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# CHAPTER 1—INTRODUCTION

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## 1.1 INTRODUCTION

The Bureau of Land Management (BLM) Wyoming State Office and the U.S. Forest Service (Forest Service) Regional Office have initiated a planning effort to prepare Land Use Plan (LUP) amendments with an associated environmental impact statement (EIS) for the Casper, Green River (covering the Rock Springs Field Office), Kemmerer, Newcastle, Pinedale, and Rawlins Resource Management Plans (RMP); and the Bridger-Teton National Forest (BTNF), Medicine Bow National Forest (MBNF), and Thunder Basin National Grassland (TBNG) Land and Resource Management Plans (LRMP). This draft EIS describes and analyzes a reasonable range of alternatives for the public lands and resources administered by the BLM in the six field offices and the National Forest System Lands and resources administered by the Forest Service in the three planning units. This analysis will aid the BLM decision-maker in formulating amended RMPs and the Forest Service decision-maker in formulating amended LRMPs and activity-level decisions for the planning area. These two agencies' plans, RMPs and LRMPs, are generically referred to as LUPs throughout the remainder of this document. Acreage figures throughout this draft EIS are rounded to the nearest ten unless otherwise stated.

In 2010, the state of Wyoming developed a “Core Population Area” strategy to weave the many on-going efforts to conserve the Greater Sage-Grouse in Wyoming into a statewide Strategy. New science, information and data continue to emerge regarding “Core Population Areas” and the habitats and behaviors of the Greater Sage-Grouse, which led the Governor’s Sage-grouse Implementation Team to re-evaluate the original “core population areas” and protective stipulations for Greater Sage-Grouse. It is the policy of BLM Wyoming to manage Greater Sage-Grouse seasonal habitats and maintain connectivity in identified areas in support of the population management objectives set by the State of Wyoming. This guidance is consistent with guidelines and recommendations provided for in the Wyoming Governor’s Sage-Grouse Implementation Team’s Core Population Area Strategy and the most recent Wyoming Governor’s Executive Order (EO) 2011-5.

## 1.2 DESCRIPTION OF THE PLANNING AREA

The planning area for the Greater Sage-Grouse LUP Amendments consists of lands managed by the Wyoming BLM Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs field offices, and the Forest Service BTNF, MBNF, and TBNG Planning Units (Map 1-1), and includes all lands and federal mineral estate managed by the BLM and the Forest Service within these areas. The decision area, which is a smaller area within the planning area boundary, consists of Greater Sage-Grouse occupied habitat. The planning area encompasses approximately 16 million acres of public surface land administered by the BLM and Forest Service (Map 1-2), and approximately 23 million acres of federal mineral estate in Albany, Campbell, Carbon, Converse, Crook, Fremont, Goshen, Laramie, Lincoln, Natrona, Niobrara, Platte, Sublette, Sweetwater, Teton, Uinta, and Weston counties in Wyoming (Map 1-3). Of the 23 million acres of federal mineral estate, approximately 7 million acres are split estate. Table 1-1 provides a summary of land and mineral ownership and administrative jurisdictions within the planning area. All of the lands in the planning units and field offices are reflected in this table and included in the amendment. Specific information regarding amounts and locations of sage-grouse habitat can be found in Chapter 3.

**Table 1-1. Land and Mineral Ownership and Administrative Jurisdictions within the Planning Area**

<b>Jurisdiction</b>	<b>Acres<sup>1</sup></b>
Total land surface area in the planning area (all ownership)	38,854,720
<b>Areas the Wyoming Sage-grouse LUP Amendments decisions will cover:</b>	
Federal land/federal minerals <sup>2</sup>	15,887,980
Federal land/nonfederal minerals <sup>3</sup>	364,590
Nonfederal land/federal minerals <sup>4</sup>	6,443,760
<b>Total BLM-administered federal land surface and National Forest System Lands to be covered by LUP decisions</b>	<b>16,249,870</b>
<b>Total federal mineral estate to be covered by LUP decisions</b>	<b>22,964,440</b>
<b>Areas the Wyoming Sage-grouse LUP Amendments decisions will <i>not</i> cover:</b>	
Private or state land/private or state minerals <sup>5</sup>	15,325,770

<sup>1</sup> Because of land surface and mineral ownership overlaps and administrative responsibility overlaps, acreage figures for different jurisdictions do not add up to the total acreage.

<sup>2</sup> Where the federal land surface and federal mineral estate are both administered by BLM or Forest Service, LUP decisions would apply to both the land surface and the mineral estate.

<sup>3</sup> Where the federal land surface is administered by BLM or Forest Service and the minerals are privately or state owned, LUP decisions would apply only to BLM-administered federal land surface and National Forest System Lands and only to the extent allowed by law. Although surface management decisions may affect the timing and location of development, surface management decisions cannot preclude development of the non-federally owned minerals. The LUP decisions for mineral management would not apply to the nonfederal mineral estate. Anticipated surface and mineral management actions and their direct, indirect, and cumulative impacts (cumulative impacts to the extent that they affect resource management decisions) are included/disclosed in the analyses.

<sup>4</sup> Where the land surface is privately owned or owned by the State of Wyoming and the minerals are federally owned (i.e., split estate), the LUP decisions would apply to BLM-administered federal mineral estate and, to varying degrees, the surface estate. LUP decisions would only pertain to the state owned and privately owned land surface to the extent allowed by law and to the extent that the impacts were the result of the federal action. BLM would work with the private/state surface owners to honor their wishes to the extent allowed by law. Anticipated surface and mineral management actions and their direct, indirect, and cumulative impacts (cumulative impacts to the extent that they affect resource management decisions) are included/disclosed in the analyses.

<sup>5</sup> The LUP amendments will not include any management decisions that are applicable to areas where the land surface and minerals are privately owned or owned by the State of Wyoming. However, anticipated impacts that might affect LUP decisions on these lands are included in the cumulative impact analysis.

The National Environmental Policy Act of 1969 (NEPA) requires federal agencies to consider environmental consequences in their planning and decision-making processes. NEPA requires that an EIS be prepared for any federal action that may significantly affect the quality of the human environment. RMPs and LRMPs are accompanied by EISs.

The analysis in this draft EIS considers a comprehensive range of alternatives that provide for various levels of resource protection and uses. The EIS analyzes the potential environmental consequences of implementing each management alternative and the potential land allocation/resource use conflicts.

### **1.3 PURPOSE AND NEED FOR THE LAND USE PLAN AMENDMENTS**

The BLM and the Forest Service are preparing LUP amendments with associated EISs for land use plans containing Greater Sage-Grouse habitat that are not currently undergoing amendment or revision. Other BLM Wyoming land use plans currently undergoing revision are the Buffalo, Big Horn, Lander and Rock

Springs RMPs. This effort responds to the recent “warranted, but precluded” Endangered Species Act listing petition decision from the U.S. Fish and Wildlife Service (USFWS) (75 Fed. Reg. 13910, March 23, 2010). Nationwide, approximately 52% of sagebrush habitat is on BLM-administered land; the Forest Service has management authority for 8% of sagebrush habitat. Changes in management of sage-grouse habitats are necessary to avoid the continued decline of populations that are anticipated across the species’ range. These plan amendments will focus on areas affected by threats to sage-grouse habitat identified by the USFWS in the March 2010 listing decision.

The purpose for the LUP amendments is for identification and incorporation of appropriate sage-grouse conservation measures into the plan. In compliance with Instruction Memorandum (IM) 2012-044, the measures to be considered include appropriate conservation measures developed by the NTT. The BLM will consider such measures in the context of its multiple-use mandate under the Federal Land Policy and Management Act (FLPMA) and incorporate measures that will help conserve, enhance, and/or restore Greater Sage-Grouse habitat by reducing, eliminating, or minimizing threats to that habitat.

**Decision to be Made:** The BLM and Forest Service will decide whether or not to amend the six existing RMPs and the three existing LRMPs, to address management of sage-grouse habitat; and if so how.

## 1.4 READER’S GUIDE

This section briefly describes the organization of this document (the chapter-by-chapter content) and provides an overview of the EIS process.

### 1.4.1 Reader’s Guide to This Document

Federal regulations implementing NEPA dictate much of the organization of this draft EIS. These regulations are found in Title 40 Code of Federal Regulations (CFR) §1500–1508.

This draft EIS contains the following major chapter headings and information:

**Table of Contents**—Presents the content of the document with page references and lists of maps, figures, and appendices.

**Chapter 1, Introduction**—Presents an introduction to the draft EIS; the purpose and need to which BLM and Forest Service are responding; an overview of the BLM and Forest Service planning processes; statutes (laws), limitations, and guidelines to which BLM and Forest Service must adhere in preparing the LUP amendments; and the relationship of this final EIS to other plans.

**Chapter 2, Description of the Alternatives**—Describes the No Action Alternative and how all the action alternatives were developed, management guidance common to all alternatives, and alternatives considered but eliminated from further consideration. It also presents specific plan-level resource goals, objectives, and management actions proposed for each alternative, as well as a comparative summary of impacts. The alternatives present a reasonable range of reasonable alternatives based on new information, guidance, laws and policy, and scientific knowledge.

**Chapter 3, Affected Environment**—Describes the planning area and the existing environmental conditions that would be affected by the alternatives presented in Chapter 2.

**Chapter 4, Environmental Consequences**—Describes the impacts of each management alternative, including direct, indirect, and cumulative impacts. Management actions presented in Chapter 2 are analyzed to determine their impact on the individual resource programs included in Chapter 4. Some

management actions result in impacts to resource values and resource uses, while others do not. In cases in which a particular management action does not result in an impact, there is no discussion of that action in the analysis.

**Chapter 5, Consultation and Coordination**—Describes the EIS scoping process and other past and planned agency consultation and public involvement activities. This chapter presents a list of agencies, organizations, and individuals to whom this draft EIS was sent, along with a list of preparers that includes the names and qualifications of the persons responsible for preparing this draft EIS.

**List of Acronyms**—Presents the acronyms used in the document and their meaning.

**Glossary**—Presents an alphabetized list of definitions of selected terms used in this draft EIS.

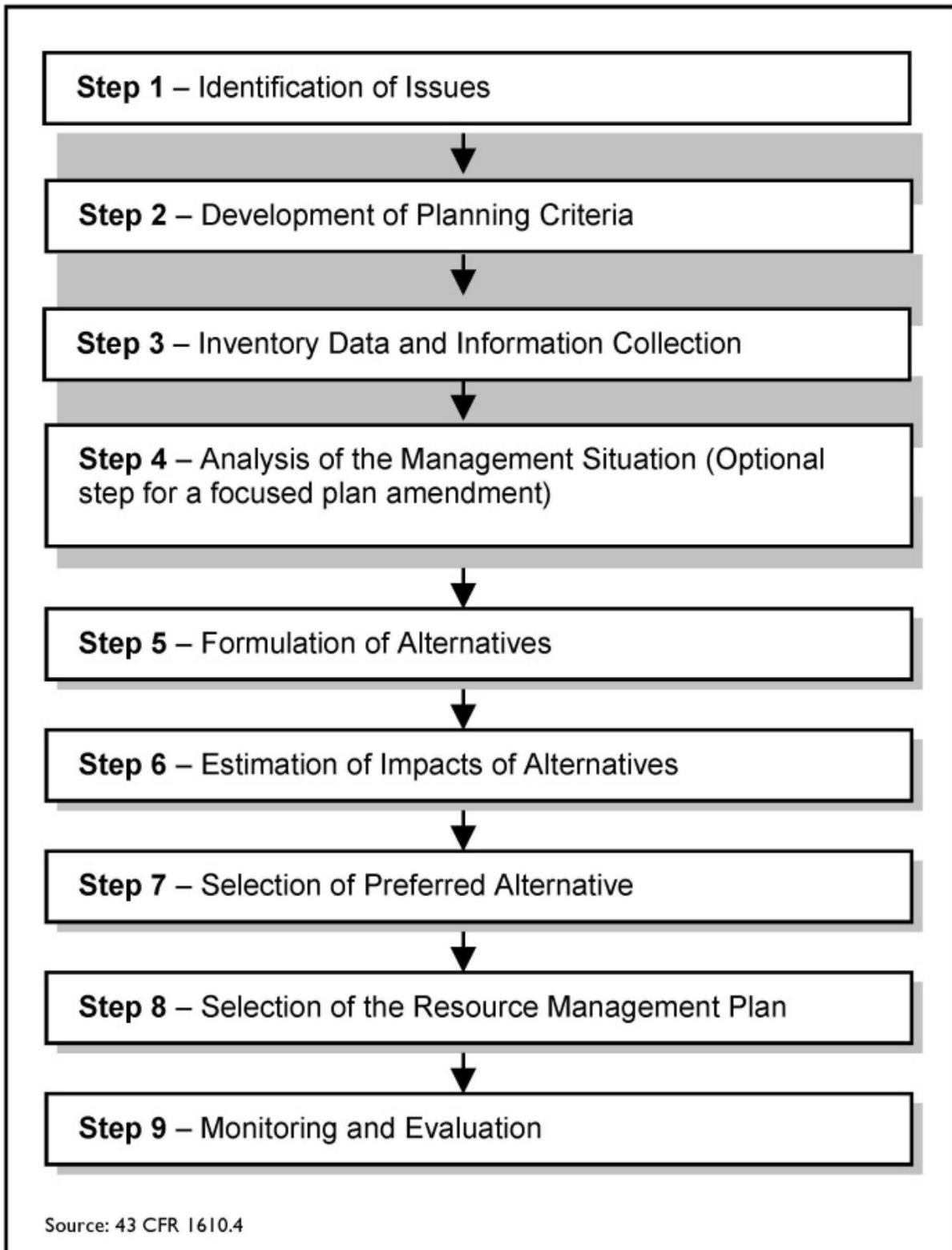
**Literature Cited**—Provides full citation information for all source material cited within this draft EIS.

**Figures, Maps, and Appendices**—Provides additional documents that substantiate analysis or provide other information directly relevant to this draft EIS are also included.

## 1.4.2 Reader's Guide to the EIS Process

The process for preparing an EIS is established through federal regulations implementing NEPA (40 CFR §1500–1508).

Figure 1-1. Nine Step Planning Process



The major steps in the EIS process are described below.

**Notice of Intent (NOI)**—BLM published an NOI in the *Federal Register* on May 28, 2010, to announce its intention of amending the six BLM RMPs. On December 9, 2011, a NOI was published in the *Federal Register* to initiate the BLM/Forest Service Greater Sage-Grouse Planning Strategy across 10 western states, including California, Oregon, Nevada, Idaho, Utah, and Southwest Montana in the Great Basin Region and Northwest Colorado, Wyoming, Montana, South Dakota, and North Dakota in the Rocky Mountain Region. On February 10, 2012 BLM published a Notice of Correction that changed the names of the regions that are coordinating the EISs and supplemental EISs, and added 11 Forest Service LRMPs to the project. Forest Service published a NOI on March 2, 2012 to ensure all stakeholders interested in Forest Service activities were aware of the NOI published by the BLM and were provided a complete list of potentially impacted forests and grasslands. This NOI increased the number of Forest Service LRMPs to 20.

**Scoping Period**—The scoping period was initiated with the publication of the NOI on May 28, 2010. Although the 30-day scoping period ended on June 28, 2010, scoping comments were accepted for consideration in the Draft RMP Amendments through August 30, 2010. A total of six public scoping meetings were conducted during the scoping period. A second scoping period was initiated on December 9, 2011. It was extended through the Notice of Correction published February 12, 2012 and ended on March 23, 2012. This scoping period initiated the BLM/Forest Service Greater Sage-Grouse Planning Strategy across ten western states in the Rocky Mountain Region. It also included the Medicine Bow National Forest, the Bridger-Teton National Forest, and the Thunder Basin National Grassland into the BLM's original six RMP Greater Sage-Grouse amendment process, initiated in 2010. Five additional public scoping meetings were held during this scoping period.

**Draft EIS (this document)**—The draft EIS considers public and agency comments received during the scoping process, provides a description of the alternatives developed from the issues and concerns raised during the scoping process, describes the environment that would be affected, and assesses the potential effects of implementing the alternatives.

**Comment Period and Public Hearings**—The public and federal, state, and local government agencies will have the opportunity to review and comment on the draft EIS during a 90-day comment period. The BLM/Forest Service will conduct meetings and formal public hearings to receive comments from the public. Opportunities for public involvement are further described in Chapter 5.

**Final EIS**—The final EIS will assess, consider, and respond to public and agency comments received on the draft EIS. A NOA for the final EIS will be published in the *Federal Register*. The BLM/Forest Service will accept protests regarding the proposed plan/final EIS for 30 days after it is published. A joint agency response will be provided to those who file for administrative review of the proposed decision(s). All protests will be resolved before finalizing the separate BLM and Forest Service Records of Decision (ROD).

**ROD and Approved LUP Amendments**— The ROD/Approved LUP is a separate and concise public record that details the final agency action and links the decisions to the analysis presented in the EIS and describes how the environmental impacts and other factors were considered in the decision-making process. This document also links management decisions to the analysis presented in the EIS and describes how environmental impacts and other factors were considered in the decision-making process. The BLM will develop an implementation plan for the decisions in the ROD.

## 1.5 NATIONAL GREATER SAGE-GROUSE PLANNING STRATEGY

On December 9, 2011, an NOI was published in the Federal Register to initiate the BLM/Forest Service Greater Sage-Grouse Planning Strategy across ten western states, including California, Oregon, Nevada, Idaho, Utah, and Southwest Montana in the Great Basin Region and Northwest Colorado, Wyoming, Montana, South Dakota, and North Dakota in the Rocky Mountain Region. This draft RMP amendment/revision and draft EIS is one of 15 separate EISs that are currently being conducted to analyze and incorporate specific conservation measures across the range of the Greater Sage-Grouse, consistent with National BLM and Forest Service policy.

On December 27, 2011, the BLM Washington Office released Instruction Memorandum (IM) 2012-044, which directed BLM State Offices across the Greater Sage-Grouse range to consider all applicable conservation measures when revising or amending its RMPs in Greater Sage-Grouse habitat, including appropriate measures developed by the Sage-grouse National Technical Team (NTT) and presented in the December 2011 NTT Report entitled “A Report on National Greater Sage-Grouse Conservation Measures.” The National Policy Team created the NTT in August of 2011 specifically to develop conservation measures based on the best available science.

Along with the reasonable, applicable measures that were outlined in the NTT Report, planning efforts associated with this National Greater Sage-Grouse Planning Strategy will also analyze applicable conservation measures that were submitted to the BLM and Forest Service from various state governments and from citizens during the public scoping process. It is the goal of the BLM and Forest Service to make a final decision on these plans by the end of 2014, so that adequate regulatory mechanisms are incorporated in place before the USFWS makes a listing decision in 2015.

The USFWS, in a separate but related effort, created the Conservation Objectives Team to identify conservation objectives to ensure the long-term viability of the Greater Sage-Grouse. Recognizing the management expertise and authority of state wildlife agencies, this team was composed of state and USFWS representatives. The Conservation Objectives Team, in the Greater Sage-Grouse (*Centrocercus urophasianus*) Conservation Objectives: Final Report, identified the major threats to each Greater Sage-Grouse population across the range of the species, identified range-wide conservation objectives for the Greater Sage-Grouse, and defined “...the degree to which threats need to be reduced or ameliorated to conserve [Greater Sage-Grouse] so that it is no longer in danger of extinction or likely to become in danger of extinction in the foreseeable future (USFWS 2013).” The Conservation Objectives Team was built on the guiding concepts of redundancy – multiple, geographically dispersed population and habitats across a species’ range; ecological diversity; and resilience – and the ability of the species and/or its habitat to recover from disturbances. The Conservation Objectives Team identified priority areas for conservation, the most important areas needed for maintaining Greater Sage-Grouse representation, redundancy, and resilience across the landscape. The Conservation Objectives Team also identified conservation objectives that are targeted at maintaining redundant, representative, and resilient Greater Sage-Grouse habitats and populations. The priority areas for conservation and the conservation objectives are incorporated into the planning strategy as appropriate for assessment and evaluation in the EIS. Table 2-5 in Chapter 2 (Threats to Greater Sage-Grouse and Associated Management Actions) compares the conservation objectives in the Greater Sage-Grouse (*Centrocercus urophasianus*) Conservation Objectives: Final Report (USFWS 2013) with the management actions by alternative in this Preliminary DEIS.

The Western Association of Fish and Wildlife Agencies (WAFWA) produced a complete conservation assessment for Greater Sage-Grouse and its habitat in 2002. In 2006, WAFWA established seven sage-grouse Management Zones which are based on populations within floristic provinces (detailed description in Conservation Assessment of Greater Sage-Grouse and Sagebrush Habitats [Connelly et al. 2004]). The

planning decisions/conservation measures in this plan are intended to address the long-term population trends in each of the seven Management Zones (Map 1-4). The overall goal of the WAFWA range-wide The National BLM/Forest Service Greater Sage-Grouse Planning Strategy is to maintain and enhance populations and distribution of sage-grouse by protecting and improving sagebrush habitats and ecosystems that sustain these populations. The overall objective of the WAFWA range-wide Strategy is to produce and maintain neutral or positive trends in populations and to maintain or increase the distribution of sage-grouse in each Management Zone.

The Management Zones include:

**Management Zone I: Great Plains Management Zone (GPMZ)**

- Includes lands in the states and provinces of Montana, Wyoming, North Dakota, South Dakota, Saskatchewan, and Alberta.

**Management Zone II: Wyoming Basin Management Zone (WBMZ)**

- Includes lands in the states of Idaho, Wyoming, Utah, and Colorado.

**Management Zone III: Southern Great Basin Management Zone (SGBMZ)**

- Includes lands in the states of Utah, Nevada, and California.

**Management Zone IV: Snake River Plain Management Zone (SRPMZ)**

- Includes lands in the states of Idaho, Utah, Nevada, and Oregon.

**Management Zone V: Northern Great Basin Management Zone (NGBMZ)**

- Includes lands in the states of Oregon, California, and Nevada.

**Management Zone VI: Columbia Basin Management Zone (CBMZ)**

- Includes only lands in the state of Washington.

**Management Zone VII: Colorado Plateau Management Zone (CPMZ)**

- Includes lands in the states of Colorado and Utah and considers Greater and Gunnison Sage-Grouse.

A Greater Sage-Grouse Conservation Objectives Team (COT) composed of State and USFWS representatives was created to develop range-wide conservation objectives for the sage-grouse. The COT created the Conservation Objectives Report (2013), which is composed of reasonable objectives, based upon the best scientific and commercial data, for the conservation and survival of Greater Sage-Grouse. The Conservation Objectives Report defines the degree to which threats need to be reduced or ameliorated to conserve sage-grouse, so that it is no longer in danger of extinction or likely to become in danger of extinction in the foreseeable future.

Table 1-2. Threats by Management Zone and Population

Population	Threats <sup>1</sup>												
	Isolated/Small Size	Sagebrush Elimination	Agricultural Conversion	Fire	Conifers	Weeds/Annual Grasses	Energy	Mining	Infrastructure	Grazing	Free-Roaming Equids	Recreation	Urbanization
<b>Management Zone I: Great Plains</b>													
Powder River Basin (Wyoming)	N	L	N	L	L	Y	Y	Y	Y	Y	N	Y	L
<b>Management Zone II: Wyoming Basin</b>													
Jackson Hole (Wyoming)	Y	L	N	L	L	Y	N	N	N	N	N	Y	L
Wyoming Basin (Wyoming portion)	N	L	N	L	L	L	Y	L	Y	Y	L	Y	L
Laramie (Wyoming, Colorado)	Y	N	N	Y	Y	Y	Y	U	Y	Y	N	Y	Y
N. Park (Wyoming Basin in Colorado)	N	Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y	Y
Source: USFWS 2013. <sup>1</sup> Threats are characterized as: Y=threat is present and widespread, L=threat present but localized, N=threat is not known to be present, and U=unknown.													

Because the BLM and Forest Service administer a large portion of sage-grouse habitat within the affected states, changes in BLM and Forest Service management of sage-grouse habitats are anticipated to have a beneficial impact on existing sage-grouse populations and could reduce the need to list the species as threatened or endangered under the Endangered Species Act.

## 1.6 PLANNING PROCESS

The BLM is directed by the Federal Land Policy and Management Act of 1976 (FLPMA) to plan for and manage “public lands.” As defined by the Act, public lands are those federally owned lands, and any interest in lands (e.g., federally owned mineral estate), that are administered by the BLM.

The process for developing, approving, maintaining, and amending or revising RMPs was initiated under the authority of FLPMA Section 202(a). BLM’s regulations under 43 CFR §1610 require BLM to use NEPA processes in preparing the plan so that the plan selected is based on informed decision-making and public involvement. The 1976 National Forest Management Act (NFMA), Forest Service Manual (FSM) 1950, 1920, and Forest Service NEPA Regulations (36 CFR 220) direct the Forest Service in

implementing NEPA into their planning processes. The process is guided by BLM planning regulations in 43 CFR §1600 and the Council on Environmental Quality (CEQ) regulations in 40 CFR §1500.

The pre-planning phase of the BLM and Forest Service planning process consists of (1) compiling and reviewing the current laws, regulations, policies, executive orders (EO), and directives pertaining to the planning area and (2) developing any needed State Director's/Regional Forester's guidance specific to the process and planning effort for the planning area.

The hierarchy of documents that BLM/Forest Service decision-makers consider for planning and project implementation is—

- **Land Use Plans—BLM and Forest Service.** The highest level of decision-making specific to land use is the management plan. The RMP is the BLM's management plan and the LRMP is the Forest Service's management plan. RMPs and LRMPs generally make land allocations and provide goals and objectives for managing specific areas of land. They provide the framework for managing all natural resources under BLM and Forest Service authority for the planning area. Plan decisions are based on a public NEPA disclosure process, usually an EIS.
- **Activity Plans—BLM.** For the BLM, mid-level decisions are provided in activity plans. These plans contain more detailed management decisions than do RMPs. Activity plans address management of specific programs or areas. Examples include allotment management plans, recreation area management plans, and habitat management plans. An activity plan usually selects and applies best management practices to meet land use plan objectives. Decisions that cover major (often geographically widespread) proposals lead to coordinated activity plans that cover all programs in an integrated manner. Activity plans can be assessed through either an EIS or an environmental assessment (EA) level of NEPA analysis.
- **Project Plans—BLM.** The BLM analyzes individual projects proposed in a specific location for localized or site-specific effects. For example, BLM would evaluate a range improvement proposal with a site-specific environmental analysis including NEPA, Endangered Species Act (ESA) consultation, and National Historic Preservation Act (NHPA) consultation.
- **Project or Activity-Level Plans—Forest Service.** For the Forest Service, decisions are made at either the activity or project level, depending on the needs of the project. Project or activity-level decisions to implement the LRMP must follow the NEPA process as outlined in 36 CFR 220. Activity-Level Plans, such as Oil and Gas Leasing Availability decisions, are typically implemented over a period of time. These types of decisions may be amended to reflect changed circumstances or new information. For example, sage-grouse protective measures resulting from this analysis would amend existing Forest Service oil and gas leasing availability decisions to incorporate those measures into responses to the BLM for consent to lease individual parcels of National Forest System Lands.

Once finalized, the LUP amendments will prescribe land allocations and future management direction for BLM-administered lands and National Forest System Lands within the planning area for sage-grouse habitat management. In addition to amending affected Forest Service LRMPs, the decision resulting from this analysis will also amend any existing Forest Service oil and gas leasing availability decisions (i.e. an activity-level decision) to incorporate necessary Greater Sage-Grouse conservation measures as required lease stipulations. Throughout this EIS, a reference to amending Forest Service LRMPs also refers to amending any existing oil and gas leasing decisions. Future BLM and Forest Service permitted activities and/or projects must conform to land use plan decisions, and any additional NEPA documents will be tiered to the LUP amendments and EIS or result in additional plan amendments.

## 1.7 PLANNING ISSUES

Planning issues are determined from demands, concerns, conflicts, or problems concerning planned or current use or management of public lands and resources. Issues express concerns, opportunities, conflicts, and problems associated with the planned or current management of public lands. Issues also reflect new data, new or revised policies, and changes in resources uses affecting the planning area. Management concerns are topics or points of dispute that involve a resource management activity or land use. While some concerns overlap issues, a management concern is generally more important to an individual or group, as opposed to a planning issue that has more widespread point of conflict. These issues are usually expressed in terms of the potential adverse consequences or effects that a particular land or resource use may have on other land or resources used or valued by another entity or for another purpose.

### 1.7.1 Issues Addressed

Initially, BLM identified the following three planning issues to be considered within the RMP Amendments for the six field offices:

- Consistency of existing Land Use Plan (LUP) decisions with State of Wyoming Executive Order 2011-5.
- Consistency of sage-grouse policy with other LUP resource decisions and the need to revise the RMPs to address inconsistencies.
- What is the amendment process that revises LUP decisions to best protect the sage-grouse, incorporate the new Wyoming sage-grouse policy, while minimizing changes to other resource management decisions?

After the initial scoping for the project, the Forest Service LRMPs were added to the planning effort for a region-wide sage-grouse planning effort, and a second scoping period was opened. Additional preliminary planning issues were identified by the BLM and Forest Service, including the following:

- Lands addressed in the LUP amendments will be public lands (including surface-estate split estate lands) managed by the BLM and Forest Service, respectively, in Greater Sage-Grouse habitats. Any decisions in the LUP amendments will apply only to federal lands administered by either the BLM or the Forest Service.
- The BLM and Forest Service will consider a range of reasonable alternatives, including appropriate management prescriptions that focus on the relative values of resources while contributing to the conservation of the Greater Sage-Grouse and Greater Sage-Grouse habitat.
- The BLM and Forest Service will endeavor to use current scientific information, research, technologies, and results of inventory, monitoring, and coordination to determine appropriate local and regional management strategies that will enhance or restore Greater Sage-Grouse habitats.
- For BLM-administered lands, all activities and uses within Greater Sage-Grouse habitats will conform to existing land health standards. Standards and guidelines (S&G) for livestock grazing and other programs that have developed guidelines will be applicable to all alternatives for BLM lands.

- The BLM and Forest Service will consult with Indian tribes to identify sites, areas, and objects important to their cultural and religious heritage within Greater Sage-Grouse habitats.
- The BLM and Forest Service will coordinate and communicate with state, local, and tribal governments to ensure that the BLM and Forest Service consider provisions of pertinent plans, seek to resolve inconsistencies between state, local, and tribal plans, and provide ample opportunities for state, local, and tribal governments to comment on the development of amendments or revisions.
- The BLM and Forest Service will develop vegetation management objectives, including objectives for managing noxious weeds and invasive species (including identification of desired future condition for specific areas), within Greater Sage-Grouse habitat.
- The LUP amendments will be based on the principles of Adaptive Management.
- Reasonable Foreseeable Development Scenarios and planning for Fluid Minerals will follow the BLM Handbook H-1624-1 and current fluid minerals manual guidance for fluid mineral (oil and gas and coal-bed methane) and geothermal resources. For National Forest System Lands, the Forest Service will use applicable and relevant policy and procedures.
- The LUP amendments will be developed using an interdisciplinary approach to prepare reasonable foreseeable development scenarios, identify alternatives, and analyze resource impacts, including cumulative impacts to natural and cultural resources and the social and economic environment.

Additional planning issues were identified during the two public scoping periods and from information gathered in analyzing the existing management situation in the planning area. Based on the input of the public, other government agencies, and BLM and its cooperators, issues were identified for the following resource areas:

### **Air Quality**

Impacts from climate change should be included in the analysis of the LUP amendments.

### **General (Process/Policy)**

The BLM should consider all IMs related to Greater Sage-Grouse in the development of the RMP amendments, such as Wyoming IM 2010-022 (addresses fences and wind energy structures), IM 2010-071 (addresses sage-grouse management considerations for energy development), WO IM 2012-044 (BLM National Greater Sage-Grouse Land Use Planning Strategy), and WY IM 2012-019 (Greater Sage-Grouse Habitat Management Policy on Wyoming BLM Lands). Use the best available science and specific documents in the development of the LUP amendments, such as BLM/Forest Service policy documents, other state and federal environmental policies, and scientific journal articles. Include terminology definitions, such as “disruptive activity” and “suitable habitat.” Consider a range of management approaches for sage-grouse habitat protection. Follow NEPA regulations and BLM/Forest Service policy in developing the LUP amendments and how the Wyoming planning effort will be incorporated at the regional level.

## **Lands and Realty**

Consider how Greater Sage-Grouse management would impact management or construction of ROWs including corridors.

## **Livestock Grazing**

Consider both the continuation and elimination of livestock grazing practices. Include the impacts of livestock grazing on sage-grouse habitat, such as the spread of weeds, soil loss, and range deterioration. Coordinate with livestock grazing permittees in the LUP amendment process and to incorporate livestock grazing management as an important part of the LUP amendments. In addition, water, riparian, and wetland comments associated with livestock grazing were submitted.

## **Minerals and Energy**

Minerals and energy issues include considering the benefits and detriments to sage-grouse from wind and conventional energy development on BLM-administered lands and National Forest System Lands. Analyze impacts from mineral development on sage-grouse and their habitat, such as lek and nest abandonment, habitat fragmentation, and overall habitat loss, wind energy development in Wyoming and the efforts operators are making to support sage-grouse and associated habitat. Consider the effects the Wyoming sage-grouse policy could have on mineral development, such as allowing for valid existing rights for lease development, buffer distances, reclamation requirements, well density, and regulations on development in non-core areas. Additional issues were about management on split estate lands, cumulative impacts of development on sage-grouse habitat, particularly for oil and gas, and impacts of wind development, as well as specific implementation-level recommendations. There were concerns with how the BLM and Forest Service will manage unique energy production techniques including, but not limited to, oil shale extraction and wind development in sage-grouse habitat. Development in the Powder River and Hoback Basins were of particular concern.

## **Recreation**

Consider the level of recreation that could be allowed to reduce or prevent impacts to sage-grouse habitat. Managing recreation use is not a major component of the new Wyoming sage-grouse management policy. Through the regulation of recreation special use permits, and the implementation of transportation management plans, some recreation uses may be more regulated in sage-grouse habitats than previous management prescriptions. However, this will not account for potential disturbances to breeding or nesting birds, since most recreation activities are not restricted by timing limitations.

## **Socioeconomic**

Consider the adverse economic impacts from the Wyoming sage-grouse management policy and the need for socioeconomic analysis of the impacts from the policy.

## **Special Management Area Designations**

Core areas could be considered for protection through designations of Areas of Critical Environmental Concern (ACEC) and the RMP amendments should consider ACECs to protect sage-grouse, specifically within the Pinedale Field Office.

## **Special Status Species (Including Greater Sage-Grouse)**

Issues regarding special status species primarily addressed sage-grouse and sage-grouse core areas. Focusing sage-grouse management on only core habitat areas could lessen protections in general habitat, which could be detrimental to the species. Management should address all threats to sage-grouse, including predation by other species. Use valid sage-grouse data and ensure that sufficient data has been collected to make management decisions within the LUP Amendments. Try to find a balance of managing sage-grouse populations effectively while much of the BLM-administered lands and National Forest System Lands are already leased for mineral development.

Greater buffer distances, additional seasonal stipulations, and expansion or reduction of core areas are management actions that should be considered in the LUP amendments. Reasons for sage-grouse population declines and threats to the species, including intensive resource uses and development, human disturbance, predation, habitat fragmentation, and habitat loss are issues to be included in the document. Consideration of specific sage-grouse habitat requirements, such as migration corridors and lek, nesting, winter, and brood-rearing habitat, were described and addressed in the comments.

Other concerns included management recommendations for particular components of habitat as well as discussion of specific potential habitat areas. Areas include: Thunder Basin National Grassland; Upper Snake River Basin; Greys River Ranger District of the Bridger-Teton National Forest; Upper Green River core population and the Gros Ventre River Valley; Bacon Ridge/Breakneck Flats sage-grouse winter use areas; Upper Green River Core population and the Hoback Basin; connectivity of sagebrush habitats along the Wyoming-Idaho State line near Crow, Stump, and Spring Creeks; and habitat connectivity with occupied habitat in Star Valley and Southeast Idaho.

## **Travel and Access Management**

Consider vehicle use and roads within core habitat, as well as potential for reduced access to BLM-administered lands and National Forest System Lands from the new management for sage-grouse.

## **Vegetation**

Consider vegetation treatments and the benefits of those treatments on sagebrush habitat, and the threat of cheatgrass and other invasive species on sagebrush habitat.

## **Wildland Fire Management**

Wildland fire (planned and unplanned) may be considered for use in enhancing sagebrush habitat.

## **Wildlife and Fisheries**

Consider the health and management of sagebrush habitat, restoration of sagebrush and opportunities to restore degraded sage-grouse habitat as potential mitigation measures for project proponents, and current and future effectiveness of the restoration of sagebrush habitat due to low precipitation, cheatgrass invasion, and wildland fire. Consider the current conditions of sagebrush habitat and threats to the health of the habitat, such as fragmentation from mineral development and other uses, livestock grazing, and the proliferation of invasive species. Address the management of the entire sagebrush ecosystem, as other sagebrush obligate species' populations are also in decline. Recommendations included specific design features to protect sage-grouse from predators. In addition, comments were received on potential conflicts between prairie dog and Greater Sage-Grouse management.

The full range of issues raised during the public scoping period can be viewed in the Wyoming Sage-grouse RMP Amendments Scoping Report and the National Greater Sage-Grouse Planning Strategy Land Use Plan Amendments and Environmental Impact Statements Scoping Summary Report, available on the project website: <http://www.blm.gov/wy/st/en/programs/Planning/amendments.html>.

## 1.8 PLANNING CRITERIA

Planning criteria are the constraints or ground rules that are developed to guide and direct the planning amendment. Planning criteria are based on laws and regulations, guidance provided by the BLM Wyoming State Director and Forest Service Regional Foresters, results of consultation and coordination with the public, other agencies and governmental entities, and Indian tribes; analysis of information pertinent to the planning area, public input, and professional judgment. The planning criteria focus on the development of management alternatives, analysis of the related effects, and selection of the Preferred Alternative and the Proposed LUP amendments. Additional planning criteria may be identified as the planning process progresses. General planning criteria include the following:

1. The amendment will be in compliance with FLPMA, NFMA, and all other applicable laws, regulations, and policies.
2. Impacts from the alternatives will be analyzed in accordance with regulations at 43 CFR 1610, 36 CFR 219, and 40 CFR 1500.
3. Lands covered in the LUP amendments will be public land managed by BLM within the designated planning areas. No decisions will be made relative to non-BLM or Forest Service administered lands.
4. The LUP amendments will recognize the State's responsibility and authority to manage wildlife. The BLM and Forest Service will consult with the Wyoming Game and Fish Department.
5. The LUP amendments will incorporate management decisions brought forward from existing planning documents whenever possible.
6. The planning team will work cooperatively and collaboratively with cooperating agencies and all other interested groups, agencies, and individuals.
7. The BLM, Forest Service, and cooperating agencies will jointly develop alternatives for resolution of common resource management issues and management concerns.
8. GIS and metadata information will meet Federal Geographic Data Committee (FGDC) standards, as required by Executive Order 12906. All other applicable BLM and Forest Service data standards will be followed.
9. All proposed management actions will be based on the best available, current, scientific information, research and technology, and inventory and monitoring information.
10. The LUP amendments may include adaptive management criteria and protocol to address with future issues.
11. The planning process may use mitigation to develop management options and alternatives. The EIS will analyze the impacts, and is part of the planning criteria for developing the options and alternatives and for determining mitigation requirements.

12. The BLM and Forest Service will utilize the Western Association of Fish and Wildlife Agencies (WAFWA) *Conservation Assessment of Greater Sage-Grouse and Sagebrush Habitats* (Connelly, *et al.* 2004), and any other appropriate resources, to identify Greater Sage-Grouse habitat requirements and best management practices.
13. The approved RMP amendments will be consistent with the BLM's National Sage-Grouse Conservation Strategy.
14. The approved RMP amendments will comply with NEPA and Council on Environmental Quality regulations at Department of the Interior (DOI) regulations at 43 CFR part 46 and 43 CFR part 1600; the 2008 BLM NEPA Handbook (H-1790-1), and all other applicable BLM policies and guidance.
15. The approved LRMP amendments will comply with NFMA, Forest Service NEPA regulations found at 36 CFR 220, and Forest Service Handbook 1909.15, Regulations of the Secretary of Agriculture at 36 CFR part 219, and FSM 1920 and FSH 1909.12.
16. The LUP amendments will be limited to making land use planning decisions specific to the conservation of Greater Sage-Grouse habitats.
17. The BLM and Forest Service will consider allocative and/or prescriptive standards to conserve Greater Sage-Grouse habitat, as well as objectives and management actions to restore, enhance, and improve Greater Sage-Grouse habitats.
18. The BLM and Forest Service will use a collaborative and multi-jurisdictional approach, where appropriate, to determine the desired future condition of public lands and National Forest System Lands for the conservation of Greater Sage-Grouse and their habitats.
19. As described by law and policy, the BLM will strive to ensure that conservation measures are as consistent as possible with other planning jurisdictions within the planning area boundaries.
20. The BLM and Forest Service will address socioeconomic impacts of the alternatives. Socioeconomic analysis will use an accepted input-output quantitative model such as IMPLAN or RIMSII, and/or JEDI for renewable energy analysis.
21. Management of Greater Sage-Grouse habitat that intersects with Wilderness Study Areas (WSAs) on public lands administered by the BLM will be guided by the BLM Manual 6330, Management of WSAs. Land use allocations made for WSAs must be consistent with BLM Manual 6330 and with other laws, regulations, and policies related to WSA management.
22. The BLM and Forest Service will consult with Indian tribes to identify sites, areas, and objects important to their cultural and religious heritage within Greater Sage-Grouse habitats.
23. The BLM and Forest Service will coordinate and communicate with state, local, and tribal governments to ensure that the BLM and Forest Service consider provisions of pertinent plans, seek to resolve inconsistencies between State, local, and tribal plans, and provide ample opportunities for state, local, and tribal governments to comment on the development of amendments or revisions.

24. The most current approved BLM and Forest Service corporate spatial data will be supported by current metadata and will be used to ascertain Greater Sage-Grouse habitat extent and quality. Data will be consistent with the principles of the Information Quality Act of 2000.
25. Wyoming Game and Fish agencies' Greater Sage-Grouse data and expertise will be utilized in making management decisions.

## **Planning Criteria for Specific Situations**

### **Criteria for Hydrocarbon Potential**

Using available geologic information, reports of past production, and information from the minerals industry, areas of high, moderate, and low potential for the occurrence and development of hydrocarbons in the planning area have been identified. Estimates of reasonably foreseeable oil and gas (including coalbed natural gas) exploration and development activity have been developed from analysis of past activity and production. These estimates have been used to aid in the analysis of environmental consequences. Because these occurrence and development potential classifications and production estimates are general, they are appropriate for planning purposes but are not appropriate for predicting future specific activity or the specific locations of new discoveries.

### **Criteria for Withdrawals and Classifications**

Under Section 202(d) of FLPMA, any classification of BLM-administered public lands or National Forest System Lands is subject to periodic review to determine whether it is serving its intended purpose and is still needed. These reviews will be conducted during the planning effort and may result in modification or termination of classifications. During the planning effort, the need for new withdrawals may also be identified.

**Withdrawals Under Other Agency Jurisdiction.** The withdrawal review requirement of FLPMA has not yet been completed on those federal lands withdrawn for purposes of other federal agencies (i.e., those lands under the jurisdiction of the Department of Defense or BOR). For the purposes of this planning effort, it must be assumed that these withdrawals will remain in effect and that the planning and management authorities for these withdrawn lands will remain with those agencies. Thus, the planning effort will not include consideration of any planning or management decisions for either the federal land surface or the federal minerals within these withdrawn areas. These lands will be considered in conducting the environmental analysis for the planning effort in terms of cumulative impacts and in terms of how they may be affected by management in the planning area or vice versa.

### **Criteria for BLM Areas of Critical Environmental Concern and Forest Service Special Interest Areas**

The relevance and importance criteria for ACEC designation, found in BLM Manual 1613, were applied to BLM-administered public lands in the planning area to identify areas that have the potential for ACEC designation (BLM 2006). An ACEC designation alone does not change the allowed uses of public lands involved (FLPMA Section 201(a) and 43 CFR §1601.0-5a). In addition, protective measures for ACECs are not applied or required simply because of the designation. Any protective measures applied to ACECs are based on what is necessary to protect the relevance and importance criteria for which the ACEC was designated. The only automatic requirement associated with an ACEC designation is that a plan of operations must be submitted for any [locatable mineral] operations causing surface disturbance greater than casual use (43 CFR §3809.11(c)(3)).

Forest Service Special Interest Areas are managed to protect or enhance areas with unusual characteristics. Management emphasis is on protecting or enhancing, and where appropriate developing

and interpreting for public education and recreation. These areas are managed to maintain their special interest values. The setting is usually natural, but will vary depending on the area. Typically, Special Interest Areas (also known as SIAs) have been designated as botanical, geological, historical, paleontological, scenic, or zoological areas. Special Interest Areas may also be designated to protect and manage threatened, endangered, and sensitive species, or other elements of biological diversity; or for their emotional significance, scenic values, or public popularity. Special Interest Areas vary in size from small to fairly large. In addition, places such as caves, hot springs, cultural resource sites, 14,000 foot peaks, significant views, state designated historic sites, and potential developed sites could be considered for Special Interest Area designation. Alternatives B and C include designation of ACECs or SIAs for priority sage-grouse habitat.

Vegetation, terrestrial and aquatic habitat, soil productivity, and water quality will usually, but not always, appear natural (relatively pristine or pre-settlement). Vegetative manipulation may be used to maintain or restore natural conditions, to protect threatened, endangered, and sensitive species, or to protect other values for which the Special Interest Area was proposed or designated. Management implementation guidelines ensure protection of the values for which the area was proposed or designated (R2 Forest Planning Desk Guide).

### **Criteria for Greater Sage-Grouse Conservation Objectives**

The BLM will use the USFWS's Greater Sage-Grouse (*Centrocercus urophasianus*) Conservation Objectives: Final Report (USFWS 2013), WAFWA's Conservation Assessment of Greater Sage-Grouse and Sagebrush Habitats (Connelly et al. 2004), US Geological Society's (USGS) Summary of Science, Activities, Programs and Policies that Influence the Rangeland Conservation of Greater Sage-Grouse (*Centrocercus urophasianus*) (Manier et al. 2013), and any other appropriate resources to identify Greater Sage-Grouse habitat requirements and BMPs.

## **1.9 RELEVANT STATUTES, LIMITATIONS, AND GUIDELINES**

Numerous federal and state laws and applicable regulations, policies, and actions affect the alternatives analyzed in the LUP amendments and EIS. The FLPMA is the primary authority for BLM administration of public lands. This law provides the overarching policy by which the BLM administers public lands. The law establishes provisions for land use planning, land acquisition, administration, range management, ROW, designated management areas, and the repeal of certain laws and statutes. FLPMA Sections 201 and 202 establish BLM land use planning requirements. BLM Handbook H-1601-1, *Land Use Planning Handbook* (BLM 2005), provides guidance for implementing BLM land use planning requirements established in FLPMA Sections 201 and 202 and the land use planning regulations at 43 CFR 1600. The FLPMA also requires that the BLM provide food and habitat for fish, wildlife, and domestic species.

LRMPs are prepared in accordance with the National Forest Management Act (NFMA), the National Environmental Policy Act (NEPA), and other laws and regulations. The Forest Service implemented the 1982 Planning Rule (47 FR 43037), and the National Forest System Land and Resource Management Planning Act when developing the documents being amended in this planning effort.

NEPA establishes a public, interdisciplinary framework for Federal decision-making and ensures that agencies (BLM and all other agencies) take environmental factors into account when considering federal actions. NEPA does not mandate protection of the environment. Instead, it requires agencies to follow a particular process in making decisions and to disclose the information/data that was used to support those decisions. Amending an existing RMP is a major federal action for the BLM as it also is for Forest Service when amending their LRMPs. NEPA requires federal agencies to prepare an EIS for major federal actions; therefore, this EIS accompanies the revisions of the existing plans.

NEPA also created the CEQ, which issued regulations (40 CFR 1500-1508) to ensure proper consideration of environmental concerns in federal decision-making. The DOI and the BLM have published their own regulations and guidance related to implementation of the NEPA process and CEQ regulations (DOI Manual Part 516 and Handbook H-1790-1).

This section provides a listing of the authorities that apply to the selection and implementation of management actions in the RMPs and LRMPs. Many additional laws, regulations, and policies guide the management of public lands and are therefore relevant to the LUP amendments. A list of these laws, regulations, and policies is provided in Appendix L.

## 1.10 RELATIONSHIP TO OTHER PLANS

The BLM and Forest Service LUPs and amendments must be consistent with officially approved or adopted resource-related plans, and the policies and programs contained therein, of other federal agencies, state and local governments, and Native American tribes, so long as the guidance and RMPs are also consistent with the purposes, policies, and programs of federal laws and regulations applicable to public lands, including federal and state pollution control laws as implemented by applicable federal and state air, water, noise, and other pollution standards or implementation plans.

### **The Energy Policy Act of 2005**

The Energy Policy Act of 2005, Section 368, directed that BLM participate in an interagency effort to identify, evaluate, and ultimately establish ROW corridors to accommodate infrastructure that transports forms of energy. Energy-related infrastructure could include natural gas pipelines, high-voltage electrical transmission lines, and similar developments. Upon completion of a programmatic EIS and ROD, planning documents would be amended to incorporate guidance and decisions made for management of the energy corridors established within the planning area.

### **Greater Sage-Grouse Umbrella CCAA for Wyoming Ranch Management, A Candidate Conservation Agreement with Assurances for Greater Sage-Grouse (*Centrocercus urophasianus*) Draft V16 December, 2012.**

In anticipation of the listing decision, the Wyoming Governor's Office (WGO) requested assistance from the USFWS in developing a sage-grouse strategy for ranch management activities that could offer landowners assurances that their livestock operations could continue, in the event the sage-grouse was listed under the ESA. The WGO and USFWS in conjunction with the BLM, Natural Resources Conservation Service, Forest Service, Wyoming Department of Agriculture, Wyoming Game and Fish Department, and Wyoming Association of Conservation Districts have developed an umbrella Candidate Conservation Agreement with Assurances (CCAA). A CCAA is a voluntary agreement whereby private landowners agree to manage their lands to remove or reduce threats to species at risk of being listed under the ESA. In return for managing their lands to the benefit of species at risk, these landowners receive assurances against additional regulatory requirements should that species ever be listed under the ESA. Under a CCAA, the USFWS will issue enrolled landowners Enhancement of Survival (EOS) permits pursuant to section 10(a)(1)(A) of the ESA for a period of 20 years. Since the agreement is voluntary, the landowner can end it at any point, although in doing so they would give up any assurances, and the EOS permit would terminate. The USFWS will issue EOS permits to participating landowners contingent on development of a site-specific individual sage-grouse conservation plan consistent with this umbrella CCAA. This umbrella CCAA includes:

- A general description of responsibilities of all involved participating agencies and landowners, and the area covered under the umbrella CCAA

- Background, status, and general threats to sage-grouse, and conservation measures needed to remove or reduce those identified threats
- Expected benefits of prescribed actions in relation to the five threat factors the USFWS is required to evaluate when considering a species for listing
- Level of take likely to occur from activities on enrolled lands, assurances, monitoring, and annual reporting.

**Final Programmatic Environmental Impact Statement on Wind Energy Development on BLM-Administered Lands in the Western United States, U.S. Department of the Interior, Bureau of Land Management 2005**

The U.S. DOI, BLM, is responsible for the development of wind energy resources on BLM-administered lands. Currently, about 500 MW of installed wind capacity occurs under right-of-way (ROW) authorizations administered by the BLM in accordance with the requirements of the Federal Land Policy and Management Act of 1976 (FLMPA) (United States Code, Title 43, Section 1701 [43 USC 1701]) and the BLM's Interim Wind Energy Development Policy (BLM 2002).

This interim policy was developed, in part, in response to the National Energy Policy recommendations that the Departments of the Interior, Energy, Agriculture, and Defense work together to increase renewable energy production (NEPDG 2001). The interim policy is consistent with the requirements of Executive Order (E.O.) 13212, "Actions to Expedite Energy Related Projects," issued May 2001, that federal agencies take appropriate actions, to the extent consistent with applicable law, to expedite projects to increase the production, transmission, or conservation of energy. To further support wind energy development on public lands and also to minimize potential environmental and sociocultural impacts, the BLM is seeking to build on the interim policy to establish a Wind Energy Development Program.