



Our Public Lands

Sagebrush Ecosystem Council Presentation

Review of Secretarial Order 3353 –

***Greater Sage-Grouse Conservation and
Cooperation with Western States
Recommendation Report***

September 14, 2017

Desired Outcomes

1. Brief overview of the intent of the Department of Interior's Secretarial Order 3353 and the process used to develop the recommendation report.
2. Review issues and short and long term recommendations outlined in the report sent to the Secretary on August 4th and have the SEC verify if:
 - ✓ The issues and recommendations are adequately captured on behalf of Nevada stakeholders that you represent?
 - ✓ If there are any issues or recommendations not captured in the report?
3. Discuss the need for additional stakeholder involvement and how can that be achieved.

Intent of Secretarial Order 3353

- Establish a team to work with the Sage–Grouse Task Force to review BLM sage–grouse policies and plans:
 - To ensure they adequately compliment state efforts to conserve the species
 - To identify provisions that require short and/or long term modifications to give weight to the value of energy development on public lands.
- Examine issues associated with preventing and fighting the proliferation of invasive grasses and wildland fire.
- Examine impacts on individual States disproportionately affected by the large percentage of Federal lands.
- Provide recommendation on captive breeding, opportunities to enhance state involvement, and the efficacy of target populations on a State–by–State basis.

Secretary Zinke’s Directive: Provide a Recommendation Report to him by August 4, 2017.

Process for Developing the Report

- June 7: DOI Secretary of Interior Zinke signed Secretarial Order 3353.
- June 16: DOI met with the Sage-Grouse Task Force to discuss the Order and establish a process for State input identified in the order.
- Late June: States, BLM, and Forest Service coordinated to identify State-specific issues with respect to the 2015 GRSG Plans and IMs to identify opportunities to promote consistency with State plans.
- July: Federal agencies and the SGTF met twice to further refine and validate the issues and options presented in this report.
- August 4: Recommendation Report was delivered to the Secretary. Shortly after, Secretary Zinke directed Deputy Secretary David Bernhardt to begin implementing the short and long-term recommendations in the Report.

Types of Recommendations and Acronyms

Recommendation Types

Short Term

Recommendations: policy changes or additions (Instruction Memorandums), clarifications, research to see what can occur through plan maintenance, and staff/partner training.

Long Term

Recommendations: investigating potential targeted plan amendments.

Acronyms

AIM: Assessment, Inventory, and Monitoring

GHMA: General Habitat Management Areas

GRSG: Greater Sage-Grouse

HAF: Habitat Assessment Framework

IM: Instruction Memorandums

PHMA: Priority Habitat Management Areas

RDF: Required Design Features

SGTF: Sage-Grouse Task Force

WAFWA: Western Association of Fish and Wildlife Agencies

WEM: Waivers, Exceptions, and Modifications



Topic Area 1: Oil and Gas Stipulations and Leasing

Issues: 1) Unclear if PHMA and GHMA already provide protection from fluid mineral development (negating the need for additional SFA protections); 2) Concerns with PHMA No Surface Occupancy stipulation's waiver, exception, and modification language; and 3) Differences between state disturbance cap calculations and those in the BLM plans.

Short Term Recommendations	Long Term Recommendations
<ol style="list-style-type: none">1) Complete a state/BLM plan cross walk to determine if PHMA stipulations already provide enough durability within SFAs.2) Work with states to develop new WEM language for PHMA (recognizing State's mitigation hierarchy) and determine if new language can be adopted through maintenance or an amendment.3) Rescind existing lease prioritization policy and issue state specific policies/solutions.4) Verify if the disturbance protocols are different between the State and BLM. Train staff/partners on what is considered disturbance, and accelerate restoration.	<p>Depending on short term outcomes, conduct a potential plan amendment to:</p> <ul style="list-style-type: none">• Eliminate or remove SFA stipulations.• Adopt new state-specific WEM Language.• Clarify disturbance types and requirements.

SEC Discussion Items:

- ✓ Are the issues and recommendations adequately captured on behalf of Nevada stakeholders for this topic?
- ✓ Have we missed any issues or recommendations specific to this topic?



Topic Area 2: Mitigation and Net Conservation Gain

Issue: Inconsistent mitigation standards and confusion with the term “net conservation gain.”

Short Term Recommendations	Long Term Recommendations
<ol style="list-style-type: none">1) Clarification – define net conservation gain, as contained in the BLM plans.2) Evaluate – State’s mitigation approach to determine if it meets the intent of a net conservation gain.3) Policy – consider options to use the State’s mitigation standard - if it meets the intent of the mitigation standard in the BLM plans.4) Complete an MOU with the State on application of State’s mitigation approach and verify where mitigation should occur based on what would be most beneficial for the species. If the MOU does not address issues, develop new policy/MOU.	<p>Depending on short term outcomes, conduct a potential plan amendment to:</p> <ul style="list-style-type: none">• Change net conservation gain standard to use State’s standard and evaluate the need for a plan amendment to comply with potentially new DOI mitigation policy.

SEC Discussion Items:

- ✓ Are the issues and recommendations adequately captured on behalf of Nevada stakeholders for this topic?
- ✓ Have we missed any issues or recommendations specific to this topic?



Topic Area 3: Habitat Assessment Framework, Habitat Objectives, and Effectiveness Monitoring

Issues: 1) Unclear how habitat objectives, plan effectiveness reporting, AIM, and HAF assessments are related and will be used; 2) Unclear how HAF is being implemented; 3) Need clarity how to use AIM data to determine plan effectiveness; and 4) Need to adjust habitat objectives tables to match the State's.

Short Term Recommendations

- 1) Policy – Develop new policy on how to integrate habitat objectives, land health standards, and land use plan effectiveness; how to use existing data and legacy data (specifically during land health standard evaluations); and clarify the scales and the appropriate data used at each scale.
- 2) Training - Continue staff/partner training on use of AIM and HAF data.
- 3) Policy – Issue new IM to clarify purpose of HAF and its relationship to AIM and habitat objectives, how to prioritize assessments, and a statement that HAF should not just be used for grazing, but all public land uses.
- 4) Policy - Issue new IM to clarify the intent, purpose, and use of the habitat objectives table and flexibility provided and BLM's process to adjust objectives based on ecological site potential and state and transition models.

Long Term Recommendations

- Depending on short term outcomes, conduct a potential plan amendment to:
- Modify the habitat objectives in the BLM plan.

SEC Discussion Items:

- ✓ Are the issues and recommendations adequately captured on behalf of Nevada stakeholders for this topic?
- ✓ Have we missed any issues or recommendations specific to this topic?



Topic Area 4: Adaptive Management

Issues: 1) Need for causal factor analysis once a soft and hard trigger is reached; 2) Need a reversion of hard trigger responses once conditions improve; and 3) Ensure hard trigger responses are pertinent to the cause of the population or habitat decline.

Short Term Recommendations	Long Term Recommendations
<ol style="list-style-type: none"> 1) Policy – Clarify in a new (or modified) IM that causal factor analysis are required for soft and hard triggers and work with states to identify a causal factor analysis process. 2) Investigate ways with the State as to how to revert a hard trigger response back to previous management once conditions improve. 3) Work with states to develop a process to ensure hard trigger responses are pertinent to the cause for the population/habitat decline. 4) Policy – modify existing IM (or issue new state-specific IM) to address advance coordination with States and partners before any adaptive management responses are employed. 	<p>Depending on short term outcomes, conduct a potential plan amendment to:</p> <ul style="list-style-type: none"> • Consider allowing reversion to previous management from a hard trigger response once population/habitat conditions improve.

SEC Discussion Items:

- ✓ Are the issues and recommendations adequately captured on behalf of Nevada stakeholders for this topic?
- ✓ Have we missed any issues or recommendations specific to this topic?



Topic Area 5: Grazing

Issues: 1) Need to clearly articulate that proper grazing is compatible with enhancing or maintaining GRSG habitat; 2) Causal factor analysis must be completed and grazing should be determined to be the causal factor prior to making changes to a grazing permit; and 3) Need to incorporate flexibility in allotment prioritization process.

Short Term Recommendations

- 1) Policy – Revise existing grazing IMs to:
 - clearly articulate that proper grazing is compatible with and can be beneficial to manage quality GRSG habitat.
 - develop methods to quickly assess and report conditions on areas where proper grazing is occurring and supporting quality habitat, and focus then place emphasis on problem areas.
 - Incorporate flexibility in the allotment prioritization process.
- 2) Continue to pursue targeted grazing and outcome based grazing pilots to further demonstrate ways to control fuels and improve habitat conditions.
- 3) Clarify that existing regulations allow AUMs to increase based on forage availability.
- 4) Training – to staff and partners on how permits are currently modified.

Long Term Recommendations

None at this time.

SEC Discussion Items:

- ✓ Are the issues and recommendations adequately captured on behalf of Nevada stakeholders for this topic?
- ✓ Have we missed any issues or recommendations specific to this topic?



Topic Area 6: Exclusion/Avoidance Land Use Plan Designations

Issues: 1) Designation of exclusion areas may sometimes differ from the State's approach; 2) Concern as to how maintenance and production activities for already authorized activities are being managed; 3) Mineral material sales (sand and gravel) closed areas; 4) Valid existing rights; 5) Misinterpretation of "avoidance;" and 6) Plans don't recognize State's guidance that some activities are "de minimis."

Short Term Recommendations

- 1) Evaluate - Complete an evaluation of State approaches and plan flexibilities compared to BLM land use plan designations.
- 2) Policy - Develop a new IM that clarifies that maintenance and production activities for already authorized uses are allowed for in PHMA and GHMA.
- 3) Evaluate mechanisms to provide conservation while also accommodating the need for mineral materials sales in PHMA.
- 4) Provide clarification to staff and partners, so there is a clear and consistent understanding of application of plan actions to valid existing rights.
- 5) Policy and Training – Develop state-specific IMs that explain what avoidance means and how to apply avoidance criteria and provide training for staff on how to implement this criteria and where there is flexibility.
- 6) Investigate "de minimis" activities as defined by the States and determine if any tools are available for use in Federal processes to streamline approval.

Long Term Recommendations

Depending on short term outcomes, conduct a potential plan amendment to:

- Adjust exclusion or closed boundaries or evaluate new restrictions for different uses based on local threats.

Develop programmatic NEPA documents to analyze impacts for tiering of future projects. And Identify categorical exclusions for "de minimis" activities.

SEC Discussion Items:

- ✓ Are the issues and recommendations adequately captured on behalf of Nevada stakeholders for this topic?
- ✓ Have we missed any issues or recommendations specific to this topic?



Topic Area 7: Required Design Features (RDFs)

Issues: 1) Need greater flexibility in using State-developed RDFs; 2) Requirement to include discussion on all RDFs in NEPA; and 3) Lack of consistent application of RDFs in the field.

Short Term Recommendations

- 1) Clarify that the BLM plans provide flexibility to select RDFs appropriate to projects and to use other RDFs, including State RDFs, if they achieve equal or better conservation.
- 2) Evaluate the need for templates and streamlined processes to standardize the evaluation of RDFs.
- 3) Training - Provide clarification that RDFs are not “one size fits all” and do not apply to all activities. Also provide clarification to staff and external partners when and how to use RDFs.

Long Term Recommendations

Plan amendment may be considered to reflect which RDFs are commonly used, to align with measures in the State plans, and avoid repeated consideration of RDFs that are never used.

SEC Discussion Items:

- ✓ Are the issues and recommendations adequately captured on behalf of Nevada stakeholders for this topic?
- ✓ Have we missed any issues or recommendations specific to this topic?



Topic Area 8: Lek Buffers

Issues: 1) Lek buffer distances are incompatible with State buffer distances for some types of development and 2) Need to clarify how to apply lek buffers (e.g., distance for NEPA analysis vs. distance to restrict activities).

Short Term Recommendations

- 1) Provide clarification to staff and partners regarding the use of lek buffers and justifiable departures and re-visit the scientific literature pertaining to lek buffer distances.
- 2) Training - Provide clarification to staff and external partners for how the lek buffer appendix should be used to potentially adjust lek buffers noted in the BLM plans based on project-specific information.

Long Term Recommendations

- Depending on short term outcomes, conduct a potential plan amendment to:
- Adjust lek buffer distances based on new science and high quality information.

SEC Discussion Items:

- ✓ Are the issues and recommendations adequately captured on behalf of Nevada stakeholders for this topic?
- ✓ Have we missed any issues or recommendations specific to this topic?



Topic Area 9: Habitat Management Area Boundaries

Issues: 1) Sagebrush Focal Area designations; and 2) Need for flexibility to change PHMA and GHMA boundaries.

Short Term Recommendations

- 1) Determine the habitat type and associated management actions that underlay SFAs to ensure durable and effective conservation of the species.
- 2) Evaluate the ability to adjust PHMA/GHMA boundaries and their associated management actions to match revised habitat maps without having to conduct a plan amendment.
- 3) Develop policy on how to apply management actions, such as stipulations or land use allocations in areas where PHMA or GHMA do not match habitat maps.

Long Term Recommendations

- Depending on short term outcomes, conduct a potential plan amendment to:
- Remove SFA designations and replace their management actions with those attached to PHMA or GHMA or modify only the SFA management actions.
 - Align PHMA, GHMA, and OHMA (and their associated management actions) to revised habitat maps and develop criteria for making future adjustments to habitat management area boundaries.

SEC Discussion Items:

- ✓ Are the issues and recommendations adequately captured on behalf of Nevada stakeholders for this topic?
- ✓ Have we missed any issues or recommendations specific to this topic?



Topic Area 10: Wildland Fire and Invasive Species

Recommended Additional Steps:

1. Continue to work on the ongoing Integrated Rangeland Fire Management Strategy and the 2006 WAFWA Sagebrush Conservation Strategy.
2. Support Intermountain West Joint Venture to implement a Sagebrush Ecosystem Communications Framework – Sage West.
3. Support the development of the Western Invasive Weeds Action Plan.
4. Implement DOI's National Seed Strategy for Rehabilitation and Restoration.
5. Support agreements between BLM, USFS, and NRCS to improve coordination with landowners and promote cross-boundary projects that address invasives and wildland fire.
6. Explore options for shared funded positions and sharing fire equipment with local rangeland fire protection associations and rural fire departments.



Topic Area 10: Wildland Fire and Invasive Species

Recommended Additional Steps (continued):

7. Use good neighbor authority to promote the easy transfer of funds.
8. Promote increased coordination with Federal agencies and local governments.
9. Explore options for multi-jurisdictional funding across boundaries.
10. Move to towards a risk-based funding approach at DOI.
11. Conduct research and implementation pilots.
12. Continue investigating the use of targeted grazing and other tools to manage fuels and create fuel breaks.
13. Work with other agencies to gain approval of concurrent EPA registration and field-testing bio pesticides and chemical herbicides to expedite this process.

SEC Discussion Items:

- ✓ Are the recommended additional steps adequately captured on behalf of Nevada stakeholders?
- ✓ Have we missed any issues or recommendations specific to this topic?



Topic Area 11: Wildlife Management

Recommended Additional Steps:

– Captive Breeding:

- If pursued, efforts should use experimental designs to build on already-available information and data, including addressing knowledge of data gaps to effectively rear sage-grouse in captivity for successful release or reintroduction in the wild.
- Adhere to all relevant State laws and authorities for potential release and reintroductions.

– Predator Control:

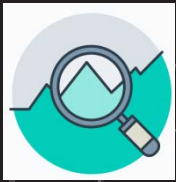
- Continue to communicate on outcomes of past predator control efforts, including methods, species controlled, and the long term results.
- Conduct additional research into both non-lethal and lethal predator control techniques.

– Population Targets and Species Management

- Support collaborative efforts with the States to develop range wide, state, and local population estimates.
- Develop a framework to assess sage-grouse population trends, determine biological effectiveness of management actions, and identify emerging issues to adaptively conserve sage-grouse.
- Work collaboratively with States and Federal partners to develop new and improve existing processes to evaluate sage-grouse population information, habitat conditions, and conservation efforts.

SEC Discussion Items:

- ✓ **Are the recommended additional steps adequately captured on behalf of Nevada stakeholders?**
- ✓ **Have we missed any issues or recommendations specific to this topic?**



Topic Area 12: Science and Data

Recommended Additional Steps:

1. Establish data sharing agreements between Federal, State, and local entities.
2. Maintain directory of data stewards and technical experts for all agencies.
3. Improve procedures for maintaining data in mutually developed catalogs.
4. Increase use of common communication tools to increase awareness of new data.
5. Establish minimum data standards for information in shared catalogs for use in agency decision making.
6. Identify multiscale spatial data units that could be used to aggregate data to increase opportunities for use of information when raw data contains sensitive or proprietary information.
7. Continue to work with States and others to identify barriers to data sharing.
8. Work with States and tribes to explore ways to improve data sharing for capturing observations of species, as well as local and traditional ecological knowledge.

SEC Discussion Items:

- ✓ **Are the recommended additional steps adequately captured on behalf of Nevada stakeholders?**
- ✓ **Have we missed any issues or recommendations specific to this topic?**

Discussion: Is there a need for additional stakeholder involvement and how can that be achieved?



- **In coordination with the SGTF, hold discussions with counties, local governments, and tribes, as well as ranchers, landowners, industries, conservation organizations, and other interested parties, to review the issues and recommendations included in this report, and identify any additional issues or recommendations for consideration.**
- **Review input from other partners, and make any further adjustments to recommendations at the SGTF meeting scheduled after the public outreach phase (estimated at the end of October 2017).**
- **Develop the evaluations, policies, and clarifications identified as short term options in this report to address improvements that can be quickly implemented.**
- **For longer term options that include potential plan amendments, further refine the issues and potential solutions, including evaluating State-specific solutions and assessing potential additive effects of the proposed changes and the continued ability to achieve conservation of GRSG.**
- **Review short term actions and evaluate the need for additional short or long term actions, including potential plan amendments as appropriate, in collaboration with the SGTF (estimated in January 2018).**



Thank you!

The image features a central landscape photograph of rolling hills at sunset, with a clear blue sky transitioning to orange and red near the horizon. The foreground is filled with low-lying green and blue vegetation. The top and bottom of the image are framed by a dark grey background with white contour lines, resembling a topographic map. Two horizontal green lines are positioned near the top and bottom edges of the map pattern.