



Michael J. Connor, Ph.D.
California Director
P.O. Box 2364, Reseda, CA 91337-2364
Tel: (818) 345-0425
Email: mjconnor@westernwatersheds.org
Web site: www.westernwatersheds.org

Working to protect and restore Western Watersheds

January 29, 2016

By Email

BLM Carson City District
Attn: Colleen Sievers, Project Manager
5665 Morgan Mill Rd., Carson City
NV 89701

Email: <blm_nv_ccdowebmail@blm.gov>
Colleen Sievers <csievers@blm.gov>

RE: Changes to the Nevada and California Greater Sage-Grouse Bi-State Distinct Population Segment Carson City Field Office Consolidated Resource Management Plan and the Tonopah Field Office Resource Management Plan Amendment, Nevada

Dear Bureau of Land Management:

Western Watersheds Project and Center for Biological Diversity are pleased to provide these additional comments in response to the Bureau of Land Management (“BLM”) extending the comment period announced in the November 13, 2015 Federal Register notice for significant changes to the Proposed Plan as set forth in the Greater Sage-Grouse Bi-State Distinct Population Segment (“BSSG”) Forest Plan Amendment and Final Environmental Impact Statement (“EIS”). These comments are additions to the comments we submitted on December 14, 2015. The BLM extended the comment period twice first to January 15, 2016 and then to January 29, 2016¹ so these additional comments are timely.

We thank the BLM for giving the public more time to address these significant planning issues. However, we are concerned that the BLM failed to inform the interested public about either the initial 30 day extension or the second 15 day extension. We found out about the extension when by chance we saw the BLM news release on the BLM Nevada website. We are sure the BLM had good reasons not to inform the interested public or announce the extension in the Federal Register and look forward to seeing the BLM’s explanation as this process proceeds.

¹ http://www.blm.gov/nv/st/en/info/newsroom/2016/january/carson_city_deadline.html

The BLM's proposed changes include: (1) Identifying disturbance levels within BSSG habitat; (2) Adjusting buffers for tall structures near active or pending leks; (3) Adding a restriction for new high-power transmission lines; and (4) Changing on-the-ground management for habitat connectivity. Since we submitted our comments on December 14, 2015 we have become aware of additional relevant information particularly with respect to (1) Identifying disturbance levels within BSSG habitat.

Habitat Disturbance:

The BLM's is now proposing to adopt a 3% cap on "anthropogenic disturbance" within Bi-State sage-grouse habitat:

Habitat Disturbance—Proposed Change

The BLM is changing the Proposed Plan, as it was set forth in the Plan Amendment and Final EIS, to set a total anthropogenic disturbance of no more than 3 percent of the total BSSG habitat on Federal lands within the Bodie Mountain/Grant, Desert Creek/Fales, and White Mountains population management unit boundaries (C-Wild-S-04), and a total anthropogenic disturbance of no more than 1.5 percent of the total BSSG habitat on Federal lands within the Pine Nut Mountains population management unit (PMU) boundaries (C-Wild-S-05), due to higher presence of risk factors in the PMU as analyzed under Final EIS Alternative C. This change is being made in response to issues raised during the protest period and based on additional policy discussions. Concerns were raised by the public that the BLM action was not adequate to protect BSSG and its habitat. Disturbance levels identified in the Final EIS will require site-specific project mitigation to insure no unmitigated net loss of habitat. This requires assessing habitat availability at the landscape scale.

The BLM thus appears to be adopting standards C-Wild S-04 and C-Wild S-05. According to the FEIS at 27, these are:

C-Wild S-04: Total anthropogenic disturbances shall affect no more than 3% of the total bi-state DPS habitat on Federal lands within the Bodie Mountain/Grant, Desert Creek/Fales, and White Mountains population management unit boundaries.

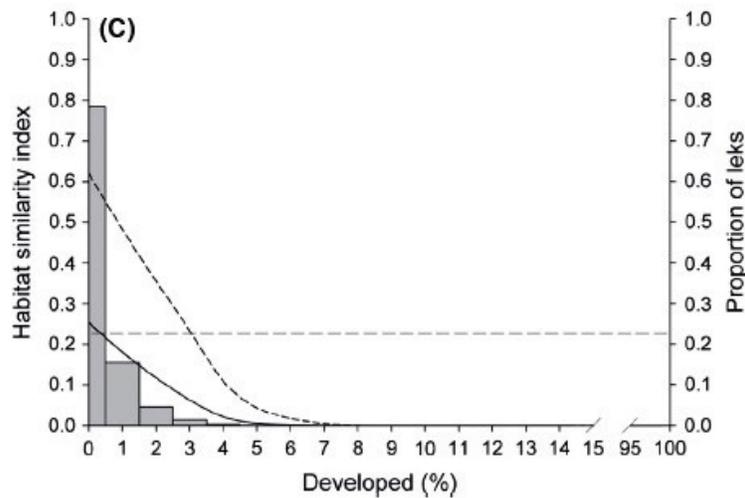
C-Wild S-05 Total anthropogenic disturbances shall affect no more than 1.5% of the total bi-state DPS habitat on Federal lands within the Pine Nut Mountains Population Management Unit boundaries.

However, the EIS never clearly defined "anthropogenic disturbances", the EIS did not provide an inventory of the percentage of BLM managed Bi-State DPS habitat that is already disturbed, and the EIS never critically assessed whether the BSSG populations can actually withstand these 1.5% and 3% caps without further population declines.

The "3%" target figure is derived from a modelling exercise that was conducted using data for greater sage-grouse across its range (Knick *et al.*, 2013²). In that study, ninety-nine percent (99%) of active leks were in landscapes that were less than 3% developed (Knick *et al.*,

² Knick, S. T., Hanser, S. E. and Preston. K. L. 2013. Modeling ecological minimum requirements for distribution of greater sage-grouse leks - Implications for population connectivity across their western range, USA. *Ecology and Evolution*, 3: 1539-1551.

2013 page 6). As is clearly evident from the Knick *et al.* (2013) data, more than 90% of the leks were in landscapes that were less than 1% developed. Below is Figure 5C from Knick *et al.*:



About 78% of leks were in the 0 to 0.5% developed category. Less than 10% of leks were in areas greater than 1% developed.

Thus, based on this science the BLM should be adopting a maximum cap of 1% and even that may be too high, especially considering that areas of Bi-State sage-grouse habitat on public land adjacent to developed private lands. A 3% cap would allow every lek in the small BSSG population on BLM administered lands in Nevada to be lost.

Moreover, a similar analysis conducted on greater sage-grouse in Oregon suggests that even at 0.3% disturbance, sage-grouse populations are on the slippery slope to extirpation.

Technical Challenges

- Sage-grouse are sensitive to disturbance at low levels.
- Analysis must capture this sensitivity









The above image is slide 13 from a September 19, 2013 presentation by Theresa Burcsu on “Assessing Baseline Conditions for Key Habitat Characteristics” given to the Sage Grouse Conservation Partnership (SageCon) meeting organized by Oregon Solutions and attended by Oregon BLM State Office staff. The full presentation is available on line³. The Burcsu *et al.* study clearly shows that there is a degree of variation of tolerance for disturbance among sage-grouse populations and for some populations this tolerance is more than an order of magnitude less than the caps that the BLM is proposing in the Bi-State RMP amendments.

Moreover, the Oregon study results clearly indicate that the agencies need to run the Bi-State habitat data in the Knick model so that the effectiveness of any proposed disturbance caps can be established. Since the agencies have lek data for the Bi-State sage-grouse region and will need to know the amount of pre-existing disturbance if they are to successfully audit the contribution of new disturbance a Knock model analysis is clearly feasible and would eliminate major uncertainties associated with the BLM’s proposed disturbance caps.

In our December 14, 2015 letter, we urged the BLM to consider alternative development caps that are lower than the proposed 1.5% and 3% caps. We proposed that an alternative that limits total anthropogenic disturbances to no more than 1% of the total Bi-State DPS habitat on Federal lands within the Bodie Mountain/Grant, Desert Creek/Fales, and White Mountains population management unit boundaries, and 0.5% of the total Bi-State DPS habitat on Federal lands within the Pine Nut Mountains Population Management Unit boundaries would appear to be more reasonable based on the science and the need for the BLM to accommodate some new uses. However, based on the Oregon analysis it would appear that disturbance caps should be no more than 0.3% of the total Bi-State DPS habitat on Federal lands within the Bodie Mountain/Grant, Desert Creek/Fales, and White Mountains population management unit boundaries, and 0.15% of the total Bi-State DPS habitat on Federal lands within the Pine Nut Mountains Population Management Unit boundaries

Irrespective of the alternatives considered, the BLM must also define “anthropogenic disturbances” and provide an inventory of the percentage of BLM managed Bi-State DPS habitat that is already disturbed for each PMU.

Western Watersheds Project and Center for Biological Diversity thank you for your consideration of our comments. If we can be of any further assistance please feel free to contact us using the contact information provided below.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael J. Connor". The signature is written in a cursive style and is positioned above a horizontal line that extends to the right.

Michael J. Connor, Ph.D.
California Director

³ Burcsu, SageCon Technical Team Baseline Assessment Progress Report, September 19, 2013, Prineville, OR. Available at: http://orsolutions.org/wp-content/uploads/2013/10/Burcsu_SageCon_20130919_Final.pdf

Western Watersheds Project
P.O. Box 2364
Reseda, CA 91337
Tel: (818) 345-0425
< mjconnor@westernwatersheds.org >

A handwritten signature in black ink, appearing to read "Ilene Anderson". The signature is fluid and cursive, with the first name "Ilene" and last name "Anderson" clearly distinguishable.

Ilene Anderson
Desert Director
Center for Biological Diversity
8033 Sunset Blvd., #447
Los Angeles, CA 90046
(323) 654-5943
<ianderson@biologicaldiversity.org>