



NW_Sage_Grouse, BLM_CO <blm_co_nw_sage_grouse@blm.gov>

Greater Sage Grouse

3 messages

J Paul Brown <brownjpaul@yahoo.com>

Mon, Dec 2, 2013 at 6:22 AM

Reply-To: J Paul Brown <brownjpaul@yahoo.com>

To: "blm_co_nw_sage_grouse@Blm.gov" <blm_co_nw_sage_grouse@blm.gov>

To whom it may concern,

As a member of Colorado Wool Growers Association, the Colorado Cattlemen's Association and the Colorado Public Lands Council and also a former member of the Colorado House of Representatives, I second and submit these comments regarding the Greater Sage Grouse Draft Land Use Plan Amendment and Environmental Impact Statement. This plan will have a devastating effect on Western State economies. The Greater Sage Grouse is not by any means "endangered" and should not be listed!

Sincerely,

J.Paul Brown

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1 | Page

Colorado Wool Growers Association

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NEPA Coordinator December 2, 2013

Bureau of Land Management, Northwest Colorado District

2815 H Road

Grand Junction, CO 81506

blm_co_nw_sage_grouse@blm.gov

Re:

Greater Sage Grouse Draft Land Use Plan Amendment/Draft Environmental Impact Statement

The Colorado Wool Growers Association appreciates this opportunity to provide input on the Greater Sage Grouse Draft Land Use Plan Amendment/Draft Environmental Impact Statement (Draft LUPA/EIS).

At ~1,400 pages in length, the Draft LUPA/EIS, is extremely cumbersome and difficult document to analyze. While many environmental NGO's have a full time staff of attorneys and other individuals to devote to these processes; individuals and grass-roots organizations do not, which severely limits their ability to full participate in the process. Our first observation of the Draft LUPA/EIS, is that it is another example of regulatory overburden pushing small business towards bankruptcy and supporting an elitist agenda of locking away our public lands. The Colorado Wool Growers Association supports the following comments provided by the White River and Douglas Creek Conservation Districts:

Northwest Colorado Greater Sage-Grouse LUPA and EIS Concerns

The White River and Douglas Creek Conservation Districts (Districts) support BLM managing lands to support the Greater Sage Grouse (GSG). It is our firm belief that the GSG can and will

thrive with all the multiple uses based on sound scientific range land management. The Districts participated in BLM's Cooperating Agency process as they drafted this NW Colorado Greater Sage-Grouse Draft Land Use Plan Amendment and Environmental Impact Statement (DLUPA/EIS). Then we worked with a diverse group of stakeholders to discuss and understand the ramifications of the proposed DLUPA/EIS with the intention of making specific comments on the document. However the Douglas Creek and White River Conservation Districts have determined this document to be fundamentally flawed and have now turned our attention to working with other stakeholders, including the State of Colorado in an effort to get the BLM to either consider an additional alternative or utilize a large portion of Alternative A within their Record of Decision.

SPECIFIC CONCERNS

Range Management: The below stated Range Management objective within the DLUPA/EIS is not consistent with BLM's multiple use mandate and requires management for a single species.

Objective: Manage the Range Management program to 1) maintain residual herbaceous cover to reduce predation during nesting, 2) avoid GRSG habitat changes due to herbivory, 3) avoid direct effects of herbivores on GRSG, such as trampling of nests and eggs, 4) avoid altering GRSG behavior due to the presence of herbivores, 5) avoid impacts to GRSG and GRSG behavior from structures associated with grazing management, and 6) maintain and develop agreements with partners that are consistent with before-stated Range Management objectives.

Therefore, we propose the above objective be deleted and replaced with:

"To meet BLM Standards for Public Land Health and Guidelines for Livestock Grazing Management in Colorado with special attention to Standard #4."

Public Land Health Standard 4 states: **"Special status, threatened and endangered species (federal and state), and other plants and animals officially designated by the BLM, and their habitats are maintained or enhanced by sustaining healthy, native plant and animal communities."**

Indicators are as follows and would be clear guidance to BLM staff and interested parties regarding how to manage for any species of concern:

- All the indicators associated with the plant and animal communities standard apply.
- There are stable and increasing populations of endemic and protected species in suitable habitat.
- Suitable habitat is available for recovery of endemic and protected species.

Peer reviewed scientific studies have proven Range Best Management Practices (BMP) are not detrimental to Greater Sage Grouse (GSG) habitat and in fact can be beneficial to the GSG and other species habitat. Therefore, the Districts request the BLM reflect this information and focus on sound range management. We oppose retirement of grazing permits and grass banking.

Range of Alternatives: Under section 2.3.1, Develop a Reasonable Range of Alternatives, the paragraph numbered 2 states: "Blended goals, objectives, and actions from the two action alternatives to formulate a third action alternative (Alternative D) that strives for balance among competing interests and has the greatest potential to effectively address the planning issues." This does not meet the NEPA requirement.

An example that is totally unacceptable is the four mile radius NSO (no surface occupancy) from active leks in all three "action" alternatives. The same restriction listed in all three "alternatives" do not provide true alternatives. This is one issue that BLM and all stakeholders need to work together on to identify true alternatives that provide balanced and multiple uses of

the public lands. 3 | P a g e

A second example is the three or five percent disturbance caps. Alternative D does provide for the larger percentage of disturbance cap. However, all three "alternatives" require the overreaching of private property rights by monitoring disturbances on the private lands. BLM does not have this authority. Local counties are the entities that have the authority to do land use planning. BLM is overreaching their authority and Counties need to reject this effort. BLM has made it clear that the NTT Report (Alt. B) will heavily influence the management restrictions across the West. This document does not consider local conditions and assumes one size fits all. An independent review of it verifies it does not adequately represent a comprehensive and complete review of the best scientific and commercial data available and is inappropriate for use as the primary basis of many proposed management restrictions. (*Rob Roy Ramey, Review of Data Quality Issues in a Report on National Sage-Grouse Conservation Measures Produced by the BLM NTT, Sept. 19, 2013*)

Alternative A is considered the "no action" alternative. Because the BLM utilized little input from the Cooperating Agencies and relied heavily upon the flawed NTT Report in this EIS/LUPA, it is very limited in scope. Therefore, we request that many features of Alternative A be utilized in the final decision. We specifically request many of the features from the Little Snake RMP be utilized as that RMP was developed within the past two years and it meets BLM's multiple-use requirement as well as provides for good GRSG habitat management. The Districts are in the process of identifying these specific features of Alternative A that we support.

Inadequate Socioeconomic Analysis: The Socioeconomic Analysis of this report relies heavily on non-market valuations and therefore underestimates the economic impact of all the action alternatives.

Other areas of concern for the Colorado Wool Growers Association are listed on pages 4-7: 4 | P a g e

The document does not contain an adequate range of alternatives as required under the National Environmental Policy Act (NEPA)

NEPA and Council on Environmental Quality (CEQ) regulations require agencies to consider a

well- defined range of management alternatives and have a clear basis for choosing among the

options. While the agencies claim they "will consider a range of reasonable alternatives, including appropriate management prescriptions,"¹ the DLUPA/EIS does not include an

alternative that would protect GSG and its habitat while also meeting the traditional multiple-use

concepts required under the Multiple-Use Sustained Yield Act of 1960, the Federal Lands

Policy and Management Act of 1976 (FLPMA), and the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976. Alternatives carried forward for analysis must be reasonable and meet existing land use

objectives and mandates.

Instead, the preferred alternative (Alternative D) largely represents a mixture of the elements of

Alternatives B and C, one of which relies on non-site specific recommendations from the NTT

report, and another that employs impractical restrictions developed by special-interest

environmental groups. As currently proposed, it is unclear how the BLM would implement any of

the proposed alternatives and still be able to meet their multiple-use mandate.

During scoping, the agencies received input from local and state governments that have been recognized as cooperating agencies in this process. During these meetings, the cooperating agencies offered substantive input that would provide a fourth alternative usually reserved for cooperating agency guidance. Unfortunately, those suggestions were not factored into the formulation of alternatives.

To ameliorate this dilemma, we urge the agencies to draw upon the materials submitted by the cooperating agencies that foster GSG conservation as well as a range of public land uses and incorporate those elements into the preferred alternative in the final LUPA/EIS. Taking this step will help ensure that the final LUPA/EIS actually balances economic development with GSG protection in the planning area and that the agencies have considered a broader range of management alternatives as required under NEPA and CEQ regulations.

The analysis and recommendations in the document rely heavily on the BLM National Technical Team's Report (NTT) Report, which failed to include recent scientific and commercial data and

would severely limit the ability of the agencies to meet their multiple-use mandates

We question the reliance on many cited sources in the DLUPA/EIS, particularly the NTT Report. Some recommendations from the NTT report are directly included in the preferred alternative, and it appears the report serves as the basis of many of the proposed management restrictions.

The use of the NTT report is problematic as it contains overly burdensome recommendations that are not based on local conditions in northwest Colorado. An independent review of the report shows that 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

1 DLUPA/EIS at 25 5 | P a g e

specialist advocates.² As such, the NTT report does not adequately represent a comprehensive and complete review of the best scientific and commercial data available and is inappropriate for use as the primary basis of many of the proposed management

restrictions.

The agencies have proposed overly broad and rigid management restrictions in mapped habitat areas

We question the proposal to impose rigid, uniform management restrictions without consideration of local conditions in habitat areas that were mapped by Colorado Parks & Wildlife. The agencies have proposed to prohibit surface occupancy or disturbance within four miles of a lek in Preliminary Priority Habitat (PPH) during nesting, lekking, and early

brood-rearing periods. The four-mile buffer around leks does not address the variations in

habitat quality or use and given the topography of the planning area there is substantial acreage within four miles of leks that may not actually be GSG habitat.

The map of "Ecological Sites Supporting Sagebrush" fails to differentiate between sagebrush habitat quality or use by GSG. As a result, the agencies may be arbitrarily expanding areas subject to the management restrictions outlined in the DLUPA/EIS to areas that do not actually contain active leks or GSG habitat. In addition, there is no scientific evidence that enforcing rigid, uniform restrictions across thousands of acres will actually benefit the species and its habitat, which is counter to the agencies' objectives for this planning process. These factors

undercut the agencies' ability to work with users of public lands to identify site-specific plans

that allow for development while protecting the GSG and high- quality habitat.

Furthermore, the agencies have not provided a mechanism to ground-truth the habitat areas on

a project-specific basis before imposing restrictions, or to monitor its quality or use in the

future. Without ground-truthing and future monitoring, the agencies will likely preclude

multiple-use activities in areas that do not actually support GSG habitat or active leks,

unnecessarily preventing economic activities without commensurate benefit to GSG populations and habitat.

The analysis underestimates the negative socioeconomic impact of the proposed management of GSG in the planning area

Users of public lands in northwest Colorado pump millions of dollars into the national, state and

local economies and provide thousands of high-paying jobs within the planning area. The

management restrictions and closures in the DLUPA/EIS will undeniably have a direct impact on these users and will have a negative impact on the future viability of coal and hard rock mining, oil and natural gas development, agricultural production, grazing and ranching activities, and power generation in the planning area and beyond. As a result, crucial tax revenue and other economic benefits from these activities will decline.

Unfortunately, the agencies underestimate and consequently underreport this negative impact.

The socioeconomic analysis is biased in favor of non-market valuation methods which by the

agencies' own admission "are not directly comparable to regional economic indicators commonly used to describe how natural resources on public lands contribute to the regional economic indicators such as output/sales, labor income, and employment."³ Due to this bias,

the agencies have overestimated non-market

2 Rob Roy Ramey, *Review of Data Quality Issues in a Report on National Sage-Grouse*

Conservation Measures

Produced by the BLM National Technical Team (NTT), (September 19, 2013).

3 DLUPA/EIS at M-13 6 | P a g e

valuations and underestimated the negative economic impact on local communities and the State of Colorado.

The agencies portray the socioeconomic impacts on the entire planning area but do not delineate the effects that would result from the proposed management restrictions on specific areas, including counties. A more specific portrayal of the projected impacts which was proposed by many cooperating agencies during the scoping process would help those impacted to fully understand the varying levels of socioeconomic impacts that will result from the DLUPA/EIS.

The disturbance cap methodology proposed in the DLUPA/EIS is not clearly defined and lacks scientific justification

Limiting surface disturbance in the 21 management zones using a cap is a central component of the management of GSG as proposed in the DLUPA/EIS. The methodology proposed for implementing a cap in the DLUPA/EIS is not clearly defined, lacks scientific justification, and no evidence exists that it will result in sustaining or increasing sage grouse populations.

The agencies have not adequately elucidated several critical details about the functionality and application of the cap concept. For example, the DLUPA/EIS does not clearly explain the scientific data or the sources for that data that is being used to establish the cap; how the disturbance database would be managed and updated and by whom; if or how disturbance percentages will capture reclamation or habitat enhancements; whether and how temporary anthropogenic disturbances will be treated differently than permanent disturbances; and whether and how GSG populations will be actively monitored in each zone and by whom. Because a cap tool, like the one proposed in the DLUPA/EIS, presents myriad challenges that may inhibit consistent and clear implementation, the basis and functionality of the tool must be clearly thought out and presented to entities that will be impacted by its use.

The agencies have not presented information adequately demonstrating that limiting total disturbance to less than 30% in a particular management zone is actually achievable, scientifically defensible, and would result in stable populations in the management zones. Habitat disturbance should be managed according to more localized considerations including habitat quality and habitat distribution, as well the nature and variability of multiple use activities and their associated mitigation.

We are similarly concerned that the cap approach affords the agencies the unprecedented discretion to halt projects on public lands in order to compensate for disturbances on private land. While the agencies state they will not inventory private lands or monitor the activities of private landowners, they will track and account for large projects on private lands and apply them against disturbance caps. ⁴ This approach represents a broad overreach of the agencies' authority and is inappropriate.

The document does not adequately explain the proposed mitigation strategy or the context for its use

Throughout the DLUPA/EIS, the agencies reference the notion of utilizing mitigation strategies but have not adequately defined the basis or context when mitigation might be used. While BLM has adopted an interim offsite mitigation policy, the DLUPA/EIS lacks the specificity necessary to implement approaches

4 DLUPA/EIS at F-3 7 | Page

that would meet the parameters of this policy, much less give adequate direction to BLM Field Offices that mitigation is a viable option.

Colorado, through a diverse stakeholder process, has under development a mitigation approach called the *Colorado Habitat Exchange* that would meet, if not exceed, BLM's mitigation policy. We request that the agencies develop a more meaningful strategy for mitigation and further define the means by which mitigation might be used in the context of the alternatives in the DLUP/EIS with special attention paid toward the efforts underway in the State around the *Colorado Habitat Exchange*.

Respectfully,

Gary Visintainer

CWGA President

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Mon, Dec 2, 2013 at 6:24 AM

Reply-To: J Paul Brown <brownjpaul@yahoo.com>

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To whom it may concern,

As a member of Colorado Wool Growers, the Colorado Cattlemen's Association, and the Colorado Public Lands Council and also as a former member of the Colorado House of Representatives, I second and submit these comments regarding the Greater Sage Grouse Draft Land Use Plan Amendment and Environmental Impact Statement. This plan will have a devastating effect on Western State economies. The Greater Sage Grouse is not by any means "endangered" and should not be listed!

Sincerely,

J. Paul Brown

Box 178, 1776 CR 319

Ignacio, Co. 81137

RE: Northwest Colorado Greater Sage-Grouse Draft Land Use Plan Amendment and Environmental Impact Statement

To Whom It May Concern:

On behalf of the Colorado Cattlemen's Association (CCA) and Colorado Public Lands Council (PLC), we respectfully submit the following comments on the Northwest Colorado Greater Sage-Grouse Draft Land Use Plan Amendment and Environmental Impact Statement (EIS). CCA and PLC constituencies have a direct and vested interest in management decisions made in the final EIS which in turn will directly affect the sustainability of livestock grazing, public lands and even private lands use in Colorado. Within the context of sustainability, we are directly concerned about sweeping economic impacts that were not adequately considered by the EIS; fundamental Greater Sage Grouse (GSG) conservation measures that have shown success but were not adequately considered; and finally the sweeping impacts to our local communities in northwestern Colorado from a single issue management approach.

As the nation's oldest state cattlemen's association, founded in 1867, the Colorado Cattlemen's Association's mission is to work collectively, as stewards of natural resources, to advance the viability of beef production; while enhancing the role of beef in a healthy lifestyle. As the premier cattlemen's association that serves as the principal voice and

advocate for Colorado beef production by developing a dynamic and profitable industry that ensures growth and opportunity for future generations, our commitment lies within these core competencies: Government Affairs, Issue Management, Communication and Outreach, and Member Services and Benefits. Members take pride in CCA's ability to achieve results for Colorado's beef producers. Beef producers join CCA voluntarily and manage it cooperatively.

Since 1968, the Public Lands Council has represented livestock ranchers who hold public lands grazing permits, preserving the natural resources and unique heritage of the West. These ranchers steward nearly half of Colorado's lands through a private/public partnership of livestock grazing. Colorado and the National PLC work to maintain a stable business environment in which livestock producers conserve western resources for wildlife, recreation, and food production.

The CCA and PLC believes there has been significant efforts undertaken in northwest Colorado to conserve GSG and we support the agencies' efforts to craft additional management procedures to conserve and protect the species and its habitat in order to demonstrate to the U.S. Fish & Wildlife Service (FWS) that a listing under the Endangered Species Act (ESA) is unnecessary. Nonetheless, after reviewing the EIS CCA, PLC and broad group of public and private stakeholders have identified several issues with the document that, if implemented, will have a number of inequitable socioeconomic consequences in northwest Colorado. Furthermore, we have concluded that the proposed management procedures in the EIS far exceed what is needed to demonstrate to FWS that the regulatory mechanisms needed to conserve GSG and its habitat will exist in the planning area.

The signatories of this letter are seriously concerned about many facets of the EIS that will adversely affect our respective constituencies. The collective stakeholders believe that the document has been rendered fundamentally flawed due to the following reasons:

1. The document does not contain an adequate range of alternatives as required under the National Environmental Policy Act (NEPA).
2. The analysis and recommendations in the document rely heavily on the BLM National Technical Team's Report (NTT) Report, which failed to include recent scientific and commercial data and would severely limit the ability of the agencies to meet their multiple-use mandates.
3. The agencies have proposed overly broad and rigid management restrictions in mapped habitat areas.
4. The analysis underestimates the negative socioeconomic impact of the proposed management of GSG in the planning area.
5. The disturbance cap methodology proposed in the EIS is not clearly defined and lacks scientific justification.
6. The document does not adequately explain the proposed mitigation strategy or the context for its use.

Inadequate Range of Alternatives

NEPA and Council on Environmental Quality (CEQ) regulations require agencies to consider a well-defined range of management alternatives and have a clear basis for choosing among the options. While the agencies claim they "will consider a range of reasonable alternatives, including appropriate management prescriptions,"^[1] the EIS does not include an alternative that would protect GSG and its habitat while also meeting the traditional multiple-use concepts required under the Multiple-Use Sustained Yield Act of 1960, the Federal Lands Policy and Management Act of 1976 (FLPMA), and the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976. Alternatives carried forward for analysis must be reasonable and meet existing land use objectives and mandates.

Instead, the preferred alternative (Alternative D) largely represents a mixture of the elements of Alternatives B and C, one of which relies on non-site specific recommendations from the NTT report, and another that employs impractical restrictions developed by special-interest environmental groups. As currently proposed, it is unclear how the BLM would implement any of the proposed alternatives and still be able to meet their multiple-use mandate.

During scoping, the agencies received input from local and state governments that have been recognized as cooperating agencies in this process. During these meetings, the cooperating agencies offered substantive input that would provide a fourth alternative usually reserved for cooperating agency guidance. Unfortunately, those suggestions were not factored into the formulation of alternatives.

To ameliorate this dilemma, we urge the agencies to draw upon the materials submitted by the cooperating agencies that foster GSG conservation as well as a range of public land uses and incorporate those elements into the preferred alternative in the final EIS. Taking this step will help ensure that the final EIS actually balances economic development with GSG protection in the planning area and that the agencies have considered a broader range of management alternatives as required under NEPA and CEQ regulations.

Of special notation in any alternative is the allowance for retiring permits or grass banking. CCA and PLC is opposed to both as a means of GSG conservation or mitigation. Retiring permits and grass banking, regardless of mandatory or voluntary, removes grazing lands from production and causes economic harm to livestock producers, communities, and governments. Furthermore, CCA and PLC opposes allowing individual permittees from relinquishing grazing rights on allotments for future generations. The permittees right is to graze the allotment for the term in which they are granted, not to determine future generations' ability to utilize their permitted allotment when the existing permittee no longer wishes to. Range and livestock management on sagebrush rangelands inhabited by sage grouse should be approached from the standpoint of adaptive management to improve specific habitat components for grouse[2].

Overreliance on the NTT Report

We question the reliance on many cited sources in the EIS, particularly the NTT Report. Some recommendations from the NTT report are directly included in the preferred alternative, and it appears the report serves as the basis of many of the proposed management restrictions.

The use of the NTT report is problematic as it contains overly burdensome recommendations that are not based on local conditions in northwest Colorado. An independent review of the report shows that 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.[3] As such, the NTT report does not adequately represent a comprehensive and complete review of the best scientific and commercial data available and is inappropriate for use as the primary basis of many of the proposed management restrictions.

BLM convened the NTT to develop new or revised regulatory mechanisms for incorporation into Resource Management Plans (RMP) to conserve GSG and its habitat on BLM lands on a long-term, range-wide basis. The NTT Report fails to make use of the latest scientific and biological information available and to acknowledge current scientific research and conservation actions developed by the Colorado Parks and Wildlife Division and local GRS working groups[4]. In addition, the NTT report asserts that impacts from grazing are generally "discrete" but have broad ranging impacts from trampling to decreased cover to broad over grazing. In general, the NTT report does not do an adequate job of documenting current grazing management but rather makes anecdotal observations. Nothing in the NTT Report documents actual population-level declines in GSG. Rather, supposed declines are in reality localized effects on lek attendance indicating displacement of the species, not mortality.

Overly Broad Application of Restrictions in Habitat Areas

We question the proposal to impose rigid, uniform management restrictions without consideration of local conditions in habitat areas that were mapped by Colorado Parks and Wildlife Division. The agencies have proposed to prohibit surface occupancy or disturbance

within four miles of a lek in Preliminary Priority Habitat (PPH) during nesting, lekking, and early brood-rearing periods. The four-mile buffer around leks does not address the variations in habitat quality or use and given the topography of the planning area there is substantial acreage within four miles of leks that may not actually be GSG habitat. Specific to livestock grazing, we have critical concerns over application of grazing as a disturbance that will be inventoried on private and public lands.

The map of "Ecological Sites Supporting Sagebrush" fails to differentiate between sagebrush habitat quality or use by GSG. As a result, the agencies may be arbitrarily expanding areas subject to the management restrictions outlined in the EIS to areas that do not actually contain active leks or GSG habitat. In addition, there is no scientific evidence that enforcing rigid, uniform restrictions across thousands of acres will actually benefit the species and its habitat, which is counter to the agencies' objectives for this planning process. These factors undercut the agencies' ability to work with users of public lands to identify site-specific plans that allow for development while protecting the GSG and high-quality habitat.

Furthermore, the agencies have not provided a mechanism to ground-truth the habitat areas on a project-specific basis before imposing restrictions, or to monitor its quality or use in the future. Without ground-truthing and future monitoring, the agencies will likely preclude multiple-use activities in areas that do not actually support GSG habitat or active leks, unnecessarily preventing economic activities without commensurate benefit to GSG populations and habitat.

Inadequate Socioeconomic Analysis

Users of public lands in northwest Colorado pump millions of dollars into the national, state and local economies and provide thousands of high-paying jobs within the planning area. The management restrictions and closures in the EIS will undeniably have a direct impact on these users and will have a negative impact on the future viability of coal and hard rock mining, oil and natural gas development, agricultural production, grazing and ranching activities, and power generation in the planning area and beyond. As a result, crucial tax revenue and other economic benefits from these activities will decline.

Unfortunately, the agencies underestimate and consequently underreport this negative impact. The socioeconomic analysis is biased in favor of non-market valuation methods which by the agencies' own admission "are not directly comparable to regional economic indicators commonly used to describe how natural resources on public lands contribute to the regional economic indicators such as output/sales, labor income, and employment."^[5] Due to this bias, the agencies have overestimated non-market valuations and underestimated the negative economic impact on local communities and the State of Colorado.

The agencies portray the socioeconomic impacts on the entire planning area but do not delineate the effects that would result from the proposed management restrictions on specific areas, including counties. A more specific portrayal of the projected impacts which was proposed by many cooperating agencies during the scoping process would help those impacted to fully understand the varying levels of socioeconomic impacts that will result from the EIS.

According to a paper published by the Policy Analysis Center for Western Public Lands, social impacts arise from the sage-grouse management issues because significant reductions in grazing AUMs on public lands can have identifiable negative economic effects on individual producers and rural communities. The economic impacts section of this study confirms that negative economic effects can result from large reductions in public land grazing. Public land grazers also point out that alternative management actions, such as reducing fire in the sage ecosystem or requiring habitat mitigation for sagebrush fragmentation, do not have the same negative economic consequences for individuals and local communities. The study also determines that decisions made in the absence of good data only increase the likelihood and magnitude of adverse social and economic impacts. ^[6] CCA and PLC find the EIS severely lacking in an adequate socio-economic analysis that adequately considers implications to public and private lands grazing due to management stipulations conveyed throughout all alternatives. BLM should re-evaluate its methodology for its analysis and implement a strategy that accurately

accounts for the direct and indirect implications of the EIS.

Disturbance Cap Methodology

Limiting surface disturbance in the 21 management zones using a cap is a central component of the management of GSG as proposed in the EIS. The methodology proposed for implementing a cap in the EIS is not clearly defined, lacks scientific justification, and no evidence exists that it will result in sustaining or increasing sage grouse populations.

The agencies have not adequately explained several critical details about the functionality and application of the cap concept. For example, the EIS does not clearly explain the scientific data or the sources for that data that is being used to establish the cap; how the disturbance database would be managed and updated and by whom; if or how disturbance percentages will capture reclamation or habitat enhancements; whether and how temporary anthropogenic disturbances will be treated differently than permanent disturbances; and whether and how GSG populations will be actively monitored in each zone and by whom. Because a cap tool, like the one proposed in the EIS, presents myriad challenges that may inhibit consistent and clear implementation, the basis and functionality of the tool must be clearly thought out and presented to entities that will be impacted by its use.

The agencies have not presented information adequately demonstrating that limiting total disturbance to less than 30% in a particular management zone is actually achievable, scientifically defensible, and would result in stable populations in the management zones. Habitat disturbance should be managed according to more localized considerations including habitat quality and habitat distribution, as well the nature and variability of multiple use activities and their associated mitigation.

CCA and PLC are similarly concerned that the cap approach affords the agencies the unprecedented discretion to halt projects on public lands in order to compensate for disturbances on private land. While the agencies state they will not inventory private lands or monitor the activities of private landowners, they will track and account for large projects on private lands and apply them against disturbance caps. [7] This approach represents a broad overreach of the agencies' authority and is inappropriate.

The NTT Report was relied upon to substantiate the four-mile buffer around leks. In reviewing available science and applied research, we find this buffer to be arbitrary in nature and far greater than comparable standards. We can only determine, the proposed distance is compelled by non-scientific influence should be reconsidered based on the merits of scientific analysis and adaptive management. Furthermore, the NTT Report is the basis for the disturbance cap methodology. For the same reasons as the buffer zone, we find the use of the NTT Report to substantiate the disturbance cap threshold fatally flawed and requiring reconsideration.

Mitigation Strategy and Context for Use

Throughout the EIS, the agencies reference the notion of utilizing mitigation strategies but have not adequately defined the basis or context of mitigation. While BLM has adopted an interim offsite mitigation policy, the EIS lacks the specificity necessary to implement approaches that would meet the parameters of this policy, much less give adequate direction to BLM Field Offices that onsite and offsite mitigation is a viable option.

Colorado, through a diverse stakeholder process, is in the final stages of developing a mitigation approach called the *Colorado Habitat Exchange* that would meet, if not exceed, BLM's mitigation policy. We request that the agencies develop a more meaningful strategy for mitigation and further define the means by which mitigation might be used in the context of the alternatives in the EIS with special attention paid toward evaluating the *Colorado Habitat Exchange* as a mechanism to meet BLM mitigation needs.

A robust mitigation program should:
result in measurable, net benefit to the GSG;
apply a standardized, scientifically-based methodology for assessing and quantifying the habitat conditions and outcomes associated with impacts and offsets across the range of the species;
utilize a transparent and clearly articulated process for accounting, administering, and tracking mitigation projects and outcomes;
enable temporary and permanent conservation contracts;
include verification of impacts, offsets, and performance; and
apply a monitoring and assessment framework that assures adaptive management of the mitigation program.

CCA and PLC strongly suggest BLM include the above criterion in a mitigation framework designed to offset unavoidable impacts to GSG habitat. A high quality programmatic mitigation program such as the Colorado Habitat Exchange would meet these criteria. These recommendations are consistent with BLM's interim Regional Mitigation Manual.

CCA and PLC also note that proximity to impacts should not be the only factor in identifying mitigation sites. Rather, priority should be given to sites that present the best locations for long-term GSG conservation within the surrounding landscape, regardless of whether these site are located on private, state or federal land. This is consistent with the BLM Regional Mitigation Manual, as it states "mitigation sites, projects and measures should be focused where the impacts of the use authorization can be best mitigated and BLM can achieve the most benefit to its resource and value objectives". It is also consistent with the habitat selection of the GSG which selects habitat based not only on the characteristics of the site, but the landscape context in which it is situated.

CCA and PLC also note the adoption of a compensatory mitigation framework that ensures transparent and consistent mitigation at the landscape-scale would be consistent with the recent Secretarial Order "Improving Mitigating Policies and Practices of the Department of Interior" (Order No. 3330).

Conclusion

We respectfully request that the agencies rectify the issues identified above before preparing the final EIS and issuing a Record of Decision. As written, the EIS does not represent a balanced approach to the future conservation of GSG and economic development in the planning area and its implementation may ultimately preclude the agencies from carrying out their respective multiple-use mandates. It also far exceeds what is needed to demonstrate to FWS that a federal listing of the GSG is unnecessary. The Colorado Cattlemen's Association and Colorado Public Lands Council appreciate the agencies' consideration of these concerns and are willing to further discuss these comments and recommendations with you in more detail.

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Mon, Dec 2, 2013 at 11:52 AM

[Quoted text hidden]