DRAFT FEDERAL ALTERNATIVE OF GOVERNOR C.L. "BUTCH" OTTER

FOR GREATER SAGE-GROUSE MANAGEMENT IN IDAHO

JUNE 29, 2012

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BACKGROUND

As Governor of the State of Idaho, I hereby submit to the U.S. Secretary of the Interior and U.S. Secretary of Agriculture (collectively, "the Secretary") the State of Idaho's Alternative ("Idaho's Alternative") for incorporation into the National Greater Sage-Grouse Land Use Planning Strategy ("Strategy") of the U.S. Bureau of Land Management ("BLM") and U.S. Forest Service ("USFS") (*see* BLM/USFS 2012). The Strategy aims to incorporate objectives, desired habitat conditions and management actions into land use plans for Federal lands – for the BLM, the Resource Management Plans ("RMPs") required by the Federal Land Policy and Management Act ("FLPMA") and for the USFS, the land management plans ("LMPs") required by the National Forest Management Act ("NFMA")—by September 30, 2014. The ultimate outcome for the Strategy is to conserve the greater sage-grouse (*Centrocercus urophasianus*) ("sage-grouse") and its habitat and potentially avoid an ESA listing (*see* BLM 2011a).

The State of Idaho wishes to express its appreciation for the Secretary's recognition of the important role states can play in managing and conserving the sage-grouse. In conjunction with this recognition, I believe the recommendations contained herein not only provide reasonable solutions to this complex natural resource issue, but also ensure the long-term sustainability of those habitat attributes necessary to preclude the need to list the species under the Endangered Species Act ("ESA").

In order to place Idaho's Alternative in proper context, it is necessary to set out a brief overview of the process the State employed. As Idaho currently enjoys viable and widespread populations of sage-grouse, I was fully aware of the need for a carefully planned process to ensure we conserved the species and its habitat while maintaining predictable levels of land use. I would urge our Federal partners to approach the issue in this fashion.

GOVERNOR'S SAGE-GROUSE TASK FORCE

On March 9, 2012, I issued Executive Order 2012-02 establishing the Governor's Sage-Grouse Task Force, hereafter the "Task Force" (*see* Task Force Website, available at: http://fishandgame.idaho.gov/public/wildlife/?getPage=310). The Task Force was a diverse group of stakeholders comprised of representatives from local working groups, conservation interests, state and local officials and industry. The Task Force was charged with providing me recommendations on policies and actions for developing a state-wide regulatory mechanism to preclude the need to list the species.

In March through May 2012, the Task Force met eight times in various locations across the State of Idaho. Each meeting was open to the public and provided an opportunity for people to comment on sage-grouse conservation and its potential effects. Additionally, the Idaho

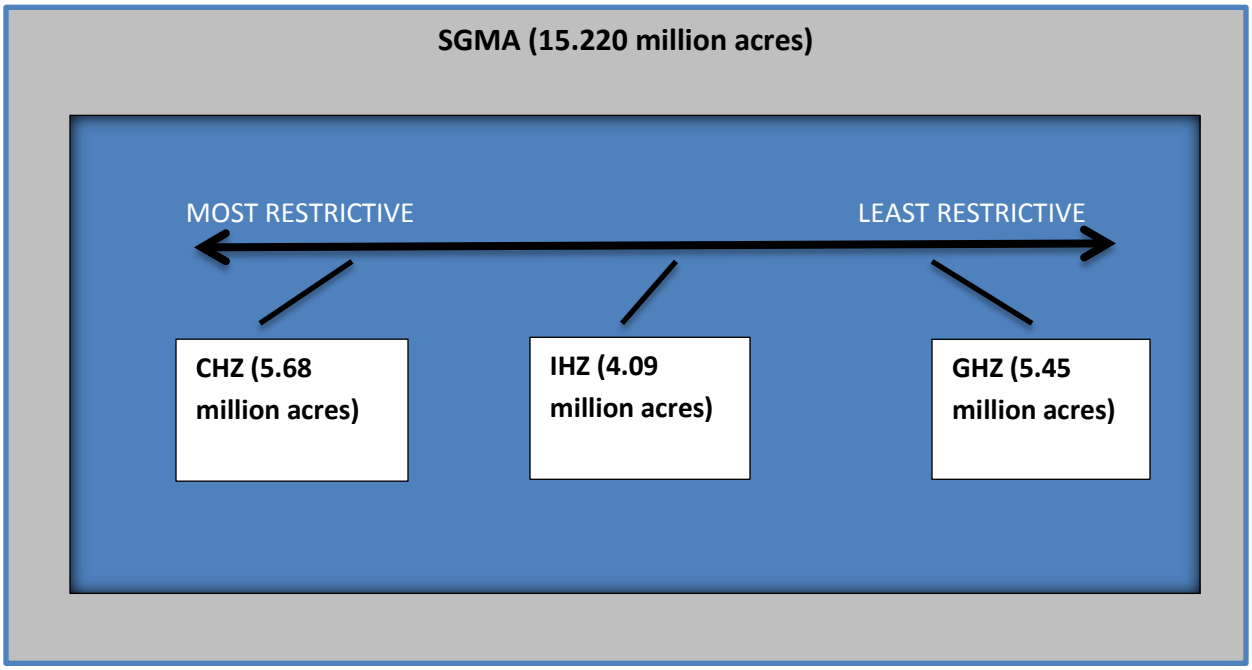
Department of Fish and Game ("IDFG") hosted a Web page displaying the times and locations of Task Force meetings, agenda, meeting notes, and presentations made during the meetings. *See* IDFG 2012b. Thus, the Task Force conducted an open and transparent information-gathering and decision-making process.

After much deliberation and discussion, the Task Force on June 15, 2012—aided by the technical expertise of IDFG, the U.S. Fish and Wildlife Service ("Service"), and other relevant State and Federal agencies—delivered its recommendations to me for review and consideration. After carefully reviewing those recommendations, I developed a set of "guiding principles" to help shape and evaluate the group's recommendations. Furthermore, these same principles will be valuable in evaluating public comments as the State produces a final alternative for submittal to the Secretary. These guiding principles will be discussed in further detail under section I.

OVERVIEW OF THE STATE'S DRAFT ALTERNATIVE

Consistent with the unanimous recommendation of the Task Force, the State is adopting the designation of a Sage-Grouse Management Area ("SGMA") with three distinct management zones: Core Habitat ("CHZ"), Important Habitat ("IHZ") and General Habitat ("GHZ").

Figure 1. Idaho's Sage-Grouse Management Area[1]



Generally, these management zones outline a suite of basic management activities that may, may under certain conditions, or may not occur within a given area. In other words, the three

[1] The acreages displayed in Figure 1 are approximate values.

management zones within the SGMA represent a continuum that includes at one end, a relatively restrictive approach aimed at providing a high level of protection to the species within the CHZ, and on the other end, a relatively flexible approach for the GHZ allowing for more multiple-use activities. While the IHZ contemplates greater flexibility than in the CHZ, the overall quality and ecological importance of the habitat within this zone is more closely aligned with the habitat in the CHZ than in the GHZ.

The measures set forth below are essential to sage-grouse conservation in Idaho and should receive not only priority consideration in the Strategy, but also in the shaping of future agency budgets. In order to accomplish the objectives set out below, I strongly urge State and Federal agencies, including the Service, BLM, USFS and other federal agencies to work collaboratively to ensure uniform and consistent application of Idaho's Alternative. In particular, BLM needs to make federal funding for fire suppression, especially in the CHZ, a top priority.

It is important to note that this document does not represent a complete list of sage-grouse actions for the State of Idaho. This document only applies to lands managed by the Federal government. With this management framework in place, however, the State will approach willing private parties, local governments, and the Department of Lands to see what actions are necessary to complement the State' Alternative.

SPECIAL REQUEST FOR PUBLIC COMMENT

As mentioned previously, I enlisted the assistance of the Task Force to develop policies and actions for developing a state-wide regulatory mechanism for sage-grouse. These recommendations form the backbone of the State's Alternative. Due to the time constraints associated with this process, the Task Force noted some outstanding issues needing further discussion and/or refinement from the State.

In an effort to conduct a transparent process, the State is seeking comments on the specific and outstanding issues noted in the Task Force's final recommendations. The comment period will end on July 13, 2012. There will be no extensions.

1. Is the infrastructure exemption process in the Critical Habitat Zone ("CHZ") properly tailored to provide limited opportunities for high-value development without impairing the State's ability to maintain its conservation objective?
2. Does infrastructure development in the Important Habitat Zone ("IHZ") strike the appropriate balance between providing realistic opportunities for developing projects, while conserving the species and its habitat in strategic areas to maintain a conservation buffer for the CHZ?
3. What is the best approach for incentivizing landowners to continue maintaining and improving sage-grouse populations and habitats, especially in the CHZ?

DRAFT ALTERNATIVE

The following section further explains the "guiding principles" used to develop Idaho's Alternative.

I. GUIDING PRINCIPLES

A. Task Force Recommendations

Because the Task Force represents the diverse stakeholders associated with this issue, the State has made a concerted effort to defer to their recommendations. In areas where the Task Force provided alternative recommendations and/or left actions to the discretion of the State, we have endeavored to capture the intent of the Task Force consistent with the parameters set out in the Executive Order.

B. ESA Considerations

On March 23, 2010, the Service determined the greater sage-grouse warrants listing over all of its range, including Idaho, but is precluded by higher listing actions. 75 Fed. Reg. 13,910 (Mar. 23, 2010). Specifically, the Service found Federal resource management plans deficient with respect to addressing the primary threats to the species—namely, habitat fragmentation due to wildfires, invasive species and infrastructure development. *See* 75 Fed. Reg. at 13,973-80.

Following the Service's decision, the United States District Court for the District of Idaho ruled the agency must reevaluate the status of the species under the ESA by September 30, 2015. In response to this deadline, the Secretary of the Interior invited the eleven western states impacted by a potential listing of the species to develop state-specific regulatory mechanisms to address these cited deficiencies in order to preclude a listing under the ESA. Accordingly, one of the State's primary objectives in submitting this Alternative is to develop a management framework that passes muster under the Service's review.

C. State's Conservation Objective and Adaptive Regulatory Triggers

The State's conservation objective was designed to be clear and measurable over varying spatial and temporal scales. The State's objective attempts to address the key decision points of the Service's 2010 determination. As mentioned above, the Service's 2010 decision cited lack of regulatory mechanisms and habitat loss as the primary drivers for its decision. Importantly, both of these factors affect the population status of the species. Thus, the Idaho sage-grouse conservation objective is comprised of the following parts: regulatory mechanisms, habitat and population status, and adaptive regulatory triggers.

The State aided by the valuable contributions of the Task Force developed a suite of regulatory measures to address the primary threats of wildfire, invasive species and infrastructure. If implemented, these measures should be sufficient to preclude a listing under the ESA in the State.

Notwithstanding these efforts, unexpected and catastrophic events (e.g., major wildfire event(s), West Nile Virus) may result in a substantial loss of habitat and concomitant decline in sage-grouse populations sufficient to initiate a review of the regulatory approach to the issue. Hence, the State has developed adaptive regulatory triggers and an emergency clause to ensure the populations and habitats within the CHZ, and to a lesser extent, the IHZ are maintained and enhanced. These adaptive triggers are intended to provide a regulatory backstop for navigating unanticipated and deleterious impacts to the species. If these measures prove necessary, the State would still be well positioned to conserve the species and its habitat. The emergency clause also provides an immediate response following a significant loss of sage grouse habitat due to catastrophic wildfire.

Conservation objectives and adaptive management triggers apply to four individual Conservation Areas ("CA") across the State: two north (Mountain Valleys, Desert) and two south (Southwest, Southeast) of the Snake River. Each Conservation Area is divided into Core, Important, and General management zones ("MZs") based upon modeling of sage-grouse breeding bird density, BLM's modeling of habitat connectivity and persistence, scientific on-the-ground knowledge, and the recommendations of the Task Force.

Although wildfire, infrastructure, and invasive species pose threats for sage-grouse in all CAs, wildfire and invasive species tend to be a greater issue in the Desert and Southwest CAs than in the Mountain Valley or Southeast CAs. Additionally, sage-grouse habitats in the Desert and Southwest CAs are relatively contiguous, while those in the Mountain Valley and Southeast CAs tend to be more fragmented. The CHZ (north of the Snake River) is approximately three million acres, and south of the Snake River is approximately 2.7 million acres. Acreage for the CHZ and IHZ in the four CAs is presented in Table 1. These four CAs are further described below:

<u>North of the Snake River</u>

- Mountain Valleys CA— Starting at Rexburg and extending west, sage-grouse habitat north and west of Highway 33 to Howe, Highway 33/22 to Arco, Highway 26/20/93 to Carey, Highway 20 west to Mountain Home, south from Mountain Home on Highway 51 to the Snake River. West-Central is included in this area.
- Desert CA—south of the above line

<u>South of the Snake River</u>

- Southwest CA—west of Highway 93

- Southeast CA—east of Highway 93, including East Idaho uplands and Bear Lake Plateau

CONSERVATION OBJECTIVES

Objective 1: Develop and Implement Adequate Regulatory Mechanisms – This objective is to ensure adequate regulatory mechanisms are implemented to maintain and enhance sage-grouse habitats, populations and connectivity in areas within the CHZ, buffered by strategic areas within IHZ, dominated by sagebrush. Outcomes related to this objective will be assessed every year for each Conservation Area. The objective is achieved where the regulatory mechanisms that avoid, minimize or reduce threats identified in the Service's listing decision are being implemented in these management zones.

Idaho's regulatory mechanisms address primary threats (i.e., large infrastructure and energy development, wildfire, and invasive species) and secondary threats (i.e. livestock grazing management issues, West Nile virus, recreation, and livestock infrastructure). As mentioned above, the regulatory mechanisms span a management continuum with the most stringent measures being applied to the CHZ.

Objective 2: Stabilize Habitats and Populations – This objective is concerned with habitat and population trends and provides for the opportunity to illustrate the success of active conservation actions such as conifer control and wildfire suppression as well as passive habitat protection techniques (e.g., firebreaks). Areas within the CHZ and IHZ (Table 1) will be used for baseline comparison to assess progress in achieving this objective. This objective will be assessed every three years. During the first three-year period (2012-2014) of implementation, limit habitat fragmentation in the CHZ and IHZ to no more than a ten percent (10%) loss due to fire, invasive species or infrastructure development resulting in a proportionate reduction of males counted on leks within a particular Conservation Area. Failure to maintain this objective over this time period will initiate a review of the State's regulatory approach. This allowance is made because of the difficulty in eliminating wildfire and the length of time it takes to implement and discern positive/negative changes on the landscape.

Three indicators provide a baseline for population status:

1) Maximum number of males counted on lek routes in 2011 within CHZ.
2) Number of occupied leks counted in 2011 within CHZ.
3) The average value for λ (finite rate of change) for 2009-2011 within CHZ.

Males counted on lek routes and numbers of leks (see Table 2) provide a baseline against which future comparisons will be made to allow assessment of success and indicate when populations may be in trouble, triggering conservation actions. Population growth calculations (λ) will be compared to a value of 1.0 which indicates a stable population and evaluated for statistical significance.

Table 1. Acreage of the CHZ and IHZ by Conservation Area in 2011.

Area	Core	% Core	Important	% Imp
North of the Snake River	2,994,000	20	2,480,000	16
Desert	1,044,000	7	751,000	5
Mountain Valleys	1,949,000	13	1,729,000	11
South of the Snake River	2,686,000	18	1,609,000	11
Southeast	339,000	2	598,000	4
Southwest	2,347,000	15	1,011,000	7
Grand Total	5,680,000	37	4,089,000	27

Table 2. Species Population in the CHZ and IHZ by Conservation Area based on 2011 lek data.

	Males Counted				Occupied leks			
Zone	Core	%Core	Important	% IMP	Core	%Core	Important	% IMP
North of Snake River	4716	48	908	9	299	34	94	11
Desert CA	2333	24	294	3	172	20	29	3
Mountain Valleys CA	2383	24	614	6	127	14	65	7
South of Snake River	2470	25	1206	12	278	32	122	14
Southeast CA	360	4	687	7	61	7	69	8
Southwest CA	2110	22	519	5	217	25	53	6
Grand Total	7186	73	2114	22	577	65	216	25

ADAPTIVE REGULATORY TRIGGERS AND EMERGENCY RESPONSE CLAUSE

As mentioned above, sage-grouse adaptive regulatory triggers were developed to provide a regulatory backstop to prevent and stabilize habitats and populations in the CHZ and IHZ where a demonstrated significant loss has occurred. These adaptive triggers are used when populations change substantially up or down, or if substantial habitat is gained or lost. Additionally, an emergency clause was developed to direct immediate response following a significant loss of sage grouse habitat due to catastrophic wildfire.

Whereas a review of the regulatory approach is initiated based on a 10% loss indicator, an adaptive regulatory trigger—extending the conservation benefit of the measures in the CHZ to the IHZ—automatically occurs if the criteria outlined below are demonstrated. In developing these triggers it is important to note that sage-grouse populations often lag in their response to habitat loss and fragmentation. A negative population response may not be detected for 3-5 years following the habitat disturbance. Therefore, a habitat measure is also a component of the adaptive management trigger. In addition, an emergency clause provides immediate response to large-scale loss or fragmentation of sage-grouse habitat in CHZ or IHZ.

The adaptive management trigger can be applied to the CHZ (to protect baseline) and the IHZ where necessary to protect the buffer population. The trigger is initiated when there is a

significant change in sage-grouse populations and habitats within a Conservation Area as evidenced by demonstrating two out of the four following criteria:

i. Finite rate of change (λ) over 3 years starting with the baseline years 2009-2011 is significantly less than 1.0. This is a moving average for rate of change (i.e. 2011-2013, 2012-2014, 2013-2015, etc.) when compared to 1.0 (indicating a stable population).
ii. Number of active leks falls by >20% over a three-year period compared to 2011 values.
iii. Maximum number of males on lek routes declines by >20% over a three-year period compared to 2011 values.
iv. A 30% or greater loss of sagebrush habitat is documented within defined breeding or winter habitat during a three-year period.

Adaptive Trigger No longer Necessary. Where the original core population data meets or exceeds the 2011 values over a three-year period, areas within the IHZ are no longer subject to the management provisions of the CHZ.

When the adaptive regulatory trigger is initiated, population data and associated habitats will be reviewed to determine whether the problem is habitat related (e.g., fire) or caused by some other population-related issue (e.g., West Nile Virus). If the problem is habitat related, the CHZ management criteria will be applied to areas in the IHZ containing breeding and winter habitat. For example, while the trigger is operative a project proponent in the IHZ would have to meet the more stringent criteria of the CHZ for developing new infrastructure. If the problem is not habitat related, appropriate management actions will be employed to minimize or alleviate the threat.

b. Emergency Clause – If a wildfire burns and impacts or mostly impacts (i.e. 51%) at least 200,000 acres of CHZ and/or IHZ habitat containing important breeding or winter habitat, the CHZ regulatory provisions shall apply to the IHZ within the relevant Conservation Area.

D. Existing State Sage-Grouse Plan

In 1997, the Idaho Sage-grouse Task Force, under the direction of the IDFG Commission, completed the Idaho Sage-grouse Management Plan ("1997 Plan"). The 1997 Plan divided Idaho into sage-grouse management areas and called for the creation of Local Working Groups ("LWGs") to develop sage-grouse management plans for each of Idaho's sage-grouse planning areas. Currently, for twelve local planning areas, nine LWG plans are completed, one LWG plan is nearly complete, and one plan is in progress.

Between 1999 and 2003, the Service received eight petitions to list the species as endangered or threatened under the ESA. In April 2004, the Service determined three of the petitions to list the

species provided substantial information that listing might be warranted, thus initiating a comprehensive range-wide status review.

Based on the status review, the Idaho State Sage-Grouse Advisory Committee ("SAC") in 2003 was convened to assist the State in updating the 1997 Plan. The Conservation Plan for the Greater Sage-Grouse in Idaho was completed in 2006 ("2006 Plan"). The 2006 Plan was amended in 2009 to include the completion of the Implementation Chapter.

The current planning effort builds upon, supplements, and in some instances replaces the 2006 State Plan and LWG plans by further identifying management actions and criteria needed to address threats identified by the Service to preclude a listing. For activities not addressed by this planning effort, including predation issues, the 2006 State Plan and LWG plans will continue to be operative. For the sake of completeness, Idaho's 2006 Plan is incorporated herein by reference.

E. Valid Existing Rights

All management zones and recommendations are intended to be subject to and protect all valid existing contract, lease, permit, mining claims, uses, and any other property and/or legal rights of private parties as well as the rights of State, Tribal, and local government entities.

It is critical, especially for areas within the CHZ and IHZ that existing land uses and landowner activities continue to occur, particularly agricultural activities on all land ownerships.

F. Maps

The State recognizes that any attempt to map sage-grouse habitat must by necessity be at a broad, programmatic scale. The mapping of boundaries presented above is not intended to equate to verified boundary locations or on-the-ground habitat types from which the public can determine with certainty whether any particular location is inside or outside of a particular management zone. Rather, the mapping exercise is intended to give governmental entities, land managers and project proponents a general idea of where certain types of habitat and conservation priorities are spatially located as of the date of the map. The State recognizes that habitat for the species in not static, and any map must be verified. Moreover, the map does not alleviate the duty to determine the actual quality and trends of the habitat at a specific location where, for example, a project is proposed or grazing permit is up for renewal.

G. Infrastructure

When the Alternative refers to measures regarding infrastructure, it is referring to discrete, large-scale anthropogenic features, including highways, high voltage transmission lines, commercial wind projects, energy development (e.g., oil and gas development, geothermal wells), airports, mines, cell phone towers, landfills, residential and commercial subdivisions, etc.

Infrastructure related to small-scale ranch, home and farm businesses (e.g., stock ponds, fences, range improvements) do not fall within this definition, and thus are not subject to conservation measures aimed at addressing one of the primary threats to sage-grouse.

H. Mitigation Framework

Where compensatory mitigation is required to off-set impacts to sage-grouse or their habitats, the Idaho Sage-Grouse Mitigation Framework (see ISAC 2011) is the preferred mechanism to plan, select, implement and monitor these types of projects. Potential compensatory mitigation should target restoration efforts in perennial grasses and conifer encroachment areas within the CHZ, and secondarily on perennial grasses and conifer encroachment areas within the IHZ with low fire risk. Mitigation efforts will focus on increasing the resiliency and productivity of sage-grouse populations and habitats within the CHZ. Should these efforts materialize; the State will consider establishing a mitigation bank of sage-grouse habitation restoration projects that future development projects would repay through compensatory mitigation requirements.

I. Livestock Grazing Management

No studies exist that directly relate livestock grazing systems or stocking rates to sage-grouse abundance or productivity. Most concerns about grazing effects on sage-grouse are focused on local conditions (e.g., riparian issues, heavy use at water troughs) but what sage-grouse respond to and are affected by are conditions at the larger landscape. Therefore, grazing should be viewed as a landscape stressor with monitoring and management actions conducted at appropriate scales. Accordingly, the Service does not consider livestock grazing in general as a threat to the species. Only where management issues are documented over time does this activity rise to the level of a secondary threat.

Unfortunately, assessing effects of livestock grazing at relatively large spatial scales is very difficult due to a lack of adequate control sites and a lack of understanding of sagebrush systems prior to introduction of livestock (Knick et al 2011). Most research has been conducted in the presence of grazing. This lack of knowledge of grazing in a landscape context complicates efforts to develop meaningful recommendations for grazing practices in sage-grouse habitat. However, numerous studies have been published providing detailed information on characteristics of sage-grouse seasonal habitats (Knick and Connelly 2011). These studies provide insight on heights and cover of sagebrush and herbaceous plants needed for productive habitats (Connelly et al. 2000).

Approach:

Livestock grazing is typically considered in a site-specific context over time. Vegetation condition can be manipulated by the timing and intensity of grazing practices. Grazing options should be considered over a landscape. This is currently done by having allotments with different grazing schedules as most allotments are grazed according to elevation, productivity,

and period of grass and forb growth (e.g., high elevations are grazed during summer months) as well as other objectives (e.g., fuels control).

However, using the three habitat zones could provide different options for grazing flexibility and this should also be considered. As an example, altering grazing schemes in CHZs where necessary and appropriate might be facilitated by enhanced grazing opportunities for introduced seedings in areas with lower value to sage-grouse (e.g., GHZ), thus providing flexibility, options and opportunities to livestock operators. However, lowering utilization or reducing spring grazing must be weighed against the potential increased risk of wildfire.

Opportunities exist for livestock permittees, federal and state agencies and university researchers to collaborate in an effort to fine-tune knowledge of current conditions and needed management actions in sage-grouse habitats throughout southern Idaho. This work would provide needed insight into current conditions within sage-grouse habitat and guide specific management actions necessary for ensuring healthy and stable sage-grouse populations.

Guidelines for managing sage-grouse habitats and populations have been published (Connelly et al. 2000, Hagen et al. 2007) and are often included in various management plans. These guidelines describe characteristics of productive sage-grouse habitats based on a large number of studies conducted throughout the species' range. However, they do not reflect data collected in all parts of the range nor do they reflect data collected from randomly sampled locations. Thus, this information should not be considered as providing *standards* by which to judge effects of livestock grazing on the ultimate quality of sage-grouse seasonal habitats.

Proper grazing management greatly benefits from flexibility and opportunity to schedule and adjust the intensity, timing, duration, and frequency of grazing use over time in a manner that maintains rangeland health and habitat quality. Vegetative characteristics of sage-grouse seasonal ranges can change spatially and temporally due to a variety of influences. Therefore, sage-grouse guidelines should be viewed as a tool for assessing habitats and guiding management actions but not used as a means of dictating grazing strategies or stocking rates.

Management Framework:

Grazing within the CHZ and IHZ will be managed according to the process outlined in the text below. Fine and site scale-habitat assessments and, where necessary, a determination of factors causing any failure to achieve habitat characteristics will be conducted at a resolution sufficient to document the habitat condition and local spatial and inter-annual variability, prior to implementing grazing management changes within an allotment. In other words, assessment of issues related to livestock grazing management does not necessarily result from one year of data at a specific location within an allotment.

The process will be completed in conjunction with scheduled term grazing permit renewals (i.e., every ten years). Assessments will initially focus on allotments located within CHZ followed by allotments located within IHZ that have the best opportunities for conserving, enhancing or

restoring sage-grouse habitat. Sage-grouse populations that are stable or trending upward will be a lower priority for the habitat assessment process than areas where the population is declining or lacking information. Fine scale assessments will be conducted to determine whether habitat guidelines are being met, and if not, what the causal factor(s) may be. The prioritization of actions and the process to be followed is outlined in the text below.

Adaptive management changes related to existing grazing permits should only be undertaken if improper grazing is determined to be the causal factor in not meeting habitat guidelines, specific to site capability, for three out of five years. Following the assessments and determination, conservation measures where necessary and appropriate based on local working group recommendations, Idaho Sage-Grouse Conservation Plan (ISAC 2009) and those shown below will be applied at the allotment/activity plan level.

Given limited agency resources, monitoring and permit renewals will be focused on areas that have the potential to provide the greatest benefit to sage-grouse. As noted above, monitoring and permit renewal will be initially prioritized to CHZ. Within the CHZ, and as mentioned above, resources will be further prioritized to breeding habitats that have decreasing counts on lek counts.

The assessment/determination will rely on published characteristics of sage-grouse habitat and also consider Ecological Site Descriptions, existing vegetation, habitat inventories/assessments (Stiver et al. 2010), and where available, state and transition models that describe vegetation and other physical attributes for sage-grouse. The related characteristics within the Categories shown below will also be included. These characteristics indicate the ability of a given area to provide sage-grouse habitat.

> Category 1: The grazing allotment (or any pasture/significant area therein) has the existing vegetation and/or existing ecological condition (seral state) to provide sage-grouse habitat
>
> Category 2: The grazing allotment (or any pasture/significant area therein) has the ecological potential to provide sage-grouse habitat.

Management Recommendations:

1. Inform permittees of sage-grouse habitat objectives needed to maintain viable sage-grouse populations. Include permittees in planning conservation measures.
2. Develop a collaborative project involving livestock permittees, Federal and State agencies and university researchers to fine-tune knowledge of current conditions and needed management actions in sage-grouse habitats that could be applied in the SGMA.
3. Summer habitat—Within the CHZ and IHZ, manage summer habitats to provide conditions described in **Table 3**.
4. Winter habitat—Within the CHZ and IHZ, manage winter habitats to provide conditions described in **Table 4**.

5. Breeding (nesting and early brood rearing) habitat
    a. Within the CHZ and IHZ: Assess breeding habitats, considering ecological conditions (site potential and existing vegetation), using values provided in **Table 5**.
    b. If monitoring indicates that poorly managed livestock grazing is limiting achievement of habitat characteristics (Tables 3-5), implement conservation measures designed to achieve desired habitat conditions. Conservation measures may be drawn from, but are not limited to: local working group plans, Idaho Sage-Grouse Conservation Plan (2006) to extent consistent with local working plans, and the list of measures set forth below. These measures should be tailored to address the specific management issue.
    c. Examine the relevant scientific information, including but not limited to Grazing Science Review Panel as described in the Owyhee Initiative.
    d. Monitor results over three years; if insufficient improvement is noted implement additional measures.

Table 3. General Characteristics of Late Brood Rearing Habitat.

Habitat Features	**Habitat Indicators**	**Habitat Characteristics**	
		Upland Sagebrush Communities	Riparian/Wet Meadow Communities
Protective Cover	Sagebrush Canopy Cover	10-25%	N/A
	Sagebrush Height	16-31 inches	N/A
	Sagebrush Proximity	N/A	Protective sagebrush cover (10-25%) is is within 300 m of of riparian/meadow feeding area.
Protective Cover and Food	Grass/forb canopy cover	>15%	N/A

Food	Forb Availability	Succulent forbs are available during during the summer. Generally applies to higher elevations, such as mtn. big sage sites.	Riparian and wet meadow conditions are such that succulent forbs are available during the summer.

Table 4. General Characteristics of Winter Habitat.

Habitat Features	**Habitat Indicators**	**Habitat Characteristics**
Protective Cover and Food	Sagebrush Canopy Cover	10-30% exposed above snow
	Sagebrush Height	10-14 inches exposed above snow

Table 5. General Characteristics of Productive Breeding/Nesting and Early Brood Rearing Habitat.

Habitat Features	**Habitat Indicators**	**Habitat Characteristics**	
		Arid Sites	**Mesic Sites**
Protective Cover	Sagebrush Canopy Cover	15-25%	15-25%
	Sagebrush Height	12-31 inches	16-31 inches
	Sagebrush Growth Form	Spreading	Spreading

	Perennial Grass/Forbs Heights (post hatch)	Adequate residual nesting cover[2]	
	Perennial Grass Canopy Cover	Not specified	>15%
Protective Cover and Food	Forb Canopy Cover	Not specified	>10%
	Total Grass/Forb Cover	>15%	>25%
Food	Forb Availability	Good abundance and availability relative to ecological site potential	

Figure 2. <u>Conservation Measures:</u>

Based upon the ecological conditions and status of sage-grouse populations, the following list of management actions or strategies could be employed singly or in combination where appropriate, in the development and implementation of grazing management programs. Flexibility in administering grazing programs and providing offsetting grazing options over relatively large landscapes will help to successfully implement these actions.

1. Employ grazing management systems that ensure adequate nesting and early brood rearing habitat within the breeding landscape.

2. When use-pattern mapping or monitoring shows opportunity to adjust livestock distribution to benefit occupied sage-grouse breeding habitat, include as appropriate

[2] As defined by Connelly et al. 2000, Hausleitner 2003, and Holloran et al. 2005.

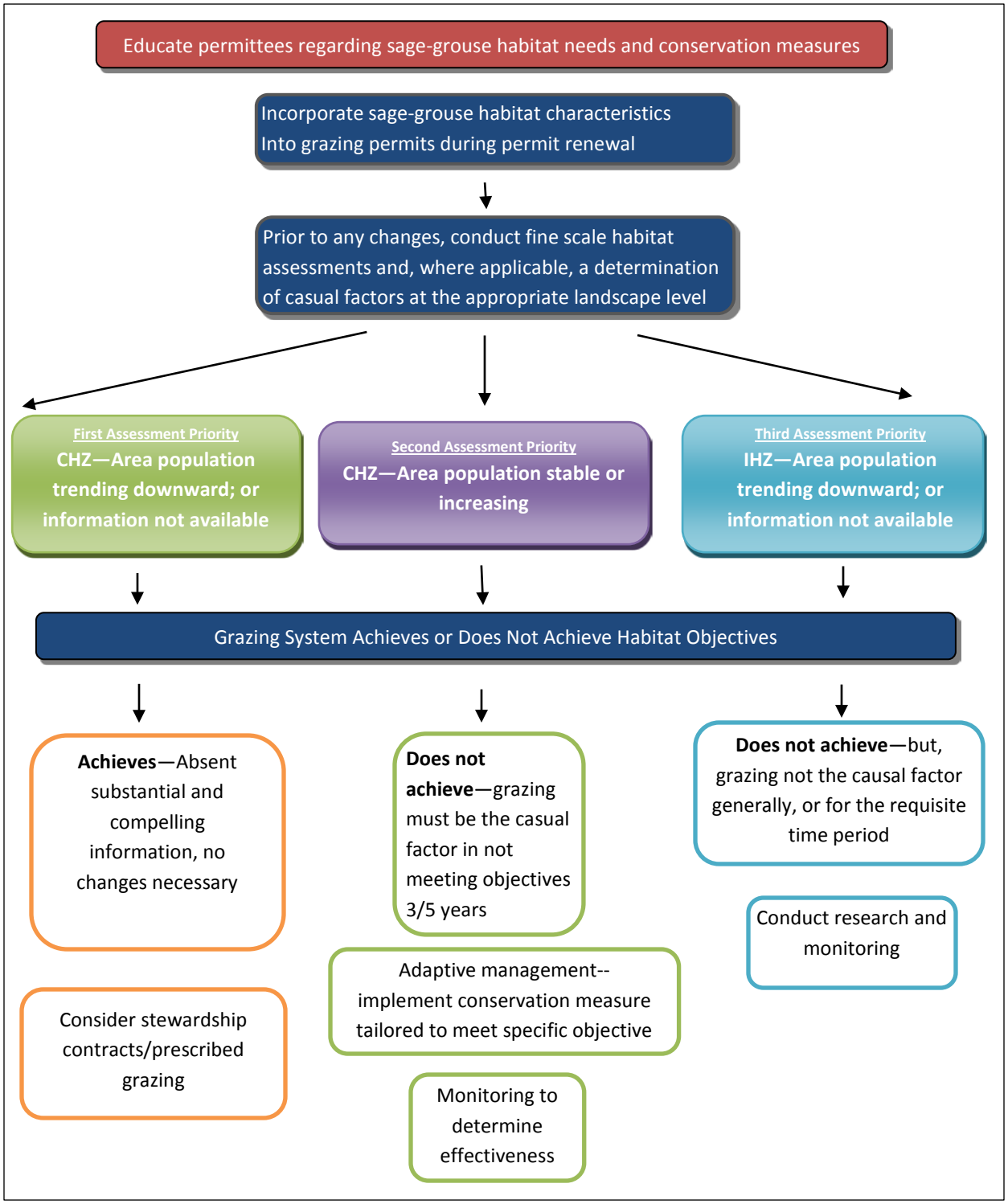
herding, salting, and water-source management (e.g., turning troughs/pipelines on/off, extending pipelines/moving troughs) in grazing programs.

3. When available and feasible, utilize exotic perennial grass seedings and/or annual grasslands to avoid breeding season use of occupied sage-grouse habitat.
4. Develop strategically located forage reserves (seedings) to shift early season livestock-use. (Note: the establishment of such forage reserves may be particularly relevant in areas that have minimal or no potential for sage-grouse habitat restoration.)
5. Where appropriate, maintain residual herbaceous vegetation at the end of the growing/grazing season to contribute to nesting and brood-rearing habitat during the coming nesting season.
6. Identify and reduce activities that repeatedly disturb displaying birds on active leks.
7. Insure that permittees are informed of management and movement requirements related to avoidance of recent burns, rehabilitation seedings or other restoration sites.
8. Manage grazing of riparian areas, meadows, springs, and seeps in a manner that promotes vegetative structure and composition appropriate to the site. In some cases enclosure fencing may be a viable option. However, recognize the availability and quality of desired herbaceous species may be improved by periodic grazing use of the enclosure.
9. Implement management actions (grazing decisions, allotment management plan/conservation plan development, or other agreements) to modify grazing management to meet seasonal sage-grouse habitat requirements. Employ proper grazing management by providing flexibility in scheduling the intensity, timing, duration and frequency of grazing use over time that best promotes management objectives. During drought periods, prioritize evaluating effects of drought in the CHZ relative to grouse needs for food and cover. Ensure that post-drought management allows for vegetation recovery that meets sage-grouse needs in priority sage-grouse habitat areas.
10. When using salt or mineral supplements: a) place them in existing disturbed sites, areas with reduced sagebrush cover—e.g., seedings or cheatgrass sites—to reduce impacts to sage-grouse breeding habitat, b) where feasible use salts or mineral supplements to improve management of livestock for the benefit of sage-grouse habitat.
11. In general, avoid constructing new fences within 2 km of occupied leks. Where feasible, place new, taller structures, such as corrals, loading facilities, water-storage tanks, windmills, etc., at least 2 km from occupied leks to reduce opportunities for perching raptors. Careful consideration, based on local conditions, should also be given to the placement of new fences or structures near other important seasonal habitats (winter-use areas, movement corridors etc.) to reduce potential impacts.
12. New spring developments in sage-grouse habitat should be designed to maintain or enhance the free-flowing characteristics of springs and wet meadows. Analyze developed springs, seeps and associated pipelines to determine if modifications are necessary to

maintain the continuity of the predevelopment riparian area within priority sage-grouse habitat. Make modifications where necessary, considering impacts to other water users when such considerations are neutral or beneficial to sage-grouse.

13. Ensure that new and existing livestock troughs and open water storage tanks are fitted with ramps to facilitate the use of and escape from troughs by sage-grouse and other wildlife. Do not use floating boards or similar objects, as these are too unstable and are ineffective. Use BMPs to mitigate potential impacts from West Nile virus.
14. When placing new water developments in sage-grouse breeding habitat, choose sites and designs that will provide the greatest enhancement for sage-grouse and sage-grouse habitat.
15. Avoid new water developments in higher quality native breeding/early brood habitats that have not had significant prior grazing use except in situations in which water developments may aid in better livestock distribution across the allotment and will not adversely impact the species.
16. Identify and when feasible, establish strategically located forage reserves focusing on areas unsuitable for sage-grouse habitat restoration or lower priority habitat restoration areas.
17. Monitor for, and treat invasive species associated with, existing range improvements.
18. Consider initiating vegetative manipulation projects where sagebrush canopy cover exceeds optimal characteristics to promote grass and forb understory growth. These projects should only be undertaken where it can be achieved without adversely impacting the species.

Figure 3. Livestock Grazing Management in CHZ and IHZ[3]



[3] This flowchart is for illustrative purposes only. For a complete understanding of this issue, see the above text and Idaho's draft regulatory language.

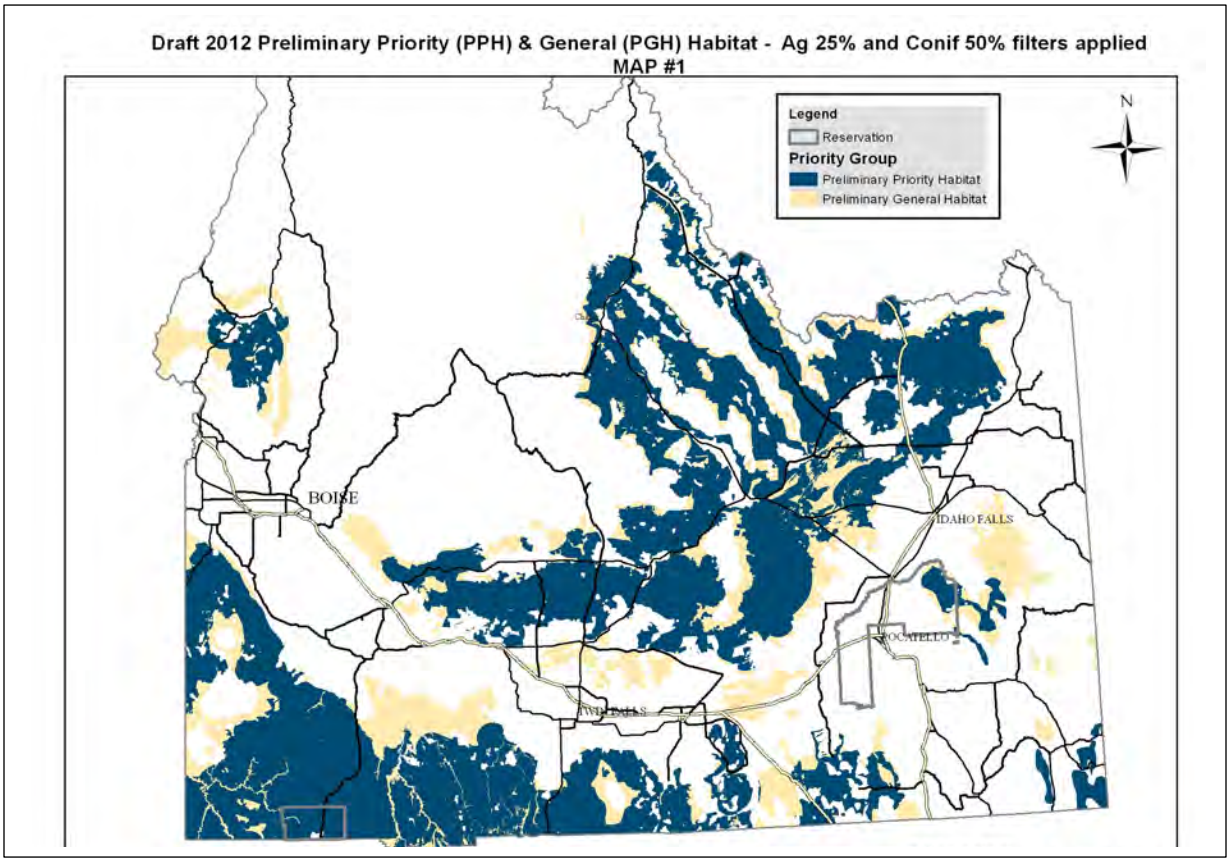
J. Implementation of Idaho's Alternative

The Governor's Task Force has been a good model of collaborative problem-solving and decision-making. Should Idaho's Alternative be selected and incorporated into relevant resource management plans, I intend to establish by Executive Order a Task Force similar in composition and structure to ensure the implementation of the State's Alternative. Specifically, the newly-formed group will at least examine situations where project proponents attempt to develop new infrastructure in the CHZ, and whether proposed projects comply with the criteria outlined in the IHZ. This implementation model has proven successful in implementing the Idaho Roadless Rule.

II. IDAHO'S SAGE-GROUSE MANAGEMENT AREA (SGMA)

As mentioned previously, the State is adopting the designation of the SGMA with three distinct management zones CHZ, IHZ and GHZ. Recognizing and identifying distinct management zones within the SGMA enables the State and its Federal partners to prioritize conservation and restoration efforts to those areas that provide the most effective opportunities to benefit sage-grouse populations and their habitat while maintaining predictable levels of land use. The SGMA is based on **Map 1** depicting the two habitat areas developed by the BLM in cooperation with IDFG.

Map 1. Idaho Sage-Grouse Preliminary "Priority" and "General" Habitat Areas.

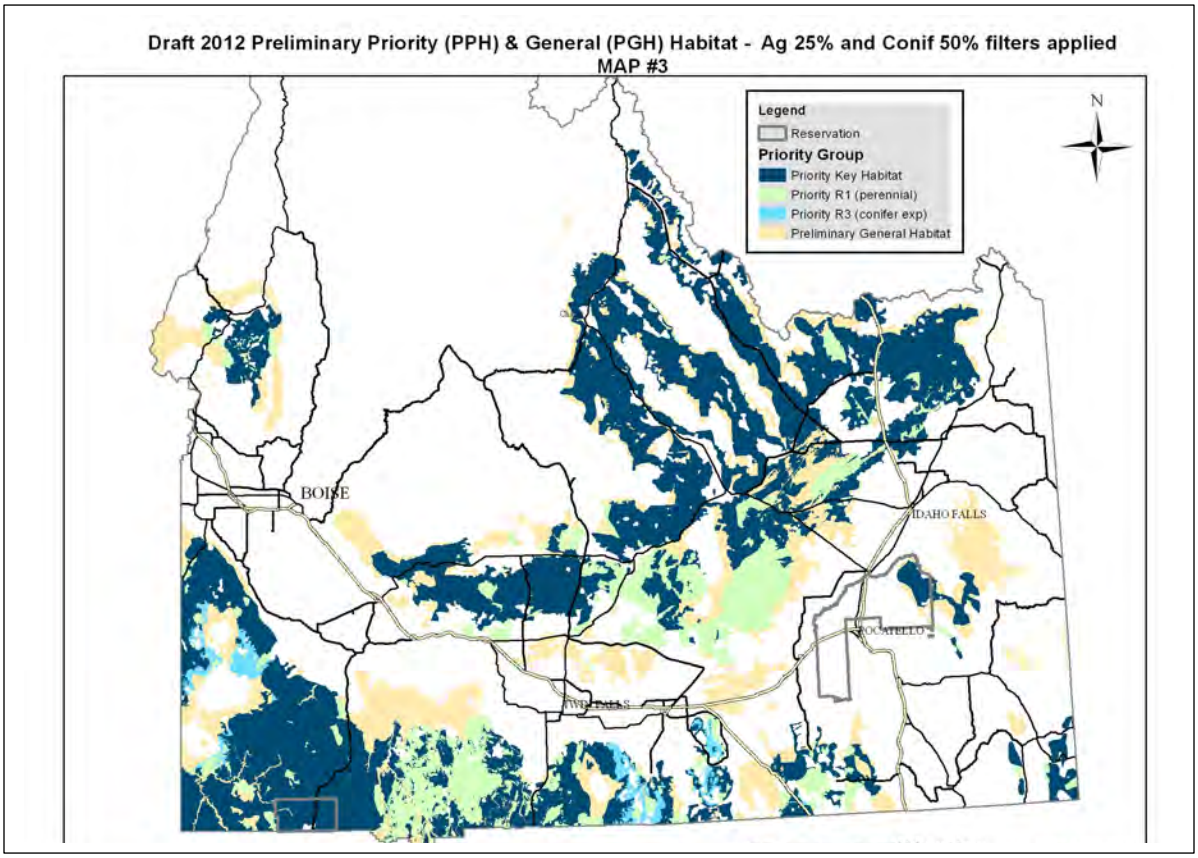


To be consistent with BLM's west-wide effort (*see* BLM 2012), the two habitat areas in **Map 1** are referred to as preliminary "priority" habitat ("PPH") and preliminary "general" habitat ("PGH"). BLM defines PPH as those areas having the highest conservation value to maintaining greater sage-grouse populations, while PGH is defined as areas of occupied seasonal or year-round habitat outside of "priority" habitat. (Makela and Major 2012).

The State believes this approach fosters an "in or out" management regime that does not adequately take advantage of the opportunity to provide more precise management direction based on the quality and location of sage-grouse populations and habitats in Idaho.

The need to refine habitat areas for Idaho-specific management purposes led to the development of **Map 2**. It improves on **Map 1** by differentiating three different vegetative types within the "priority" habitat areas: sagebrush, perennial grasses and conifer encroachment. The latter two types offer opportunities for restoration of sagebrush habitat for the species.

Map 2. Refined Idaho Sage-Grouse Areas.



For the development of Idaho's Alternative, I am adopting the Task Force's creation of the SGMA and the three management zones: CHZ, IHZ and GHZ. These are depicted on **Map 3**.

Map 3. Idaho SGMA Habitat Zones.

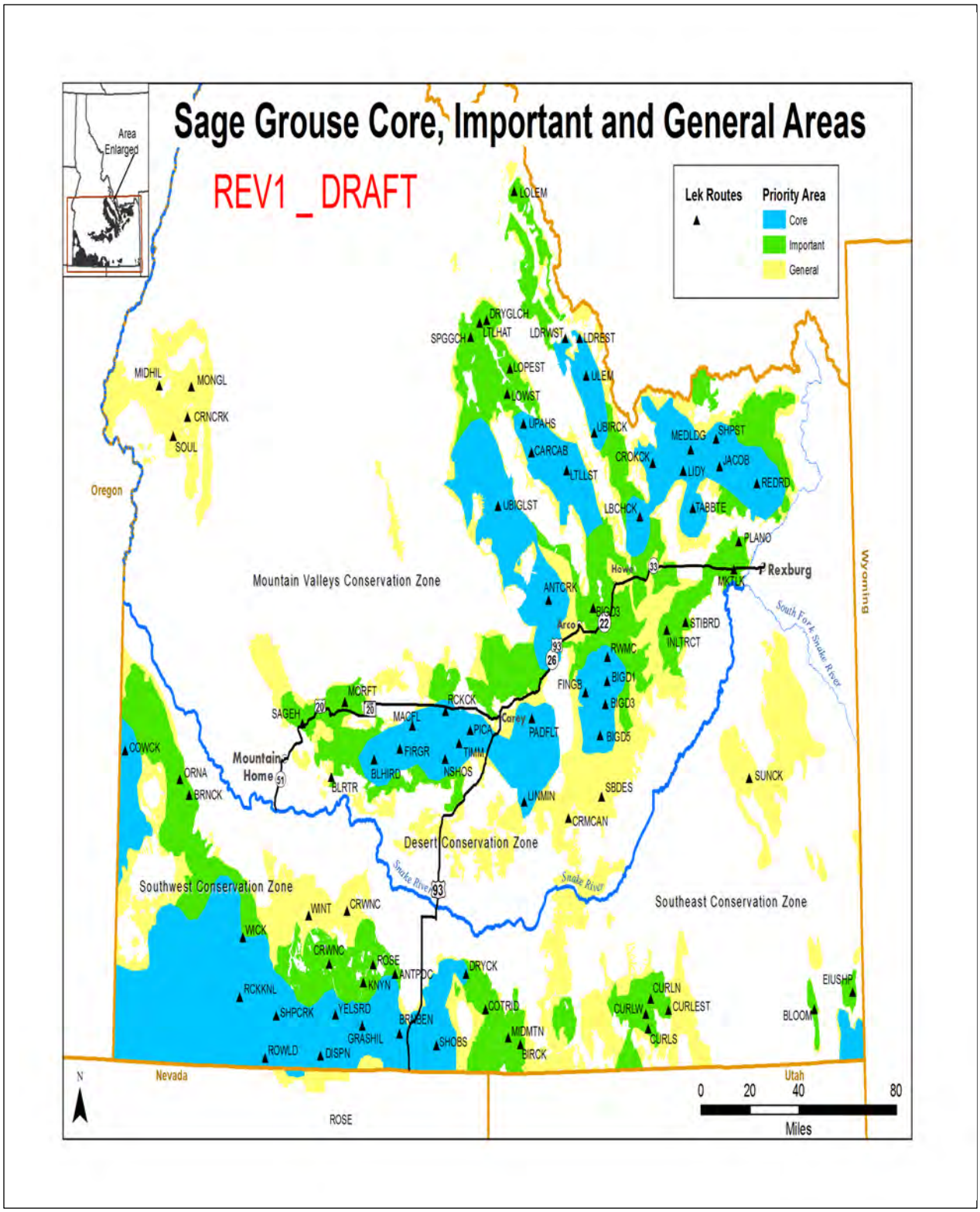


Table 6. Map 3 Lek Legend

Map Label	Lek Route Name	Map Label	Lek Route Name
ANTCRK	Antelope Creek	LOWST	Lower Pahsimeroi West
ANTPOC	Antelope Pocket	LTLHAT	Little Hat Creek
BIGD3	Big Desert #3	LTLLST	Little Lost
BIGD3	Big Desert #3	MACFL	Macon Flat
BIGD5	Big Desert #5	MEDLDG	Medicine Lodge
BIGD5	Big Desert #5	MIDHIL	Midvale Hill
BIRCK	Birch Creek	MIDMTN	Middle Mountain
BLHIRD	Bliss-Hill City Road	MKTLK	Market Lake
BLOOM	Bloomington	MONGL	Monday Gulch
BLRTR	Blair Trail	MORFT	Mores Flat
BRNBEN	Brown's Bench	NSHOS	North Shoshone
BRNCK	Brown's Creek	ORNA	Oreana
CARCAB	Carlson Cabin	PADFLT	Paddelford Flat
COTRID	Cottonwood Ridge	PICA	Picabo
COWCK	Cow Creek	PLANO	Plano
CRMCAN	Cream Canyon	RCKCK	Rock Creek
CRNCRK	Crane Creek	RCKCK	Rock Creek
CROKCK	Crooked Creek	RCKKNL	Rocky Knoll
CRWNC	Crow's Nest - Clover	REDRD	Red Road
CURLEST	Curlew East	ROSE	Roseworth
CURLN	Curlew North	ROWLD	Rowland Road
CURLS	Curlew South	RWMC	RWMC/INL
CURLW	Curlew West	SAGEH	Sagehen Flat
DISPN	Dishpan	SBDES	South Big Desert
DRYCK	Dry Creek	SHOBS	Shoshone Basin
DRYGLCH	Dry Gulch	SHPCRK	Sheep Creek
EIUSHP	EIU Sheep Creek	SHPST	Sheep Station
FINGB	Fingers Butte	SOUL	Soulen Center
FIRGR	Fir Grove	SPGGCH	Spring Gulch
GRASHIL	Grassy Hills	STIBRD	Stible Road
INLTRCT	INL/Tractor Flat	SUNCK	Sunday Creek
JACOB	Jacoby	TABBTE	Table Butte
KNYON	Kinyon	TIMM	Timmerman
LBCHCK	Lower Birch Creek	UBIGLST	Upper Big Lost
LDREST	Leadore East	UBIRCK	Upper Birch Creek
LDRWST	Leadore West	ULEM	Upper Lemhi
LIDY	Lidy	UPAHS	Upper Pahsimeroi
LINMIN	Lincoln/Minidoka	WICK	Wickahoney
LOLEM	Lower Lemhi	WINT	Winter Camp
LOPEST	Lower Pahsimeroi East	YELSRD	Yellow Sign Road

In sum, the CHZ and IHZ on **Map 3** total approximately 9.770 million acres, account for ninety percent (90%) of the known leks or breeding display areas in Idaho, and are believed to harbor the majority of the State's sage-grouse populations. Evidence for this includes census data that ninety-five percent (95%) of the male sage-grouse counted at leks are in these two zones. By contrast, the GHZ encompasses approximately 5.45 million acres, on which are found ten percent (10%) of the known leks and five percent (5%) of the male sage-grouse attending leks. Due to the fact that sage-grouse can move across large areas during the year, IDFG is unable to precisely calibrate the State's population or the minimum viable population.

The three management zones within the SGMA take into account the distribution of sage-grouse populations in Idaho. Specifically, the CHZ and IHZ focus on protecting each of the two key

meta-populations in the State. These meta-populations consist of a large aggregation of interconnected breeding subpopulations of sage-grouse that have the highest likelihood of long-term persistence. One meta-population is located north of the Snake River and includes the North Magic Valley, Big Desert, and Basin and Range areas; the other is located south of the Snake River and includes south central Idaho, the upper Bruneau-Jarbidge Plateau, and the Owyhee Uplands.

Approximately sixty-five percent (65%) of the SGMA is administered by the BLM, and another seven percent (7%) by the USFS. Any proposed actions on lands managed by the Federal government, regardless of the management zone such projects may fall in, will still require appropriate site-specific environmental analysis under the National Environmental Policy Act ("NEPA") prior to approving proposed management actions.

In addition to the overall desired conditions and ecosystem characteristics discussed earlier, this management zone addresses the following general conditions and uses.

III. IDAHO'S MANAGEMENT ZONES

A. CHZ

Current Condition: The CHZ encompasses approximately 5.68 million acres and supports the highest breeding densities of sage-grouse in Idaho. These areas include approximately sixty-five percent (65%) of the known active leks and are occupied by approximately seventy-three percent (73%) of male sage-grouse counted at leks throughout the SGMA.

The CHZ represents strongholds for sage-grouse populations in Idaho and supports the largest populations. Thus, this zone should represent the highest priority for conservation efforts and policies to address the primary threats to the species, such as wildfire, described in the Service's 2010 listing determination.

Areas designated within the CHZ were mapped based on the following key data sets:

> Twenty-five (25%) and fifty (50%) breeding bird density classes, which represent the top fifty (50%) of all leks in terms of male attendance, buffered at times by portions of the seventy-five (75%) class, depending on location, and the top two categories of the BLM's connectivity and persistence model (Makela and Major).[4] The lek connectivity model

[4] In 2010, the BLM entered into an agreement with the Service to model sage-grouse "breeding bird density" ("BBD") at three scales: across the range of the species; by WAFWA sage-grouse zones; and by State (Doherty et al. 2011). The BBD analyses involve ranking leks by attendance (i.e., highest to lowest number of males counted on leks) and summing the number of males until a desired percent-population threshold is met, hence the categories used—top 25%, 50%, 75% and 100% of the population.

estimates the likelihood that those leks or population are likely to persist through time (Knick and Hanser 2011).

Depending on location, additional lands have been included in the CHZ to consolidate key breeding areas, to include wilderness areas and lands within national monuments, and to foster population connectivity with neighboring states. The State recognizes that these are fluid boundaries because the habitat is not static, and as new information regarding the species becomes available, it may be necessary to adjust the boundaries for the three management zones.

Desired Future Condition: Maintaining or improving the status of the species within this management zone requires Federal agencies, in conjunction with the State and local partners, to work collaboratively to increase the resiliency of the habitat to disturbances, such as fire, and limit habitat fragmentation only to projects that demonstrate, among other things, a significant high value benefit to the State of Idaho.

Management Focus: Management by Federal agencies should focus on the maintenance and enhancement of the habitats, population and connectivity areas identified in this zone.

Federal agencies need to marshal existing and target future Federal resources to reduce the number and size of wildfires, especially in the Southwest Conservation Zone.

Idaho landowners and sage-grouse local working groups have already invested significant efforts in the CHZ and should continue to be informed and involved as these recommendations are refined and implemented. The State encourages local landowners to continue practices that aid in meeting conservation objectives for the CHZ.

Table of Generally Suitable Uses and Activities in CHZ[5]

Use/Activity	Yes	No	Conservation Measures
Fire Management	**X**		**Only human safety and structure protection shall take precedence.**
Invasive Species	**X**		**Actively manage exotic undesirable species sufficiently to prevent invasion.**
Infrastructure		**X**	**Restricted to valid existing rights or incremental upgrade capacity of existing disturbance. Exemption process available in limited circumstances. Compensatory mitigation required.**
Recreation	**X**		**Prioritize the completion of comprehensive travel planning.**
Livestock Grazing	**X**		**Incorporate habitat objectives in grazing permit renewals. Adaptive change for existing permits only occurs if grazing is the casual factor 3 out of 5 years.**

[5] This table, along with the successive tables for each management zone, is for general illustrative purposes only. *See* Section V for Idaho's Alternative regulatory language for a complete understanding of the prohibitions and permissions for each management zone.

B. IHZ

Current Condition: The IHZ encompasses approximately 4.09 million acres. These areas include approximately twenty-five percent (25%) of the known active leks and are occupied by an estimated twenty-two percent (22%) of sage-grouse males. This management zone generally captures high-quality habitat and populations necessary for providing a management buffer for the CHZ, connecting patches of the CHZ, and supporting important populations and habitat independent of the CHZ.

The IHZ is primarily defined by the seventy-five (75%) breeding bird density areas. Given the migratory life history of many sage-grouse populations, a portion of the birds breeding in CHZ may make seasonal use of areas within the IHZ. The IHZ also includes areas of value for migration corridors, connectivity among breeding areas, and long-term persistence of each of the two key meta-populations of sage-grouse in Idaho.

Desired Future Condition: Maintaining or improving the status of the species within this management zone requires Federal agencies, in conjunction with the State and local partners, to work collaboratively to increase the resiliency of the habitat to disturbances, such as fire, and limit unnecessary and undue habitat fragmentation to projects that demonstrate, among other things, a high value benefit to the State of Idaho.

Management Focus: Management by Federal agencies should focus strategically on areas within this zone that have the best opportunities for conserving, enhancing or restoring habitat for sage-grouse. Management by Federal agencies should employ more aggressive wildfire and invasive species management practices to prevent further encroachment of these two primary threats into the CHZ. The IHZ should also afford project proponents greater flexibility than in the CHZ with the understanding that the project still must demonstrate, among other things, a high value benefit to the State.

Table of Generally Suitable Uses and Activities in IHZ

Use/ Activity	Yes	No	Conservation Measures
Fire Management	**X**		**Develop more aggressive strategies to reduce fuel loads.**
Invasive Species	**X**		**Actively manage exotic undesirable species sufficiently to prevent invasion.**
Infrastructure	**X**		**Permissible subject to certain criteria. Mitigate unavoidable impacts.**
Recreation	**X**		**Same as CHZ.**
Livestock Grazing	**X**		**Same as CHZ.**

C. GHZ

Current Condition: The GHZ encompasses approximately 5.45 million acres. This management zone generally includes few active leks, and fragmented or marginal habitat. The GHZ also includes habitat for two isolated populations of sage-grouse in the East Idaho Uplands and West Central Idaho. While these two areas generally represent better habitat than the remainder of the GHZ, the isolated nature of these populations are unlikely to contribute to the long-term persistence of the two key meta-populations in the State of Idaho.

Desired Future Condition: Rely on efforts of local working groups to maintain populations where applicable.

Management Focus: Management by Federal agencies should focus, to the extent practicable, on facilitating multiple-use activities in order to avoid siting conflicts in the other management zones. Management by Federal agencies should employ a more aggressive wildfire and invasive species management practices to prevent further encroachment of these two primary threats into the CHZ/IHZ. To facilitate development in this zone, as opposed to the CHZ and IHZ, incentives to site projects should be established (e.g., stipulation waivers, enhanced permitting processes, density bonuses, and other incentives).

Table of Generally Suitable Uses and Activities in GHZ

Use/Activity	YES	NO	Conservation Measures
Fire Management	**X**		**Aggressive fire suppression techniques should be utilized.**
Invasive Species	**X**		**Employ aggressive invasive species measures in conjunction with CWMAs.**
Infrastructure	**X**		**Consistent with local resource management plans.**
Recreation	**X**		**No special application for sage-grouse.**
Livestock Grazing	**X**		**No special application for sage-grouse.**

IV. COOPERATING AGENCY STATUS

The State of Idaho is willing to participate as a cooperating agency in this process. The Task Force will continue to serve in an advisory capacity to ensure the State's Alternative is properly analyzed.

V. IDAHO'S REGULATORY LANGUAGE FOR LANDS MANAGED BY THE FEDERAL GOVERNMENT

A. Purpose.

The purpose of this Alternative is to provide, in the context of multiple-use management, Idaho-specific direction for the conservation and management of the greater sage-grouse in lands administered by the Bureau of Land Management and the U.S. Forest Service.

B. Definitions.

The following terms and definitions apply to Idaho's Alternative:

Adaptive Regulatory Triggers: Provides assurance the State's conservation objective is maintained and listing under the ESA is unnecessary by providing a regulatory backstop where a significant and unanticipated loss of sage-grouse habitats and populations occurs.

Infrastructure: Discrete, large-scale anthropogenic features, including but not limited to, highways, high voltage transmission lines, commercial wind projects, energy development (e.g., oil and gas development, geothermal wells), airports, mines, cell phone towers, landfills, residential and commercial subdivisions. Infrastructure related to small-scale ranch, home and farm businesses, including but not limited to, stock ponds, fences, range improvements do not meet this definition.

Sage-Grouse Conservation Objective for the State of Idaho: Maintain and enhance the habitat and populations of sage-grouse located within the Core Habitat Zone ("CHZ"), while strategically buffered by areas within the Important Habitat Zone ("IHZ") having the best opportunities for conserving, enhancing or restoring habitat for sage-grouse. In the first three years of implementation, limit habitat fragmentation in the CHZ and IHZ to no more than a ten percent (10%) loss resulting in a proportionate reduction of males counted on leks within an individual Conservation Area.

Sage-Grouse Management Area: The Sage-Grouse Management Area ("SGMA") pursuant to this Alternative identified in **Map 3** that accounts for the entire known sage-grouse population in the State of Idaho.

State Director: The Idaho State Director for the Bureau of Land Management ("BLM"). Where relevant and appropriate, the term "State Director" also means "Regional Forester" for lands subject to the management of the U.S. Forest Service.

C. SGMA.

1. *Designations.* All relevant National Forest System lands and BLM lands as designated in **Map 3** are hereby designated as the SGMA. Absent substantial and compelling evidence, these designations pursuant to **Map 3** should not be altered for at least five (5) years.
2. *Management Classifications.* Management classifications for the SGMA express a management continuum. The following classifications are established: Core Habitat Zone ("CHZ"), Important Habitat Zone ("IHZ") and General Habitat Zone ("GHZ").
3. *Conservation Areas.* In order to achieve the State's Conservation Objective, the following Conservation Areas are established: Southwest Conservation Area; Southeast Conservation Area; Desert Conservation Area; and Mountain Valleys Conservation Area.
4. *Maps.* The State Director and the Director of the Idaho Department of Fish and Game shall maintain and make available to the public a map of the SGMA, including records regarding any corrections or modifications of such maps pursuant to this Alternative.

D. CHZ. Management by Federal agencies should focus on the maintenance and enhancement of habitats, populations and connectivity in areas within this management zone.

1. *Wildfire*
   - i. Incorporate the BLM Washington Office Instruction Memorandum ("WO IM") 2011-138 to reduce the number and size of wildfires in sage-grouse habitat.
   - ii. Only human safety and structure protection shall take precedence over the protection of sage-grouse habitat.
   - iii. Evaluate and decrease wildfire response time to 0.5 hours. In order to achieve this objective:
     - a. Prioritize, maintain and improve a high initial attack success rate in suppression response and staging decisions;
     - b. Utilize available maps under (C)(4) and spatial data depicting sage-grouse habitats within this zone;
     - c. Redeploy firefighting resources not being fully utilized outside the SGMA to the extent such redeployment will not cause harm to human safety and structure protection; and
     - d. Request the necessary federal appropriations to achieve this objective.

iv. Reduce the size of wildfires to 1,000 acres with special emphasis on suppressing wildfires in the Southwest Conservation Area. In order to achieve this objective:

a. Federal firefighters shall ensure close coordination with State firefighters, local fire departments and local expertise to create the best possible network of strategic fuel breaks and road access to minimize and reduce the size of a wildfire following ignition;

b. To the extent practicable, the close coordination described in (a) should result in consistent fire response plans and mutual aid agreements necessary to achieve the objective in (iv);

c. Request and place additional firefighting resources and establish new Incident Attack Centers, with particular emphasis in the Southwest Conservation Area; and

d. Request the necessary federal appropriations to achieve this objective.

2. *Invasive Species*

i. Actively manage exotic undesirable species to prevent invasion.

ii. Monitor and control invasive vegetation post-wildfire treatment for at least three years.

iii. Require use of native seeds for fuels management treatment based on availability, adaptation (site potential), and probability of success.

a. Reallocate native plant seeds for Emergency Stabilization and Rehabilitation (ES&R) from outside the SGMA and the GHZ to this management zone if necessary.

b. Where the probability of obtaining sufficient native seed is low, non-native seeds may be used provided sage-grouse habitat objectives are met.

iv. Require best management practices for construction projects to prevent invasion.

3. *Habitat Restoration*

i. Prioritize the removal of conifers through methods appropriate for the terrain and most likely to facilitate expeditious sage-grouse population and habitat recovery. To the extent possible, utilize removal methods creating the least amount of disturbance.

a. Efforts should focus on areas with highest restoration potential typically evidenced by low canopy cover, existing sagebrush understory, and adjacent current populations.

b. Refrain from using prescribed fire and conducting removal projects in juniper stands older than one hundred years.

c. Maximize the use of Natural Resource Conservation Service funding through permittee grants under the Environmental Quality Incentives Program (EQUIP) and Wildlife Habitat Improvement (WHIP) programs.

ii. In perennial grasslands, actively restore sagebrush canopy cover and the ecological functions of the site. To the extent practicable, utilize native understory.

a. Prioritize areas for restoration with lower risks of wildfire and exotic species invasion.

4. *Infrastructure*

i. The development of infrastructure authorized after the effective date of the record of decision in areas designated as CHZ is prohibited, except if developed pursuant to valid existing rights or incremental upgrade and/or capacity increase of existing development subject to best management practices in (G).

a. Impacts of proposed actions authorized in (i) shall be limited to an existing footprint with no more than a fifty percent (50%), depending on industry practice, increase in footprint size and associated impacts; and

b. Projects authorized under (i) would only be subject to compensatory mitigation if new significant and unavoidable impacts are demonstrated be associated with the project.

ii. Notwithstanding the limited prohibition in (4)(i), the State Director may authorize infrastructure development only in situations where the development, in the State Director's judgment;

a. Cannot be reasonably accomplished, technically or economically, outside of the management zone;

b. Provides a significant high-value benefit to meet critical existing needs and/or important societal objectives to the State of Idaho;

c. Demonstrates the population trend for the species within the relevant Conservation Area is stable or increasing over a three-year period;

d. Demonstrates the individual or cumulative exceptions under this provision will not result in habitat fragmentation or other impacts causing a decline of the species within the relevant Conservation Area;

e. Can be collocated with existing infrastructure to the maximum extent practicable; and

f. Shall mitigate unavoidable impacts through an appropriate compensatory mitigation plan.

iii. Proposed development authorized under (4)(ii) are subject to the best management practices in (G).

iv. For oil and gas leases issued after the effective date of the record of decision, surface use or occupancy is permissible without road construction or other associated development unless the leasing is prohibited in the applicable land management plan. The State Director may authorize activity associated with the development of the lease only if the proposed action meets the criteria in (4)(ii) and complies with the applicable best management practices in (G).

5. *Secondary Threats*

i. *Recreation*

a. Prioritize the completion of Comprehensive Transportation Management Travel Plans ("CTMTPs") to minimize disturbance to sage-grouse populations and reduce the risk of wildfire and other habitat disturbances associated with cross-country travel.

b. Prior to the completion of CTMTPs, restrict vehicles to existing routes.

c. Adopt a "restricted to designated routes" approach where appropriate to the extent such designation does not interfere with administrative use.

d. Discourage the creation of new roads and trails. Re-route existing routes where appropriate.

e. Identify and reduce activities demonstrating repeated displacement of nesting birds. Where existing routes are demonstrated to affect occupied leks, apply seasonal and time based use-restrictions tailored to address the site-specific conditions of the area.

ii. *West Nile Virus*

a. Reduce the risk of transmission of West Nile Virus to sage-grouse by minimizing the creation of breeding habitat for mosquitoes.

b. Consider the potential impacts of West Nile Virus transmission prior to permitting new ponds or reservoirs.

c. Minimize the construction of new ponds or reservoirs except as needed to meet important resource management and/or restoration objectives.

d. Non-pond/reservoir watering facilities, such as troughs and bottomless tanks, should be developed and maintained to provide high quality water that minimizes the development of habitat for mosquitoes.

e. Maintenance of functioning float valves and water return features should be constructed to prohibit water from being spilled on the ground surrounding the trough and/or tank.

f. To the extent practicable, water should be returned to the original water source to reduce suitable habitat for mosquitoes.

iii. *Livestock Grazing Management*

a. Incorporate the sage-grouse habitat objectives in **Tables 3-5** and management considerations into Federal grazing allotments through scheduled term grazing permit renewals.

b. Prior to implementing any grazing management changes within an allotment, conduct fine and site scale-habitat assessments and, where appropriate, a determination of factors causing any failure to achieve habitat characteristics shall be conducted at a resolution sufficient to document the habitat condition and local spatial and inter-annual variability. In other words, a determination of casual factors related to sage-grouse habitat objectives and livestock grazing management shall not result from one year of data at a specific location within an allotment.

c. The assessment will rely on published characteristics of sage-grouse habitat and provide due consideration for the Ecological Site Descriptions **Tables 3-5**, and where available, to determine if standards of rangeland health are being met.

d. Prioritize completion of land health assessments and processing grazing permits in areas with declining sage-grouse populations.

e. After conducting the assessment in (iii)(b), if the current grazing system achieves the objectives, absent substantial and compelling information no further grazing management changes are necessary.

f. Adaptive management changes related to existing grazing permits should only be undertaken if improper grazing is determined to be the casual factor in not meeting habitat objectives, specific to site capability, for three out of five years.

g. Where management changes are appropriate and necessary pursuant to (f), implement management actions that are narrowly tailored to address the specific habitat objective applied at the allotment and/or activity plan level as outlined in **Figure 2**.

iv. *Livestock Grazing Infrastructure*

a. To the extent practicable, reduce the impacts of fences and livestock management facilities on sage-grouse.

b. Mark fences with permanent flagging or other suitable device to reduce sage-grouse collisions on flat to gently rolling terrain in areas of moderate to high fence densities (i.e., more than one kilometer of fence per square kilometer) located within two kilometers of occupied leks.

c. Identify and remove unnecessary fences.

d. Placement of new fences and livestock management facilities, including corrals, loading facilities, water tanks and windmills, should consider their impact on sage-grouse.

e. To the extent practicable, avoid constructing new fences within one kilometer (0.6 miles) of occupied leks.

f. To the extent practicable, place new, taller structures, including corrals, loading facilities, water storage tanks, windmills, at least one kilometer from occupied leks.

E. IHZ. Management by Federal agencies should focus on areas within this zone that have the best opportunities for conserving, enhancing or restoring habitat for sage-grouse. Management by Federal agencies should also provide the necessary flexibility to permit high-value infrastructure projects.

1. *Wildfire*

i. Incorporate the BLM WO IM 2011-138 to reduce the number and size of wildfires in sage-grouse habitat.

ii. Only human safety and structure protection shall take precedence over the protection of sage-grouse habitat.

iii. Evaluate and decrease wildfire response time to one hour in the Southwest Conservation Area. Decrease wildfire response time in

all other conservation areas to 1.5 hours. In order to achieve this objective:

a. Prioritize, maintain and improve a high initial attack success rate in suppression response and staging decisions;
b. Utilize available maps under (C)(4) and spatial data depicting sage-grouse habitats within this zone;
c. Redeploy firefighting resources not being fully utilized outside the SGMA to the extent such redeployment will not cause harm to human safety and structure protection; and
d. Request the necessary federal appropriations to achieve this objective.

iv. Reduce the size of wildfires to 1,000 acres in the Southwest Conservation Area. Reduce the size of wildfires in all other conservation areas to 2,000 acres. In order to achieve this objective:

a. Federal firefighters shall ensure close coordination with State firefighters, local fire departments and local expertise (i.e., livestock grazing permittees and road maintenance personnel) to create the best possible network of strategic fuel breaks and road access to minimize and reduce the size of a wildfire following ignition;
b. To the extent practicable, the close coordination described in (a) shall result in consistent fire response plans and mutual aid agreements necessary to achieve the objective in (1)(v); and
c. Request the necessary federal appropriations to achieve this objective.

v. Create effective fuel breaks in strategic locations that will modify fire behavior and increase fire suppression effectiveness.

a. Target construction along existing roads or other disturbances.
b. Identify and target higher-risk roads for fuel break construction and maintenance based on fire history maps.
c. Implement a strategic approach to using these roads for rapid fire response.
d. Closely evaluate the benefits of the fuel break against the additional loss of sagebrush cover.
e. Fire breaks must be properly maintained.

vi. Prescribe or target livestock grazing where demonstrated to be appropriate as a tool for reducing fuel loads, reducing invasive species populations and maintaining functional fire breaks.
    a. Test the effectiveness and monitor the results on a site-specific basis through stewardship contracting.

vii. Reduce human-caused ignitions by coordinating with Federal, State and local jurisdiction on fire and litter prevention programs.

2. *Invasive Species*

i. Actively manage exotic undesirable species to prevent invasion into the CHZ.

ii. Monitor and control invasive vegetation post-wildfire treatment for at least three years.

iii. Require use of native seeds for fuels management treatment based on availability, adaptation (site potential), and probability of success.
    a. Reallocate native plant seeds for Emergency Stabilization and Rehabilitation (ES&R) from outside the SGMA and the GHZ to this management zone.
    b. Where the probability of success or native seed availability is low, non-native seeds may be used provided sage-grouse habitat objectives are met.

iv. Require best management practices for construction projects to prevent invasion.

v. Actively pursue eradication or control of noxious weeds and/or invasive species posing a risk to sage-grouse habitats using a variety of chemical, mechanical and other appropriate means in coordination with the local Cooperative Weed Management Area (CWMA).

vi. Establish an effective monitoring program to evaluate the success of weed control efforts in conjunction with the CWMAs.

3. *Habitat Restoration*

i. Prioritize the removal of conifers through methods appropriate for the terrain and most likely to facilitate expeditious sage-grouse habitat recovery. Especially prioritize and target removal treatments adjacent to the CHZ. To the extent possible, utilize methods creating the least amount of disturbance.
    a. Areas with highest restoration potential will typically have low canopy cover, existing sagebrush understory, and adjacent current populations.

b. Refrain from using prescribed fire and conducting removal projects in juniper stands older than one-hundred years.

c. Maximize the use of Natural Resource Conservation Service funding through permittee grants under the Environmental Quality Incentives Program (EQUIP) and Wildlife Habitat Improvement (WHIP) programs.

ii. In perennial grasslands, actively restore sagebrush canopy cover and the ecological functions of the site. To the extent practicable, utilize native understory.

a. Prioritize areas for restoration with lower risks of wildfire and exotic species invasion, especially in areas adjacent to the CHZ.

4. *Infrastructure*

i. The State Director may authorize new infrastructure development where in the State Director's judgment the circumstances set out below exist.

a. Cannot reasonably be achieved, technically or economically, outside of this management zone;

b. Provides a demonstrated high-value benefit to the State of Idaho;

c. To the extent practicable, collocate the project with existing infrastructure. In the event collocation is not practicable, the siting should best reduce cumulative impacts and/or impacts to other high value natural, cultural, or societal resources;

d. Should not result in unnecessary or undue habitat fragmentation or other impacts causing a decline in the population within the relevant Conservation Area; and

e. Mitigate unavoidable impacts through an appropriate compensatory mitigation plan.

ii. For oil and gas leases issued after the effective date of the record of decision, surface use or occupancy is permissible without road construction or other associated development unless the leasing is prohibited in the applicable land management plan. The State Director may authorize activity associated with the development of the lease only if the proposed action meets the criteria in (4)(i) and complies with the applicable best management practices in (G).

iii. Activities authorized under (4)(i) are subject to the best management practices in (G).

5. *Secondary Threats*

i. *Recreation*

a. Prioritize the completion of Comprehensive Transportation Management Travel Plans ("CTMTPs") to minimize disturbance to sage-grouse and reduce the risk of wildfire and other habitat disturbances associated with cross-country travel.

b. Prior to the completion of CTMTPs, restrict vehicles to existing routes.

c. Adopt a "restricted to designated routes" approach where appropriate to the extent such designation does not interfere with administrative use.

d. To the extent practicable, discourage the creation of new roads and trails. Re-route existing routes where appropriate.

e. Identify and reduce activities demonstrating repeated displacement of nesting birds. Where existing routes are demonstrated to affect occupied leks, apply seasonal and time based use-restrictions tailored to the site-specific conditions of the area.

ii. *West Nile Virus*

a. Reduce the risk of the transmission of West Nile Virus to sage-grouse by minimizing the creation of breeding habitat for mosquitoes.

b. Consider the potential impacts of West Nile Virus transmission prior to permitting new ponds or reservoirs.

c. Minimize to the extent practicable, construction of new ponds or reservoirs except as needed to meet important resource management and/or restoration objectives.

d. Non-pond/reservoir watering facilities, such as troughs and bottomless tanks, should be developed and maintained to provide high quality water that suppresses development of habitat for mosquitoes.

e. Maintenance of functioning float valves and water return features should be constructed to prohibit water from being spilled on the ground surrounding the trough and/or tank.

f. To the extent practicable, water should be returned to the original water source to reduce suitable habitat for mosquitoes.

iii. *Livestock Grazing Management*

a. Incorporate the sage-grouse habitat objectives in **Tables 3-5** and management considerations into Federal grazing allotments through scheduled term grazing permit renewals.

b. Prior to implementing any grazing management changes within an allotment, conduct fine and site scale-habitat assessments and, where necessary, a determination of factors causing any failure to achieve habitat characteristics shall be conducted at a resolution sufficient to document the habitat condition and local spatial and inter-annual variability. In other words, a determination of casual factors related to sage-grouse habitat objectives and livestock grazing management shall not result from one year of data at a specific location within an allotment.

c. The assessment will rely on published characteristics of sage-grouse habitat and provide due consideration for the Ecological Site Descriptions **Tables 3-5**, and where available, to determine if standards of rangeland health are being met.

d. Prioritize completion of land health assessments and processing grazing permits in areas with declining sage-grouse populations.

e. After conducting the assessment in (iii)(b), if the current grazing system achieves the objective, absent substantial and compelling information no further grazing management changes are necessary.

f. Adaptive management changes related to existing grazing permits shall only be undertaken if improper grazing is determined to be the casual factor in not meeting habitat objectives, specific to site capability, for three out of five years.

g. Where management changes are appropriate and necessary pursuant to (f), implement management actions that are tailored to address the specific habitat objective applied at the allotment/activity plan level as outlined in Figure 2.

iv. *Livestock Grazing Infrastructure*

a. To the extent practicable, reduce the impacts of fences and livestock management facilities on sage-grouse.

b. Mark fences with permanent flagging or other suitable device to reduce sage-grouse collisions on flat to gently rolling terrain in areas of moderate to high fence densities (i.e., more than one kilometer of fence per square kilometer) located within two kilometers of occupied leks.

c. Identify and remove unnecessary fences.

d. Placement of new fences and livestock management facilities, including corrals, loading facilities, water tanks and windmills, should consider their impact on sage-grouse.

e. To the extent practicable, avoid constructing new fences within one kilometer of occupied leks.

f. To the extent practicable, place new, taller structures, including corrals, loading facilities, water storage tanks, windmills, at least one kilometer from occupied leks.

F. GHZ. Management by Federal agencies should focus on multiple-use management consistent with local resource management plans.

1. *Wildfire*

i. Incorporate the BLM WO IM 2011-138 to reduce the number and size of wildfires in sage-grouse habitat.

ii. Fire suppression efforts should be emphasized, recognizing that other local, regional, and national fire suppression priorities may take precedent.

iii. Aggressively create effective fuel breaks in strategic locations that will modify fire behavior and increase fire suppression effectiveness. The fire breaks should target areas necessary to provide a buffer between the GHZ and the other management zones.

a. Target construction along existing roads or other disturbances.

b. Identify and target higher-risk roads for fuel break construction and maintenance based on fire history maps.

c. Implement a strategic approach for using these roads to enable rapid fire response.

d. Fuel breaks must be properly maintained.

iv. Actively employ prescribed or targeted grazing as a primary tool for reducing fuel loads, reducing invasive species populations and maintaining functional fire breaks.

2. *Invasive Species*

i. Aggressively manage exotic undesirable species sufficient to prevent invasion into other management zones.

ii. Aggressively pursue eradication or control of noxious weeds and/or invasive species posing a risk to sage-grouse habitats using a variety of chemical, mechanical and other appropriate means in coordination with the local Cooperative Weed Management Area (CWMA).

iii. Establish an effective monitoring program to evaluate the success of weed control efforts in conjunction with the CWMAs.

3. *Infrastructure*

i. A responsible official may authorize infrastructure construction consistent with the relevant land management components as provided for in (H).

4. *Secondary Threats*

i. *Recreation*

a. Nothing in this Alternative shall be construed as affecting the use of motorized equipment and mechanical transport in this management zone.

ii. *West Nile Virus*

a. Minimize the creation of breeding habitat for mosquitoes in sage-grouse habitat.

b. Prior to permitting new ponds or reservoirs, consider the impacts of West Nile Virus transmission.

c. Non-pond/reservoir watering facilities, such as troughs and bottomless tanks should be developed and maintained to provide high quality water that suppresses the development of habitat for mosquitoes.

iii. *Livestock Grazing Management*

a. Nothing in this Alternative shall be construed as affecting existing grazing permits in this management zone.

iv. *Livestock Grazing Infrastructure*

a. Identify and remove unnecessary fences.

G. Infrastructure—Best Management Practices.

1. For proposed actions authorized in the CHZ and IHZ, the following best management practices are applicable:

i. Utilize existing roads, or realignments of existing routes to the extent possible.

ii. Construct new roads to minimum design standards needed for production activities.

iii. To the extent possible, micro-site linear facilities to reduce impacts to sage-grouse habitats.

iv. Locate staging areas outside the CHZ to the extent possible.

v. To the extent possible, collocate linear facilities within one kilometer of existing linear facilities.

vi. New transmission lines, excluding those lines under (viii), will be deemed collocated and/or permissible if construction occurs between July 1 and March 14 (or between July 1 and November 30 in winter concentration areas) and within one kilometer either side of existing 115-kilovolt (kV) or larger transmission lines to create a corridor no wider than two kilometers.

vii. New transmission lines, excluding those lines under (viii), outside of this two kilometer corridor can only be constructed where it can be demonstrated that the activity will not cause declines in sage-grouse populations or if the activity reduces cumulative impacts and/or avoids other important natural, cultural or societal resources.

viii. Locate essential public services, including but not limited to, distribution lines, domestic water lines and gas lines, at least one kilometer from active sage-grouse leks. If one kilometer avoidance is not possible, construct lines outside of March 15 to June 30.

2. For oil and gas leases issued after the effective date of the record of decision, the following best management practices are applicable:

i. Evaluate the affected area in accordance with the process outlined in the State of Wyoming's Executive Order 2011-5 (Attachment B).

ii. Surface disturbance will be limited to five percent of suitable habitat per an average of 640 acres.

iii. Within one kilometer of the perimeter of occupied sage-grouse leks there shall be no surface occupancy ("NSO").

iv. Activity (production and maintenance activity exempted) will be allowed from July 1 to March 14 outside of the one kilometer perimeter of a lek where brood rearing, nesting and early brood-rearing habitat is present.

v. Areas solely used as winter concentration areas, exploration and development activity will be allowed March 14 to December 1.

vi. Locate main roads used to transport production and/or waste products >1.5 kilometers from the perimeter of occupied sage-grouse leks. Locate other roads used to provide facility site access and maintenance >1.5 kilometers from the perimeter of occupied sage-grouse leks. Construct roads to minimum design standards needed for production activities.

vii. New noise levels, at the perimeter of a lek, should not exceed 10dBA above ambient noise (existing activity included) from 6:00 PM to 8:00 AM during the initiation of breeding (March 1-May 15). Ambient noise level should be determined by measurements taken at the perimeter of a lek at sunrise.

viii. Absent some demonstration to the contrary, the proposed sagebrush treatment associated with this activity will not reduce canopy cover to less than 15 percent.

3. For wind energy development, projects must comply with the 2012 U.S. Fish and Wildlife Service's Wind Energy Guidelines.

H. Scope and Applicability.

1. This Alternative does not revoke, suspend, or modify any permit, contract, or other legal instrument authorizing the occupancy and use of the applicable Federal lands prior to the effective date of the record of decision.
2. This Alternative does not revoke, suspend, or modify any project or activity decision made prior to the effective date of the record of decision.
3. Nothing in this Alternative shall be construed as restricting mineral leases, contracts, permits, and associated activities prior to the effective date of the record of decision.
4. Nothing in this Alternative shall affect mining activities conducted pursuant to the General Mining Law of 1872.
5. The provisions set forth in this Alternative shall take precedence over any inconsistent land management plan component. Land management components that are not inconsistent with this Alternative will continue to provide guidance for projects and activities within the SGMA.
6. The best management practices in (G) and other protective stipulations in this Alternative should be evaluated on a continuous basis and at a minimum, as new science, information and data emerge regarding the habitats and behaviors of the species.
7. Nothing in this Alternative waives any applicable requirements regarding site-specific environmental analysis, public involvement, consultation with Tribes and other agencies, or compliance with applicable laws.

I. Corrections and Adaptive Regulatory Triggers.

Correction or modification of designations made pursuant to this Alternative may occur under the following circumstances.

1. *Administrative Corrections.* Administrative corrections to the map of lands identified in **Map 3** include, but are not limited to, adjustments that remedy clerical errors, typographical errors, mapping errors, or improvements in mapping technology. The State Director may issue administrative corrections after a 30-day public notice.
2. *Adaptive Regulatory Trigger*. Where two out of the following four criteria are demonstrated within a Conservation Area, excluding areas within the GHZ, the measures in (D) shall apply to areas within the IHZ containing wintering or breeding habitat in the relevant Conservation Area:
   i. Finite rate of change (*λ)* over three years starting with the baseline years 2009- 2011 is significantly less than 1.0. This is a moving average for rate of change (i.e. 2011-2013, 2012-2014, 2013-2015, etc.) when compared to 1.0 (indicating a stable population).
   ii. Number of active leks falls by >20% over a three-year period compared to 2011 values.
   iii. Number of males on lek routes declines by >20% over a three-year period compared to 2011 values.
   iv. A 30% or greater loss of sagebrush habitat is documented within defined breeding or winter habitat during a three-year period.
3. *Regulatory Trigger No Longer Necessary.* Where the original core population data meets or exceeds the 2011 values over a three-year period, areas within the IHZ are no longer subject to the management provisions of the CHZ.
4. *Emergency Wildfire Clause.* If a wildfire burns and impacts or mostly impacts (i.e. 51%) at least 200,000 acres of CHZ and/or IHZ habitat containing important breeding or winter habitat, the measures in (D) shall apply to the IHZ within the relevant Conservation Area.

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