

Bureau of Land Management
National Sage-Grouse Habitat Conservation Strategy

**1.3.1 Guidance for Addressing Sagebrush Habitat Conservation
in BLM Land Use Plans**

U.S. Department of the Interior

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Guidance for Addressing Sagebrush Habitat Conservation in BLM Land Use Plans

This guidance is intended to help BLM planning teams include sagebrush habitat and sagebrush-dependent wildlife species (including sage-grouse) considerations in BLM land use planning efforts. Planning teams should use this guidance in planning areas with sagebrush habitat for land use plans in progress (to the extent practicable for plans well underway), new planning starts and plan amendments. This guidance may be supplemented, as appropriate, with additional information from completed State- or local-level sage-grouse strategies or plans.

Pursuant to the BLM Sage-grouse Habitat Conservation Strategy (Action 1.3.4), each State Director must, by April 2005, develop a process and schedule to update deficient land use plans to adequately address sage-grouse and sagebrush conservation needs. BLM state-level conservation strategies and/or plans should continue to be developed in concert with state agency-led efforts consistent with mutually agreed-upon schedules.

This guidance focuses on sagebrush habitat as a whole rather than on sage-grouse or other individual species because it is important to plan for the conservation of habitat for all wildlife species. It is also BLM policy to consider all special status species in planning (§6840.02B). This should assist in the conservation of species and reduce the need for listings under the Endangered Species Act.

This guidance describes how planning teams can incorporate sagebrush considerations into each of the basic steps involved in preparing a land use plan and associated NEPA analyses as listed below:

1. Prepare to Plan
2. Conduct Scoping
 - a. Issue Statement
 - b. Planning Criteria
3. Analyze the Management Situation
4. Develop Alternatives
 - a. Goals and Objectives
 - b. Allowable Uses and Management Actions
5. Estimate Effects of Alternatives

1. Prepare to Plan

IM 2001-038 (Development/Approval of Preparation Plans for New Planning Starts) lists the items that a preparation plan should include. Listed below are select components of the preparation plan where planning teams should address sagebrush habitat and associated wildlife species (including sage-grouse):

- Anticipated planning issues and management concerns (see step 2.a below);
- Preliminary planning criteria and outstanding questions that must be addressed to support management decisions (see step 2.b below);
- Available data and data collection/format standards employed;
- Known or anticipated data gaps; and

- Data standards, work-month costs, staffing and skill requirements, and estimated time-frames needed to establish an integrated, automated geospatial database for filling in data gaps.

2. Conduct Scoping

a. Issue Statement

Land use plans should include an issue statement that (1) describes the status of sagebrush-obligate species such as sage-grouse and (2) identifies the need to allocate land uses and identify management activities to help conserve sagebrush habitat and sagebrush-obligate species on BLM-administered lands.

b. Planning Criteria

Planning criteria should be based on federal laws, regulations and policies that guide land management decisions that affect the conservation of sagebrush habitat and sagebrush-obligate species on BLM-administered land (43 CFR 1610.4-2).

Listed below are the most significant federal laws, regulations and policies upon which such criteria may be based (see Attachment 1 for a summary of these items).

- Endangered Species Act of 1973 (ESA)
- Federal Land Policy and Management Act (FLPMA) of 1976 (43 U.S.C. 1701 *et seq.*)
- Sikes Act of 1974, Title II (16 U.S.C. 670g *et seq.*), as amended
- 43 CFR 1610 (Planning regulations)
- 43 CFR 4180 (Rangeland Health Standards)
- BLM Rangeland Health Standards Handbook (H-4180-1)
- BLM Land Use Planning Handbook (H-1601-1)
- BLM Manual 6840 - Special Status Species Management

It is recommended that planning teams also consider the information below in developing planning criteria, as they deal specifically with sage-grouse considerations.

- Western Association of Fish and Wildlife Agencies (WAFWA) Conservation Assessment of Greater Sage-grouse and Sagebrush Habitats (Connelly et al., 2004)
- State and local sage-grouse conservation plans
- Relevant local and regional data relative to sage-grouse and other sagebrush-dependent wildlife species
- Relevant scientific literature, such as the WAFWA Guidelines for Management of Sage-grouse Populations and Habitats (Connelly et al, 2000)
- Other appropriate information

Planning teams may also want to consider 50 CFR Chapter IV – the Fish and Wildlife Service Policy for the Evaluation of Conservation Efforts when Making Listing Decisions (PECE). This policy provides a framework and criteria for evaluating conservation efforts that have not yet been implemented or have not yet demonstrated effectiveness.

3. Analyze the Management Situation

The Analysis of the Management Situation (AMS) should describe the following information about sagebrush habitat and sagebrush-obligate species (including sage-grouse) in the planning area:

- Decisions from all applicable planning documents (Resource Management Plans, plan amendments, etc) that are affecting or could affect sagebrush habitat.
- The importance of the planning area to habitat for sagebrush-obligate species from a regional perspective. For example, state whether any portion of the habitat is part of a sage-grouse stronghold within the state.
- Current condition and extent of habitat for sagebrush-obligate species.
- Areas of highest priority for protecting, maintaining and restoring sagebrush habitat. Consider the size, condition, and connectivity of habitat areas when identifying priority areas. Emphasize habitat for sagebrush-obligate species when identifying priority areas for sagebrush as a whole.
- Trends of habitat condition and extent for sagebrush-obligate species.
- Indicators or criteria that will be used to evaluate the effects of the alternatives.
- Management opportunities to respond to identified issues or conflicts (that could be arrayed in a range of alternatives).

Use maps and other materials from State wildlife agencies, BLM, and/or other sources to gather information about the importance of the planning area to sagebrush-obligate species (including sage-grouse) from a regional perspective and the current condition and extent of sagebrush habitat. Most BLM States have completed or are in process of completing “broad resolution” maps of sage-grouse habitat. IM 2004-136 also addresses this task. These maps display vegetative cover and its current or potential utility to sage-grouse, and are therefore useful information sources regarding sage-grouse habitat.

The broad resolution maps may not provide information about the specific locations and conditions of seasonal sage-grouse habitats (breeding, nesting/early brood rearing, late brood-rearing and wintering). Use available local maps to describe the seasonal habitats within the planning area. If seasonal habitat information is not available at present, prepare maps at the planning area scale according to guidelines in state strategies (if completed) or BLM’s Guidance for the Management of Sagebrush Plant Communities for Sage-grouse Conservation (if state strategies are not completed), in partnership with State wildlife agencies.

4. Develop Alternatives

The alternatives should identify and evaluate reasonable, feasible and effective options for conserving sagebrush habitats and associated species in accordance with BLM's multiple-use mandate in FLPMA.

Ensure that each alternative contains considerations for sagebrush habitat conservation by (1) developing one or more goals related to sagebrush habitat with emphasis on sage-grouse habitat that will apply to all alternatives, (2) including objectives in each alternative that pertain to the goals, and (3) identifying allowable uses or management actions to achieve the objectives. This method will ensure that all alternatives, including the preferred alternative, will include sagebrush and sage-grouse habitat considerations.

Evaluate different levels of sagebrush (and associated sage-grouse) habitat conservation in the range of alternatives. The amount of sagebrush and sage-grouse conservation will vary as the alternatives respond to other resource concerns or demands. The evaluation of different levels of habitat conservation will help determine which combination represents the best balance of sagebrush and sage-grouse habitat conservation and resource use over the long term.

Describe and analyze at least one alternative that maximizes conservation of sagebrush habitat (emphasizing special status species habitat) through objectives, land use plan decisions and management direction. This alternative may or may not be designated as the Preferred Alternative.

a. Goals and Objectives

Develop planning goals for protection/maintenance and restoration/rehabilitation of sagebrush habitat. Write objectives for each alternative that will achieve the goals to different degrees. Some objectives can be the same across some or all of the alternatives. For example, two alternatives may have the objective of initiating restoration/rehabilitating X percent of potential habitat by 2015, and another alternative may have the objective of initiating restoration/rehabilitating Y percent of potential habitat by 2015.

Listed below are recommended goals for the protection/maintenance and restoration/rehabilitation of sagebrush habitat. These goals may need to be modified for a given planning area based on the information that is available about the location and extent of sagebrush habitat and sagebrush-obligate species (especially sage-grouse) populations.

Protection/maintenance goal (focus on currently occupied high-priority habitat)

- Sustain the integrity of the sagebrush biome to provide the amount, continuity, and quality of habitat that is necessary to maintain sustainable populations of sage-grouse and other species by achieving the following results:

1. Maintain large patches of high quality sagebrush habitats, with emphasis on patches occupied by sage-grouse.
2. Maintain connections between sagebrush habitats, with emphasis on connections between habitats occupied by sage-grouse.

Restoration/rehabilitation goal

- Identify the amount of habitat that should undergo restoration and/or rehabilitation during the life of the plan and initiate restoration and/or rehabilitation by achieving the following results:
 1. Reconnect large patches of sagebrush habitat with emphasis on reconnecting patches occupied by stronghold and isolated populations of sage-grouse.
 2. Enlarge the size of patches of sagebrush habitats with emphasis on patches occupied by sage-grouse.

b. Allowable Uses and Management Actions

Set forth allowable uses and management actions in the plan to accomplish the objectives. Identify actions for protection/maintenance and restoration/rehabilitation to conserve sagebrush habitat with an emphasis on habitat for sage-grouse and other sagebrush-obligate species.

Include prescriptions, standards, and other mitigation measures to help protect/maintain and restore/rehabilitate sagebrush habitat according to the Suggested Management Practices section of BLM's Guidelines for the Management of Sagebrush Plant Communities for Sage-Grouse Conservation. Suggested Management Practices are provided for the maintenance and restoration of sagebrush vegetative communities that have been lost, fragmented, or are intact but of diminished quality. The Suggested Management Practices are cross-referenced to a variety of land management activities which could affect sagebrush communities.

See Attachment 2 for sample stipulations that could be included in land use plans.

5. Estimate Effects of Alternatives

Describe the direct, indirect, and cumulative impacts to sagebrush habitat and associated sage-grouse habitat (current occupied habitat and potential restoration/rehabilitation areas). Describe also impacts to populations of sage-grouse and other significant sagebrush-obligate species (if applicable). Quantify the impacts to the extent possible (e.g., Alternative A would allow for X miles of new roads or cause X acres of surface disturbance or X acres of sagebrush habitat loss in current sage-grouse habitat).

Attachment 1

Reference Materials for Planning Criteria for Sagebrush Habitat

Listed below are summaries of federal laws, regulations and policies that guide land management decisions affecting sagebrush habitat. The excerpts provided support and/or influence consideration of sagebrush and sage-grouse habitat in land use planning efforts. These should be considered in developing planning criteria in BLM land use plans, as appropriate.

Federal Land Policy & Management Act (FLPMA) of 1976, (43 U.S.C. 1701 et seq.)

Sec.102. [43 U.S.C. 1701], Declaration of Policy. (a) The Congress declares that it is the policy of the United States that: (8) the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use.

Sikes Act of 1974, Title II (16 U.S.C. 670g et seq.), as amended

This Act directs the Secretaries of Interior and Agriculture to, in cooperation with the State agencies, develop plans to “develop, maintain, and coordinate programs for the conservation and rehabilitation of wildlife, fish and game. Such conservation and rehabilitation programs shall include, but not limited to, specific habitat improvement projects, and related activities and adequate protection for species considered threatened or endangered.”

43 CFR 1610 - Planning regulations

Sec. 1610.4-3 Inventory data and information collection. (a) The District or [Field] manager shall arrange for resource, environmental, social, economic and institutional data and information to be collected, or assembled if already available. New information and inventory data collection will emphasize significant issues and decisions with the greatest potential impact. Inventory data and information shall be collected in a manner that aids application in the planning process, including subsequent monitoring requirements.

Sec. 1610.4-4 Analysis of the management situation. The District or [Field] Manager shall analyze the inventory data and other information available to determine the ability of the resource area to respond to identified issues and opportunities...

Sec. 1610.7-2 Designation of areas of critical environmental concern. Areas having potential for Areas of Critical Environmental Concern (ACEC) designation and protection management shall be identified and considered throughout the resource management planning process...(a) The inventory data shall be analyzed to determine whether there are areas containing resources, values, systems or processes or hazards eligible for further consideration for designation as an ACEC. In order to be a potential ACEC, both of the following criteria shall be met:

(1) Relevance. There shall be present a significant historic, cultural, or scenic value; a fish or wildlife resource or other natural system or process; or natural hazard.

(2) Importance. The above described value...shall have substantial significance and values...

43 CFR 4180 – Rangeland Health Standards

The regulations at 43 CFR 4180.1(d) require the management of rangelands so that “habitats are, or are making significant progress toward being, restored or maintained for Federal threatened and endangered species, Federal Proposed,...and other special status species.”

BLM Rangeland Health Standards Handbook (H-4180-1)

BLM’s 4180 Handbook expands upon the 4180 regulations to state that standards apply to all ecosystems falling under BLM management (not just rangelands) and all activities managed by BLM (not just livestock grazing). BLM developed Land Health Standards in each state to define minimum resource conditions that must be achieved and maintained to meet the four fundamentals of rangeland health described in 43 CFR 4180.1.

BLM’s Land Use Planning Handbook (H-1601-1) – *Note: this handbook is currently under revision. Asterisks indicate places where wording may change according to the draft revised version of the handbook from April 2004.*

Appendix C of this handbook states that RMP decisions...

- Should identify strategies* and* decisions to conserve and recover special status species.
- Should identify actions and area-wide use restrictions needed to achieve desired population and habitat conditions.
- Should be sufficiently detailed to protect*/enhance habitat pending development of implementation-level plans.
- May include stipulations or criteria that would apply to implementation actions.
- Should be consistent with approved conservation agreements (CAs), biological opinions (BOs), etc.

Appendix C also states that implementation decisions should...

- Identify programmatic and site-specific actions to implement Land Use Plan (LUP)* decisions.
- Include an implementation schedule.*

BLM Manual 6840 - Special Status Species Management

The 6840 Manual provides for BLM to implement management plans that conserve candidate and Bureau-sensitive species and their habitats, and to ensure that actions authorized, funded, or carried out by the BLM do not contribute to the need for the species to become listed under the provisions of the Endangered Species Act.

Attachment 2

Oil and Gas Leasing Stipulations (RMP Format - Example)

The table below includes sample stipulations for No Surface Occupancy (NSO) and Timing Limitation (TL) that could benefit sage-grouse habitat conservation. Consider including stipulations such as these in land use plan revisions or amendments.

Type of Stipulation	Protected Resource	RMP Acres Affected (Approx.)	Stipulation Description
NSO	Greater Sage-grouse Leks [CODE XXX]	[insert total RMP NSO acres for Sage-grouse]	<p>STIPULATION: Greater Sage-grouse Leks. This area encompasses sage-grouse leks. Surface Occupancy is not allowed within [insert distance] of identified lek sites.</p> <p>Purpose: To protect lek and nesting habitat within [insert distance] of active leks. (XXXXXX RMP, Page XX)</p> <p>EXCEPTION: The Field Manager may grant an exception if an environmental analysis determines that the action, as proposed or conditioned, would not impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities.</p> <p>MODIFICATION: The Field Manager may modify in extent, or substitute with a timing limitation, if an environmental analysis finds that a portion of the NSO area is nonessential to site utility or function, or that the proposed action could be conditioned so as not to impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities. The stipulation may also be modified if the proponent, BLM, State wildlife agency, and where necessary, other affected interests, negotiate compensation or mitigation that satisfactorily offsets anticipated impacts to sage-grouse breeding activities and/or habitats.</p> <p>WAIVER: This stipulation may be waived, if after consulting with the State wildlife agency, it is determined that the site has been permanently abandoned or unoccupied for a minimum of __ years; site conditions have changed such that there is no reasonable likelihood of site occupation for a subsequent minimum period of __ years.</p>
TL	Greater Sage-grouse Nesting Habitat Associated with Leks [CODE XXX]	[insert total RMP TL acres for Sage-grouse]	<p>STIPULATION: Sage-grouse Nesting Habitat. This area encompasses suitable sage-grouse nesting habitat associated with individual leks. No new surface use is allowed (exploration, construction, and drilling), within [insert distance] of identified leks from [insert date] through [insert date]. This stipulation does not apply to operation and maintenance of existing production facilities and roads.</p> <p>PURPOSE: To protect sage-grouse nesting activities associated with individual leks on sagebrush vegetation types. (XXXXXX RMP, Page XX)</p> <p>EXCEPTION: The Field Manager may grant an exception if an environmental analysis determines that the action, as proposed or conditioned so as not to affect nest attendance, egg, chick survival, or nesting success. An exception could also be granted if the proponent, BLM, and State wildlife agency and where necessary, other affected interests, negotiate compensation or mitigation that would satisfactorily offset the anticipated losses of nesting habitat or nesting activities. Actions designed to enhance the long-term utility or availability of suitable sage-grouse habitat may be exempted from this timing limitation.</p> <p>MODIFICATION: The Field Manager may modify the size and shape of the Timing Limitation area if an environmental analysis indicates the actual habitat suitability for nesting is greater or less than the [insert distance] radius. Timeframes may be modified based on studies documenting local periods of actual use.</p> <p>WAIVER: This stipulation may be waived, if after consulting with the State wildlife agency, it is determined that the described lands are incapable of serving the long-term requirements of sage-grouse nesting habitat and that these ranges no longer warrant consideration as components of sage-grouse nesting habitat.</p>