

## STATE BOARD OF LAND COMMISSIONERS

April 21, 2015  
Regular Agenda

### SUBJECT

IDL Proposed Greater Sage-Grouse Conservation Plan

### BACKGROUND

The Greater Sage-grouse (sage-grouse) is a candidate species currently being reviewed by the US Fish and Wildlife Service (USFWS) to determine listing status under the Endangered Species Act (ESA). As a direct outcome of the proposed ESA listing review, the US Bureau of Land Management (BLM) initiated a draft Land Use Plan Amendment (LUPA) and Environmental Impact Statement (EIS) pertaining to the sage-grouse throughout BLM's management zones within sage-grouse habitat.

The State of Idaho engaged in similar efforts and Governor Otter submitted an Idaho Plan to be considered by the BLM in the EIS alternative analysis.

In October 2014, Director Tom Schultz established a working group which consisted of various IDL staff which oversee programs potentially impacted by the listing of the sage-grouse. This group held regular meetings to develop recommended conservation measures as part of IDL's Proposed Greater Sage-Grouse Conservation Plan based on the group's review of the science and what other western states are proposing, as well as designed to be complementary to Governor's Alternative for federal land management in Idaho.

For proposed activities by third parties on state endowment trust lands, IDL will implement sage-grouse conservation measures as enforceable stipulations in authorizing documents such as leases, permits, and easements. The authorized activities include: alternative energy development (solar, wind, and geothermal); oil and gas exploration and development; mining; grazing; miscellaneous commercial activities; and the granting of access through rights-of-way, including easements. In addition, IDL as the land manager will implement and support fire prevention and mitigation measures and wildfire suppression efforts to minimize the impact to sage-grouse and their habitat.

For regulatory and assistance activities, conservation measures will be voluntary best management practices (BMP's) on private land because IDL does not have the statutory authority within its regulatory programs or assistance activities to require adoption by authorized parties. Regulatory and assistance activities include: Abandoned Mine Lands Projects; Dredge and Placer Mine Permits; Mine Reclamation Plan Approvals; and Oil and Gas Permits (seismic imaging surveys, well drilling). Where appropriate, IDL will include recommended best management practices within its authorizing documents to encourage compliance.

Additionally, for some fire programs, IDL will implement actions through its roles and responsibilities that support enhanced fire preparedness and suppression in sage-grouse habitats.

## DISCUSSION

On February 17, 2015, Idaho Department of Lands (IDL) presented the Proposed Greater Sage-Grouse Conservation Plan to the Land Board as an information item. IDL sought initial feedback from the Land Board and indicated IDL would initiate an extensive stakeholder outreach effort and then come back to the Land Board for final approval of the plan at a future meeting.

Since that time IDL has completed the stakeholder outreach effort across all industries potentially impacted by the plan soliciting feedback on the Proposed Greater Sage-Grouse Conservation Plan using group and individual meetings. These meetings included direct discussions regarding language in the plan and the impacts of the proposed conservations measures on their industry practices.

IDL has revised the Proposed Greater Sage-Grouse Conservation Plan (Attachment 1) based on the feedback from stakeholder groups and on-going interactions with sister agencies. A summary of comments received by IDL is included as Attachment 2. A table of all comments received, with IDL responses, is included as Attachment 3. In addition, IDL's response to the U.S. Fish and Wildlife Service comment letter, written in conjunction with the Office of Species Conservation and Governor's Office, is included as Attachment 4. Finally, an informational sheet with key elements of the draft plan is Attachment 5.

## RECOMMENDATION

The Department recommends the Board approve the proposed Plan.

Upon approval, implementation of the Plan will be contingent on the federal agencies (USFWS and BLM) acceptance and incorporation of the Governor's Plan into the Final Idaho and Southwest Montana Sub-regional Sage-grouse LUPA and EIS. Implementation will begin within 60 days of the Record of Decision (ROD) for the Final Idaho and Southwest Montana Sub-regional Sage-grouse LUPA and EIS.

If the ROD does not include the foundational elements of the Governor's Plan, IDL will reevaluate, revise the Plan if necessary and inform the Board or seek approval as needed.

## BOARD ACTION

## ATTACHMENTS

1. Proposed Greater Sage-Grouse Conservation Plan
2. Proposed Greater Sage-Grouse Conservation Plan Comment Summary
3. Proposed Greater Sage-Grouse Conservation Plan Comment and Response Matrix
4. IDL Response to USFWS Comments on Draft Sage Grouse Plan
5. Key Elements of the Draft Plan