild horse Herd Management Areas (82+% for private livestock vs. 18% for federally-protected wild horses); 3) population numbers (livestock outnumber wild horses by at least 50-1 on BLM land); and 4) presence in critical sage grouse habitat (just 8-11% for wild horses vs. extensive presence by livestock).

Comment Number: IDMTSG-14-0228-3

Comment Excerpt Text:

Alternative D & E, the BLM's preferred alternatives, and Alternative E, created by the state of Idaho, allow BLM discretion in determining wild horse and grazing levels and set the stage for the reduction of AMLs or even zeroing out of HMAs. These alternatives do not address the major threats to sage grouse, specifically the massive livestock grazing that is occurring on 100% of PPH and 97% of PGH. Indeed, Alternative D envisions no change in areas open to livestock grazing, and Alternative E would actually increase the area available for livestock grazing in the planning area! This despite the fact that at least 1.9 million acres of livestock grazing allotments in in PGH and PPH are not meeting rangeland health standards.

These alternatives should be revised to include a clear description of the BLM's legal mandate to manage wild horses and burros as natural components of the public lands and a specification that grazing/AUM reductions should be borne by discretionary livestock grazing and not by wild horse and burros, which the BLM is mandated to protect.

Alternative F, which would reduce wild horse AMLs by 25% in the occupied habitat areas is not justified given the minimal overlap of wild horses with such habitat (just 3% in PPH and 1% in PGH) and the small number of wild horses (617/7,404 AUMS) vs. the

massive number of livestock (2.2 million AUMs/183,000 cows [year round equivalent]).

Comment Number: IDMTSG-14-0228-5

Comment Excerpt Text:

National Academy of Sciences review of and recommendations for the BLM Wild Horse and Burro Program must be considered.

When creating a final agency action all available pertinent data must be evaluated. Currently the management practices employed by the BLM wild horse and burro program have received severe criticism in the National Academy of Sciences (NAS) report released in June of 2013. (Attachment 4). It is notable that the BLM itself commissioned the study, set the scope of review and paid for it with over \$1 million in tax dollars. More than nine months after its release, the BLM is still “reviewing” its contents. The public and Congress’ expectation is that changes will be made within the program based on the findings that indicate a severe deficit in the data used to manage wild horses. Any alternative adopted must allow provisions for increasing habitat (repatriation of HA) and increasing AUMs/AML where genetic threat is shown to be encroaching.

As the adoption of any alternative for management of GRSG must clearly protect and preserve wild horses and burros. Any lack of clear direction is negligent fiscally as it is known that significant changes to managing wild horses and burros are imminent. Deficits in data that support current AMLs must be rectified. Any plan to manage GSG must consider all possible scenarios.

Presently, the LUP/EIS does address overall wild horse and burro management strategy, but omits entirely any mention, let alone consideration of the NAS report. This must be rectified in the final LUP/EIS, and any designated alternatives must allow for the full implementation of the NAS’ recommendations.

**SECTION 21.1 - BEST AVAILABLE INFORMATION
BASELINE DATA**

Comment Number: IDMTSG-14-0050-7

Comment Excerpt Text:

The plan and the proposed Environmental Impact Statement (EIS) do not adequately protect wild horses and burros in accordance with federal laws and regulations. The information included in these documents is outdated and incomplete. The EIS does not adequately reflect the Bureau of Land Management (BLM) and Forest Service (USFS) MANDATE to protect wild horses and burros vs. its DISCRETION to authorize domestic livestock grazing.

Comment Number: IDMTSG-14-0057-10

Comment Excerpt Text:

Clearly defined maps must be provided that will differentiate between all of the different Herd

Management Areas (HMAs) and Herd Areas (HAs) to allow for the restoration of HAs as a feasible alternative. Also factual data on the exact populations -- not guesstimates -- of wild horses within each and a listing of every designated area and data on the difference in AUM allocation of wild horses/burros vs. livestock must be included in the final EIS for the purpose of creating a plan for sage grouse whose protection is not at the expense of federally protected wild equines.

Comment Number: IDMTSG-14-0057-2

Comment Excerpt Text:

the EIS arbitrarily and wrongly attempts to categorize livestock AND wild horses together under the description of livestock

SECTION 21.2 - IMPACT ANALYSIS

Comment Number: IDMTSG-14-0039-3

Comment Excerpt Text:

Finally, the EIS fails to consider the significant differences in range impacts caused by livestock vs. wild horses.

Comment Number: IDMTSG-14-0050-10

Comment Excerpt Text:

In some sections the EIS wrongly lumps federally protected wild horses and wild burros together with privately owned domestic livestock.

Comment Number: IDMTSG-14-0050-13

Comment Excerpt Text:

The proposed EIS fails to consider wild horses as required under the law “as an integral part of the natural system of the public lands” (WFRHBA, 1971). Wild horses and burros contribute to the biological diversity, and are unique in possessing less efficient post-gastric digestive systems that contribute to higher material passage rates (Feldhamer, Thompson, Chapman, 2003). Horses also tend to utilize more abundant, but poorer nutritional quality plant species (Feldhamer, Thompson, Chapman, 2003). Horse droppings pass most seeds intact, which facilitates seed dispersal, and cycles nutrient rich material that builds soil moisture retention resulting in an increase in native plant diversity near horse trails (Downer, 2007) (Ostermann- Kelm, Atwill, Rubin, Hendrickson, Boyce, 2009). Competition between wild horses and burros and other native or domestic species has not been substantiated (Feldhamer, Thompson, Chapman, 2003). Wild horses utilize a broader range of plant species in their diet and are one of the least-selective grazers in the western states (Beever, 2003). Approximately 80% of their diet is composed of shrub and grasslands with less than 1% comprised of riparian vegetation (Berger, 1986). Wild horses use the land and resources at different intensities throughout the year, allowing for a natural rest and rotation of foraging pressures (Downer, 2007). Also, wild horses tend to use relatively few trails to travel to and from grazing, resting and water sources minimizing trampling and riparian damage near waterways (Beever, 2003) (Ganskopp, Vavra, 1986). These wild horse and burros “natural systems of the public lands” adaptations minimize impacts to their environment and illustrate sustainable integration within the ecosystem and assist in rebuilding and maintaining health of the sage grouse habitat.

Comment Number: IDMTSG-14-0050-6

Comment Excerpt Text:

Also omitted from the alternative(s) evaluation is the impact of private domestic livestock grazing as opposed to impacts from wild horse and burro use. There are extreme differences in the impacts generated by these users of public land and both the Center for Biological Diversity and Western Watersheds (WWP) have done extensive papers showing the impact of domestic livestock production to public land management. Wild horses, wild burros and other wildlife have minimal impact to the land when not impeded by allotment fencing, cattle guards and large turnouts of domestic livestock. To treat both of these uses as “grazing” is irresponsible to the purpose of the assessment to create an equitable management plan that is compatible with other provisions of the law and to protect the sage grouse.

Comment Number: IDMTSG-14-0057-1

Comment Excerpt Text:

The EIS is riddled with inaccuracies, misquotes and contradictions such as where the document states that “Under all alternatives, no direct change would occur to areas allocated as HMAs/WHBTs for wild horses and burros”, then the report proceeds to summarize how every single alternative WOULD restrict wild horse and burro usage in their own federally designated habitats. Which is it? The negative impacts (that seem likely according to BLM doublespeak) to federally protected wild horses and burros is not seriously examined

Comment Number: IDMTSG-14-0196-1

Comment Excerpt Text:

Specifically, the plan and EIS fail to adequately analyze impacts to wild horses, and none of the alternatives analyzed adequately protects wild horses and burros. The plan and EIS fail to distinguish federally-protected wild horses and burros from livestock, despite the fact that the latter have a far greater impact on greater sage grouse habitat than do the former.

Comment Number: IDMTSG-14-0198-2

Comment Excerpt Text:

the EIS fails to consider the significant differences in range impacts caused by livestock vs. wild horses.

Comment Number: IDMTSG-14-0228-1

Comment Excerpt Text:

I. Livestock vs. wild horses

The LUP/EIS fails to quantify the relative impacts of wild horses vs. livestock in the GRSG mapped occupied habitat areas. The LUP/EIS n Volume 2, Section 4.4 under most alternatives states that reduction in wild horse Allowable Management Levels (AMLS) could occur if GRSG objectives are not achieved.

However, the data presented in the LUP/EIS do not support the contention that wild horses are a threat to sage grouse in this planning region. In fact, wild horses were not identified as a major threat to sage grouse in Idaho by the Independent Scientific Panel referenced in Chapter 3, pdf p. 286.

Comment Number: IDMTSG-14-0228-4

Comment Excerpt Text:

Not only was the relative impact of wild horses vs. livestock on sage grouse habitat, in terms of acreage and AUMs, omitted, but also omitted was an evaluation of the rangeland impact of private livestock grazing as opposed to impacts from wild horse and burros. There are extreme differences in the impacts generated by these users of public land. These differences were clearly delineated in the National Marine Fisheries Service's biological opinion regarding impacts of wild horses in the Murderers Creek Wild Horse Territory in Oregon. (Attachment 3) Additionally, both the Center for Biological Diversity and Western Watersheds have written extensive reports showing the impact of livestock production (and its cost) to public land management.

**SECTION 22 – WILDERNESS AREAS/
WILDERNESS STUDY AREAS**

SECTION 22.1 - RANGE OF ALTERNATIVES

Comment Number: IDMTSG-14-0049-4

Comment Excerpt Text:

We also request that all preliminary priority habitat on USFS lands in the Caribou-Targhee National Forest be under special designation for sage-grouse, totaling 148, 646 acres.

We believe these special designations could include a combination of ACEC designation, Lands with Wilderness Characteristics ("LWCs") designation⁵, or zoological areas on USFS lands, providing that regardless of the special management designation chosen, sage-grouse and sagegrouse habitat conservation are a priority for the lands under designation.⁶

Comment Number: IDMTSG-14-0049-6

Comment Excerpt Text:

The DEIS states that Alternative F would designate 17 or 18 new ACECs that would include a total of 7,383,660 acres on BLM land, including 3,460 acres in restoration habitat. DEIS Table 2-2 at 2-27. According to Appendix H, this includes ACEC designation for all preliminary priority habitat. DEIS Appendix H at H-4. We support the designation under this Alternative F with the caveat that some of these lands should be designated LWC instead of ACEC (see Footnote 3 below).

Comment Number: IDMTSG-14-0154-3

Comment Excerpt Text:

BLM should identify lands with overlapping conservation values for protective designation, including considering whether and how protecting lands with wilderness characteristics would contribute to protecting and recovering sage-grouse in the planning area, and incorporate an analysis of these benefits into developing and selecting a proposed plan. BLM should complete LWC inventories as part of this planning process in accordance with Manual 6310, or at the very least

identify potential LWCs across the planning area and include all of those areas in its analysis and management decisions for this EIS.

Comment Number: IDMTSG-14-0157-13

Comment Excerpt Text:

One of the planning criteria developed by BLM for the Idaho DEIS is compliance with BLM's Manuals 6310 and 6320 regarding Lands with Wilderness Characteristics. Secretary Salazar's Secretarial Order No. 3310, Section 5(d), requires land use planning decisions to take wilderness characteristics into consideration and to manage lands with those characteristics in a manner that protects those characteristics as part of BLM's planning process. However, Secretarial Order No. 3310 may not, under the Department of the Interior, Environment, and Related Agencies Appropriations Act of 2014, be implemented, administered, or enforced in any manner. Id., § 124. The law does not affect the Secretary's authorities under Sections 201 and 202 of FLPMA that call for inventorying of wilderness characteristics and general land use planning and the DEIS recognizes its limited role in inventorying these lands. Section 3.20. Y -3 II remains attentive to these issues since some of our Idaho allotments appear to be designated as lands with wilderness characteristics. See Figure 3-16. Section 4.13.3 seems to state that these lands would be closed to motorized travel. This idea of road closures on these lands is repeated in Sections 4-13.4-9. To the extent that these lands with wilderness characteristics are incorporated into the actual management plans pursuant to any chosen alternative, any resulting road closures will be inconsistent with the statutory prohibition on the implementation of Order No. 3310.

SECTION 22.2 - BEST AVAILABLE INFO BASELINE DATA

Comment Number: IDMTSG-14-0049-5

Comment Excerpt Text:

In response to the upcoming Upper Snake Resource Management Plan revision process, GYC hired an intern to inventory lands in the field office for LWCs. As a result of that inventory, we have delivered a

report to the Upper Snake Field Office staff recommending that 13 units be designated as LWCs, totaling 131,612 acres. See Attachment 3 for a copy of the Introduction and Maps delineating those recommendations pulled from that report. We maintain that these lands should be designated as LWCs and ask that staff compiling this sage-grouse EIS/LUPA process work with the Upper Snake staff to obtain a full copy of that report if desired

Comment Number: IDMTSG-14-0153-53

Comment Excerpt Text:

The designation of new Lands with Wilderness Characteristics ("LWCs") under BLM inventories in Idaho and Montana represents significant new information that must be addressed here. BLM does not disclose the acreage or location of Lands with Wilderness Character that overlap with sage grouse Priority or General Habitats (See DEIS at 3-127 through 133), but apparently as much as 385,600 acres of lands with wilderness characteristics fall within potential Priority Habitats (DEIS at 4-219), although the figures disagree throughout the analysis (see DEIS at 3-161, 162). This failure to clearly present acreage of LWCs in the planning area and within potential Priority Habitat constitutes a failure to live up to NEPA's baseline information requirements.

Comment Number: IDMTSG-14-0154-2

Comment Excerpt Text:

The Draft EIS states that, "Currently no Field Offices have taken their lands with wilderness characteristics through a complete planning process to determine how they will be managed" (Draft EIS, p. 3-161. However, the Draft EIS goes on to state that there are about 452,000 acres of lands with wilderness characteristics in the planning area. Ibid. We expect there is substantially more acreage at issue that will eventually be inventoried and analyzed through future land use planning; however, deferring inventory and management decisions at this time will preclude the agency from capitalizing on this opportunity to strategically protect lands with multiple conservation values. We recommend BLM conduct a GIS-based roadless analysis to determine potential lands with

wilderness characteristics to inform this EIS, if full LWC inventories are not completed as part of this planning process.

Comment Number: IDMTSG-14-0157-14

Comment Excerpt Text:

Additionally, lands with wilderness characteristics are subject to continuation of existing uses including grazing in a manner and to a degree in which the same were being conducted in 1976 at the time of the passage of FLPMA. If the FEIS and Record of Decision call for management under any alternative so as to exclude grazing, even by road closures, the issue once again arises as to whether that form of management is consistent with the Tenth Circuit's decision in *Public Lands Council v. Babbitt*, 167 F.3d 1287 (10th Cir. 1999), affirmed on other grounds, 529 U.S. 728 (2000). The court criticized BLM's grazing regulations that would have allowed the placement of grazing districts into non-use status for the entire duration of a grazing permit absent designation of the lands as wilderness study areas through the FLPMA Section 603(c) process. The FEIS should explain how BLM is in compliance with the 2014 Interior appropriations act prohibitions on funding and implementing Secretarial Order No. 3310. Any alternative that may be selected by BLM must not manage lands with wilderness characteristics as de facto wilderness, including road closures.

Comment Number: IDMTSG-14-0168-38

Comment Excerpt Text:

4-16

"Within the GRSG range, 95 percent of the mapped sagebrush habitats are within 1.6 miles (2.5 kilometers) of a mapped road; density of secondary roads exceeds 3.1 miles per 247 acres (5 kilometers per square kilometer) in some regions (Knick et al. 2011)."

Comment:

We are very glad that both the Nevada — NE California and the Idaho — SW Montana EISs used the same template to point this out. Since this is the case that means that at least 95 % of mapped sage-

grouse habitat is ineligible for wilderness classification, WSA status, inventoried roadless classification, etc according to the statement above. The portions of the EIS that contradict this need to be re-written accordingly. Federal agencies and environmental extremist groups cannot have it both ways. The lands either have roads or don't. As written the EIS contradicts itself.

Table 4-70 needs to be explained in light of the above statement. The acres of "lands with wilderness characteristics" does not correlate with Knicks.

Comment Number: IDMTSG-14-0234-1

Comment Excerpt Text:

The letter on ACEC maps telling a reader which Alt. the ACEC maps go with is missing in the

ID SG EIS Figures 2-46 and 2-47. So a reader cannot tell what Alternatives the mapping goes with.

SECTION 23 - PREDATION

Comment Number: IDMTSG-14-0088-3

Comment Excerpt Text:

Conduct studies that include raptors and predators as factors in sage grouse efforts. Those affected by listing cannot be held solely responsible for issues beyond their ability to control.

Comment Number: IDMTSG-14-0148-3

Comment Excerpt Text:

C. Predator Control

Although the LUP accurately states that the BLM and USFS do not have management or control authority over predators, we are concerned about the very real threat that the overabundance of predators have on sage grouse. Because the LUP is proposing to alter land use activities to protect the species, it must be stated in the selected final alternative that before land use is limited, adequate measures must be undertaken to limit predator populations. Regardless of the amount of perceived suitable habitat for sage grouse, if predator populations are above sustainable and natural levels, they will have a big impact on the survival of the sage grouse species. It cannot be

overlooked that the decline of sage grouse closely mirrors both the decline in grazing numbers on public lands and the decline in predator control efforts.

Comment Number: IDMTSG-14-0157-11

Comment Excerpt Text:

The DEIS' discussion of predation is similarly inadequate. The Service's warranted but precluded finding states that predation may be limiting Sage-grouse populations in nearby northeastern Nevada where Y-3 II also operates. 75 Fed. Reg. at 13973. The Service notes that landscape fragmentation, habitat degradation and human populations have the potential to increase predator populations including increased suitability for ravens among other species that attack Sage-grouse. Idaho identified predation as a threat to Sage-grouse in 2006. See Table 1-2. Like the discussion of West Nile Virus, the Service concludes that definitive data are lacking to link Sage-grouse population trends with predator abundance. As with West Nile Virus, BLM has a duty to obtain this information or explain why it is either unavailable or too expensive to obtain. There is vast anecdotal information available as indicated by comments from ranchers across the West about the increase in predation on Sage-grouse and other species.

Comment Number: IDMTSG-14-0157-12

Comment Excerpt Text:

the Service's warranted but precluded finding raises concerns about anthropogenic causes of the species' decline including transmission corridors, wind energy structures, and other tall structures as providing perching points for avian predators and yet a full discussion and disclosure of the impact of those predators on Sage-grouse is not provided in the DEIS. If predators are not a significant threat to the species as concluded by the Service, then why is BLM analyzing the effects of anthropogenic structures that would lead to predation of Sage-grouse? The FEIS should not dodge the predator issue simply by the notion that predator control is primarily a state-regulated action and therefore outside the scope of the plan amendments. See Section 2.3.1. The absence of detailed analysis of the impact of predators and disease in the current environment and their effects

on the alternatives results is a major omission of the DEIS, especially since disease and predation are among the five specific ESA factors that could lead to a listing.

Comment Number: IDMTSG-14-0186-11

Comment Excerpt Text:

Predation needs to be considered as part of the habitat, especially since common raven population indices have increased by 400% between 1968 and 2009 (Breeding Bird Survey 2011). To pretend that a four-fold increase in predator density will not have appreciable impacts upon a prey species, regardless of the quality of habitat, is to practice "Walt Disney" biology.

Comment Number: IDMTSG-14-0325-4

Comment Excerpt Text:

[This comment corresponds to the headings in Table 2-17 and Table 2-18] FWS has not determined that disease or predation are primary threats to GRSG (D-Obj-13)

SECTION 24 - NOISE

Comment Number: IDMTSG-14-0168-37

Comment Excerpt Text:

Most of the data used in the noise studies cited by the EIS is from the NTT Report. It is not in compliance with the Information Quality Act of 2001 and should not be cited. The data are not public and the authors relied on speculation to support their claims. The underlying data used by the cited noise studies are not public, and therefore, the results are not reproducible. No data were reported from: 1) objectively-measured noise generated during various phases of drilling activities, 2) noise generated during production, 3) road noise, or 4) the occurrence of these over a 24 hour period. No data were reported on the environmental parameters under which any data were collected, or the ambient sound levels in the study area based upon professional standards (which include wind). Instead, the authors cited "unpublished data" and speculation about the accuracy of their playback noise levels, in support of their claims (emphasis in bold below):

"We played drilling noise and road noise on leks at 70 dB(F) sound pressure level (unweighted decibels) measured 16 m directly in front of the speakers (Fig. 1 & Supporting Information). This is similar to noise levels measured approximately 400 m from drilling rigs and main access roads in Pinedale, Wyoming (JIB and G.LP., unpublished data).

"To minimize disturbance, we took propagation measurements during the day. Daytime ambient noise levels are typically 5-10 dBA higher than those in the early morning (J.L.B and G.LP., unpublished data) and are likely higher than those heard by birds at a lek."

"For leks treated with drilling noise, recordings from 3 drilling sites were spliced into a 13-minute mp3 file that played on continuous repeat. On leks treated with road noise we randomly interspersed mp3 recordings of 56 semi trailers and 6 light trucks with 170 30-second silent files to simulate average levels of traffic on an access road (Holloran 2005). Noise playback on experimental leks continued throughout April in 2006, from mid February or early March through late April in 2007, and from late February through late April in 2008. We played back noise on leks 24 hours a day because noise from deep natural-gas drilling and vehicular traffic is present at all times."

There was no data presented in the cited studies that the playback sound was an accurate rendition of actual frequencies and sound pressure levels from oil and gas operations as measured at set-back distances required by the BLM, or that it occurred at the same levels 24 hours a day. Instead, the authors relied upon "unpublished data" or speculation. The BLM cannot rely upon data that are not publicly available (unverifiable data), or speculation, as the basis for its decision making.

The EIS did not accurately portray the methods and results of the studies by Patricelli et al. (2010) and Blickley et al. (in preparation). As an initial matter, Patricelli et al. (2010) is an unpublished, 16-page powerpoint presentation, it is not a scientific paper or report.

Recordings of operations and traffic noise were played back at the edges of leks at sound pressure levels in excess of what they would be on the majority of lands managed by the BLM where oil and gas operations occur. While a 0.25 mile buffer has been the minimum set back distance required by the BLM, most oil and gas operations are found at far greater distances from leks (Wyoming Oil and Gas Conservation Commission well data and Wyoming Game and Fish lek count and location data). Thus, the reported effects on sage grouse were biased in the cited studies to achieve a negative response by sage grouse rather than measure responses from sound pressure levels as they would occur at the required set back distances.

Blickley et al. (in press) maximized projected sound from recordings at the edges of leks, which were as high as the noise levels occurring within 200m of a busy freeway (as measured across an open field with traffic loads of greater than 50,000 cars per day, or 55-70 decibels as shown in Figure 2 of Reijnen et al. 1995). Below, is a relevant

excerpt from Blickley et al. (in press):

"Drilling-noise recordings were broadcast on experimental leks at an equivalent sound level (Leq) of 71.4 ± 1.7 dBF (unweighted decibels) SPL re 20 Pa (56.1 ± 0.5 dBA [A-weighted decibels]) as measured at 16 meters; on road-noise leks, where the amplitude of the noise varied with the simulated passing of vehicles, noise was broadcast at an Lmax (maximum RMS amplitude) of 67.6 ± 2.0 dBF SPL (51.7 ± 0.8 dBA)."

The fact that authors broadcast such high levels of noise in such close proximity to leks biased the results, an error of omission by the authors and the EIS that cites them and proposed regulations based upon their recommendations.

The EIS and the NTT Report where much of the information came from cannot have it both ways, claiming a negative effect on sage grouse populations but admitting that there was "low statistical support for a cumulative effect of noise over time" in the study by Blickley et al. (in press). As noted above,

there are no data showing a long-term cumulative decline in the sage grouse population in the Pinedale Planning Area.

Deficiencies in Blickley et al.'s equipment, as documented by Dr. Ramey, are detailed below.

Microphone:

According to the manufacturer (<http://en-us.sennheiser.com/k6-microphone-system>), "the ME 62 [microphone used by Blickley et al.] is an omnidirectional microphone head suitable for K6 and K6P powering modules. It can be used for reporting, discussions and interviews. The ME 62 is particularly suitable for good reproduction of 'room' ambience and 'spaced omni' stereo recording. Matt black, anodized, scratch-resistant finish."

Recorder:

The Marantz model PMD670 used by Blickley et al. does not offer high-resolution (88.2 or 96 KS/s) sampling rates, its metering

characteristics are unknown, and it is limited to 16/48 recording and thus is not considered a high-resolution recorder. It retails online for \$700.

Playback speakers:

The speakers used in the study were standard outdoor speakers camouflaged as rocks and designed for background music playing in home, hotel, and amusement park applications. They were not designed for accurately reproducing industrial sounds. The specifications for the speakers may be found on the manufacturers website:

<http://www.ticcorp.com/specifications/tfs14.pdf>. The speakers were powered by 12 volt car batteries rather than 120 volt AC power and a car stereo amplifier of unknown make and model was used to boost the output. Packed into each simulated rock speaker housing was a 10" woofer with an injection molded cone, a 5.5" midrange cone, and 2" soft dome tweeter. The size and quality of the speakers, and the

small speaker housing, severely limits the physical capability of the system to accurately reproduce either low or high frequency sound produced by oil and

gas operations or traffic.

As a result of substandard equipment and lack of expertise in sound recording and reproduction, Blickley et al. (in press) resorted to placing their speakers at the edge of leks and to playing their systems at high levels in order to elicit a behavioral response. This is a biased approach to obtain a preferred result. The BLM cannot rely on biased research in its decision-making.

The recommended noise levels are not based upon any standardized, repeatable data collection, or accepted methods of sound measurement.

The methods used by Blickley et al. (in press), and reported results did not contain any credible, professional analysis of local ambient sound levels or oil and gas noise (e.g. the type, duration, frequencies, sound pressure levels, and power of sound produced by different oil and gas drilling or production operations; equipment being recorded); or employ the use of professionally accepted standards, such as International Organization for Standardization (ISO) standards for quantifying industrial and traffic noise (<http://www.iso.org/iso/home/standards.htm>). The standards not followed by the cited studies include, but are not limited to: ISO 1996-1:2003 Acoustics -- Description, measurement and assessment of environmental noise -- Part 1: Basic quantities and assessment procedures; ISO 9613-2:1996 Acoustics Attenuation of sound during propagation outdoors -- Part 2: General method of calculation; ISO 4871:1996 Acoustics -- Declaration and verification of noise emission values of machinery and equipment; ISO 532:1975 Acoustics -- Method for calculating loudness level; ISO 7196:1995. Acoustics -- Frequency-weighting characteristic for infrasound measurements; ISO 8297:1994 Acoustics -- Determination of sound power levels of multisource industrial plants for evaluation of sound pressure

levels in the environment -- Engineering method; and IEC 61672-1:2002(E) Electroacoustics, Sound level meters -- Part I: Specifications).

Blickley et al. did not employ any sound propagation models in their study to quantify the confounding effect of temperature, relative humidity, topography, ground cover and surface porosity, wind direction, the direction noise was generated from, the geographic extent of the noise, its duration, frequency of occurrence, or permanence, (Attenborough 2007). Nor did they provide any correlation of their playbacks compared to the industrial and traffic sources they had attempted to duplicate. Furthermore, no graphic equalizer was used which would have allowed for the adjustment of sound pressures in different frequency ranges (at standardized 1/3 octave band frequencies), and no measurement of sound pressure levels was taken in front of playback speakers, which together would have allowed for the accurate reproduction of the sound at the same frequencies and sound pressure levels as the original noise. Therefore, BLM cannot base regulations upon no data and results based upon arbitrary methods that are not compliant with accepted professional standards in the noise control industry (i.e. Bies and Hansen 2009; ISO).

Noise limits recommended in the EIS, base on the NTT Report, are biased downward.

What is being proposed for noise thresholds is an "impossible to achieve" standard found in an idyllic wilderness setting, on quiet days when the wind does not blow, the leaves do not rustle, birds do not sing, humans are completely absent, streams are not close by, and no aircraft fly overhead. While this may be appropriate for management of anthropogenic sound in the wilderness areas of some national parks (Lynch et al. 2011), it is not appropriate and would be impossible to achieve on most of the BLM lands in the West that are administered for multiple uses.

There are no data to justify the minimum sound levels used as a basis in Blickley et al.'s (in press) recommendations, or the supposed "disruptive

activities" that an increase of 1 OdbA above these would cause. There are no data to show that the minimum levels recommended in the NTT based alternatives in the EIS occur for extended periods of time in any of the sage-grouse core areas, including the Pinedale Planning Area.

The EIS, based on the NTT Report, or cited studies, did not present the results of other studies of noise generated by the oil and gas industry (especially in the Pinedale Planning Area), even though those studies and data were available at the time the EIS was being prepared (i.e., Harvey 2009).

The cited studies were biased in a way to find a measurable impact, the speakers were increased from two to four during the course of the study, and the sound pressures measured in front of the speakers, and effect on sage grouse, were made without regard to the increased sound gradient created by their close distance (i.e. due to the physics of sound attenuation over distances, also known as a the inverse square law, where sound decreases four times for every doubling of distance from its source) as compared to leks at the required BLM setback distances of 0.25 or 0.6 miles.

SECTION 25 - WEEDS

Comment Number: IDMTSG-14-0151-42

Comment Excerpt Text:

There is not a current baseline of the degree and severity of cheatgrass, medusahead, bulbous bluegrass and other flammable invasive weed infestations at present in areas of plant understories. Peterson 2006 cheatgrass mapping work has long been available to BLM.

Comment Number: IDMTSG-14-0151-53

Comment Excerpt Text:

It also lacks accountability for the agencies themselves, for the massive treatment and fuelbreak schemes that are proposed or contemplated. There is no acreage limit, no review of past projects to understand the weedy species that have been planted, the weeds that have resulted, the impacts to sensitive

and important species habitats and populations, and other important information.

Comment Number: IDMTSG-14-0151-57

Comment Excerpt Text:

Since agencies are clearly planning vast and sprawling treatments, a new and current analysis of all the direct indirect and cumulative adverse effects of herbicide use and drift, on land, air, water, sagebrush habitats, wild lands recreation, and public health must be provided

The PER Report that accompanied the Weed EIS was not a valid Plan. There has been no full and integrated analysis of the cumulative adverse direct, indirect and cumulative impacts of the battery of highly disturbing cutting, chaining, logging, roller-beating, mowing, chopping, chipping, road building, etc. involved with the PER’s radical treatment regime – and all of their direct, indirect and cumulative adverse impacts to soils, water quality and quantity, local climate, desertification processes, watershed integrity, sagebrush vegetation, forested vegetation, riparian area springs, seeps, streams and meadows, cultural sites, and recreational uses and enjoyment of the public lands. Nor any analysis of effects on sensitive species, including sage-grouse.

In fact, if BLM would have conducted NEPA on the PER, it may have found what is now being shown in Hess and Beck et al. 2010 and 2012, Jones et al. Review 2013. The series of large-scale vegetation manipulation treatments and “tools in the toolbox” of the PER (many of which BLM in Idaho would use in treatments of trees and sage under the uncertain “GOAs” and BMPs of the DEIS) were harmful, produced cheatgrass, did not result in claimed beneficial outcomes, and were highly risky. Not to mention these are often extremely expensive.

Comment Number: IDMTSG-14-0168-36

Comment Excerpt Text:

4-11

"The cheatgrass fire cycle causes GRSG habitat loss and degradation on an annual basis. Currently, due to the extent of-the threat, there are no

management actions that can effectively alter this trend, and fires are estimated to reduce GRSG habitat within the Great Basin by 58 percent in the next 30 years (Miller et al. 2011)."

Comment:

Delete the above sentences. This one-size fits all sentence is also in the Nevada — NW California Sage-Grouse EIS. This is the crux of the problem and it is unacceptable for the agencies to ignore it. The highlighted portions of the sentence are untrue, as explained below.

Insert: Fire is a primary threat to GRSG populations and habitat where increasing exotic annual grasses, primarily cheatgrass, are resulting in sagebrush loss and degradation (USFWS 201 Oa, p. 13,932). Under all actions proposed in the EIS, including the No Action Alternative, the BLM and US Forest Service will take immediate, aggressive actions to reverse the cheatgrass fire cycle with existing known tools listed below as well as develop new science and management tools to eradicate cheatgrass. in the alternative, the agencies will dispose of the land and allow private landowners to manage it. Private landowners know the value of proper vegetative management and have the financial incentives to return the land to productive use.

The BLM and US Forest Service understand that restricting mining, grazing, oil and gas and other energy development, roads, etc. will not truly help the sage-grouse. Instead, provide incentives to these industries to create the economic engines to drive habitat restoration and reverse the cheatgrass fire cycle.

Incorporate the following information throughout the EIS:

Cheatgrass can be controlled mechanically, biologically, chemically or by applying fire under controlled conditions. The best results come from a combination of some or all of these techniques. The key to eradicating cheatgrass is diligence — once you begin the process you must be persistent and

continue follow-up treatments for up to four or five years (or however long it might take because cheatgrass seeds may survive in soils this long).

Mechanical Treatments

Hand pulling — during spring and fall; repeat when new plants appear; effective in small areas only.

Disking/tilling (live plants) — spring and fall before the seed heads turn purple; repeat when new plants appear; use disk, rototiller, spike-tooth harrow, etc.

Disking/tilling (seeds) — once in late spring before seeding with desirable species in the fall; bury seeds at least three inches deep to prevent germination.

Mowing — not recommended as a long-term control technique as seed may be produced by mown plants.

Biological Treatments

Livestock grazing — graze, very heavily, twice early in spring (approximately three weeks apart) when the grass is green but prior to seed formation; repeat for at least two years.

Chemical Treatments

A few chemical formulations exist, such as Plateau or Roundup, that may control or even eradicate cheatgrass. No one herbicide will control all weed species. Combinations of herbicides may be required for control. For more assistance with chemical cheatgrass control, contact your county weed office or your local University Extension office.

Controlled Burning Treatment — late spring and summer; controlled burning has associated risks which should be addressed in a prescribed burn plan. If not done correctly, prescribed burns may escape control and become wildfires, produce smoke that impairs visibility on highways or impacts individuals with respiratory problems, and may cause damage to desirable vegetation. Consultation with a prescribed fire/controlled burn specialist is recommended when developing a prescribed burn plan.

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