



November 29, 2017

Bureau of Land Management
Attn: Johanna Munson
1387 South Vinnell Way
Boise, ID 83708

Bureau of Land Management - MT
John Carlson
5001 Southgate Drive
Billings, MT 59101

Submitted via email: BLM_sagegrouseplanning@blm.gov; jccarlso@blm.gov

Re: Comment on Notice of Intent to Amend Land Use Plans Regarding Greater Sage-Grouse Conservation and Prepare Associated Environmental Impact Statements or Environmental Assessment

Flathead Audubon Society, a 501 c (3) non-profit organization, is a local chapter of the National Audubon Society. Our mission is to conserve birds, wildlife habitat, and ecosystem diversity. We are based in Kalispell, MT, and our 400+ members are concerned about conserving the sagebrush ecosystem and the wide variety of wildlife it supports in addition to the Greater Sage-Grouse.

Flathead Audubon Society supports the Sage-grouse BLM Resource Management plans and opposes any significant changes to the plans. The sagebrush ecosystem is biologically important to Montana and the West, playing an important role in the hydrological cycle and supporting 350+ species of wildlife, including many like Greater Sage-grouse that are in decline. These lands represent a legacy to pass on to future generations.

We strongly support the unprecedented rangewide effort led by the BLM because these federal management plans included conservation measures for sage-grouse. We are very supportive of the overall layered management approach that provides the strongest protections in the most valuable habitat. The main aspects of the plans, including providing the most protections for the most important habitat, are based on science and the input of a wide range of stakeholders that took years to develop. The plans should be given a chance to work. Significant changes will undermine the basis for the U.S. Fish & Wildlife Service's finding that the Greater Sage-grouse no longer warrants listing under the Endangered Species Act, risk the habitat upon which hundreds of other species depend, and create uncertainty for industries and communities that need to plan together for the future.

Flathead Audubon Society submits the following comments:

1. **No amendments or substantial changes to the plans are required nor should be pursued.** These plans were the result of an extended and extensive process to develop a workable framework to conserve the sagebrush ecosystem and permit other ongoing uses of the affected public lands, which resulted in the U.S. Fish and Wildlife Service finding that the Greater Sage-grouse no longer warranted listing under the Endangered Species Act. This is the reason that the Western Governors Association's Sage Grouse Task Force has indicated that wholesale changes to the plans are not needed. Changes that rise to the level of an amendment are likely to undermine the overall structure of the plans and their ability to succeed. Policy guidance, training, and clarifications should be used to address remaining questions regarding implementation.
2. **A wealth of science supports the structure of the plans and would not support major changes, such as focusing on population objectives or using captive breeding.** There is

general agreement among the Bureau of Land Management's (BLM's) National Technical Team, the United States Fish and Wildlife Service's (USFWS's) Conservation Objectives Team, the United States Geological Survey's (USGS's) Summary Report, as well as Western Association of Fish and Wildlife Agencies (WAFWA) on key elements of plans. White papers issued by WAFWA in 2017 on population and habitat management, captive breeding, and predator control cite many scientific studies that support the current plans. Additionally, reports collaboratively written with substantial state participation support the structure of the current plans, such as the COT Report (2013) and the Mitigation Report to the Sage Grouse Task Force of the Western Governors' Association (2016).

3. **Maintain key elements of the plans.** While some of these provisions could be clarified or better interpreted through additional guidance or plan maintenance actions, the main elements must be retained for the plans to effectively function. Further, all of these tools are needed to support the USFWS finding that listing is not warranted.

- a. **Protect the highest value habitat** – The plans provide the most protections to the highest value habitat while providing more flexibility for other activities to occur in lower value or outside habitat. Maintaining the plans' focus on protecting the highest value habitat has limited impacts on oil and gas development and is critical to conserving the species. Habitat designations including Priority Habitat Management Areas (PHMAs) and General Habitat Management Areas (GHMA) and the associated protections must be maintained. The plans currently incorporate key commitments of agency resources to support this structure. For instance, oil and gas leasing and development are prioritized outside of both priority and general habitat management areas.
- b. **Retain measures to reduce destruction and fragmentation of habitat** – The most important provisions addressing energy development and other causes of habitat fragmentation include:
- No surface occupancy provisions for oil and gas development within PHMAs;
 - Similar direction on appropriate locations for development of wind, solar and transmission lines; and
 - Limitations on the amount and timing of surface-disturbing activities, such as surface disturbance caps and buffers around leks.

Without these scientifically supported safeguards, the plans will neither effectively protect habitat nor provide the Fish and Wildlife Service the necessary certainty that habitat will be protected to support the “not warranted” determination. Many of the states that have developed their own sage-grouse conservation plans use similar measures because they are most reliable and effective.

- c. **Ensure unavoidable harms are mitigated** - By designing appropriate mitigation measures, the plans provide a path forward for allowing more activities on public land that may harm Greater Sage-grouse habitat (such as activities that would otherwise exceed the scientifically-set surface disturbance caps). Mitigation is a necessary part of the plans' structure and is also a key part of the management approaches taken by the Western states, including states that have formal sage-grouse conservation plans. The plans are designed to improve and restore habitat, using a net gain requirement, which should be retained to continue expanding suitable habitat and making up for years of precipitous loss.
- d. **Monitor and adjust the plans as conditions on the ground change** - The current plans outline procedures for how major problems (such as precipitous drops in population or habitat condition) will be identified and should be addressed quickly. The plans include a Habitat Objectives Table, Habitat Assessment Framework, and Assessment, Inventory and Monitoring procedures that provide for data collection and measurement of conditions and analysis. This will yield detailed evidence that the plans are working. It will

also feed into the adaptive management framework, which leads to immediate action when certain triggers occur.

- e. Show scientific support – As noted above, the grouse conservation/management plans relied on accepted science. Some of the changes discussed in the August 4th report are not supported by science, such as captive breeding or relying solely on population counts, as evidenced in the WAFWA literature review from September 2017. Many key elements of the current plans, such as surface disturbance caps and lek buffers, are accepted as the most likely to succeed. Any changes, including proposed changes in the boundaries of management areas, must be consistent with the current, accepted science.
 - f. Maintain the rangewide framework while addressing the need for state-specific measures. While the plans have variations among states, they are based on a rangewide conservation strategy, which provided the basis for the USFWS 2015 decision that listing was no longer warranted. This cohesive strategy must be maintained.
4. **Additional measures to strengthen the plans**. We support strengthening the plans by issuing the following guidance:
- a. Evaluating grazing measures based on site conditions. BLM should issue guidance to clarify that site-specific information will be the basis for any decisions affecting grazing permittees and changes to grazing will only occur when grazing is a cause of habitat impacts and changing grazing can improve habitat conditions.
 - b. Prioritizing oil and gas leasing and development outside sage-grouse habitat. Guidance regarding prioritizing oil and gas leasing outside habitat is an important requirement of the plans, but current guidance should be updated. Because the majority of federal lands identified as high or medium oil and gas development potential are located outside priority sage-grouse habitat and directional drilling technology means that most oil and gas resources can be developed, even if they are under important sage-grouse habitat, sufficient energy resources can be accessed without disturbing important habitat.

Flathead Audubon Society strongly supports the unprecedented rangewide effort led by the BLM to incorporate conservation measures for the Greater Sage-grouse into land use management plans and opposes the need for any significant changes to the plans. We hope to see any questions regarding implementation of the plans addressed through issuing policy guidance, training, and clarifications, not an amendment process.

The sagebrush ecosystem is important to our Chapter, our members, and residents of our state. We continue to encourage the Bureau of Land Management to do what is right for Greater Sage-grouse by giving these science-driven federal plans a chance to work, including the funding that is necessary.

Sincerely,

Kay Mitchell, President
Flathead Audubon Society
PO Box 9173
Kalispell, MT 59904