Appendix J

Bureau of Land Management Greater Sage-Grouse Resource Management Plan Compliance

Introduction

The language in this appendix was created by the U.S. Department of the Interior, Bureau of Land Management (BLM) to be used as a reference for Greater Sage-Grouse (GRSG) plan compliance in the Uinta Basin Railway Environmental Impact Statement (EIS). It compares the different plan conformance measures for the *2015 Utah GRSG Approved Resource Management Plan Amendment* (ARMPA) and the 2019 Utah GRSG ARMPA that would apply to the Action Alternatives for the proposed rail line as shown in EIS Chapter 3, Section 3.4, *Biological Resources,* Table 3.4-18.

The full 2015 and 2019 GRSG ARMPAs can be found online as follows.

- 2015 GRSG ARMP: https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=99423
- 2019 GRSG ARMP: https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=153126

All figures, tables, appendices, and references mentioned below are for the ARMPAs being described and can be found on the preceding referenced websites.

2015 and 2019 ARMPA Similarities

Management Action (MA)-Lands and Realty (LR)-1

In Priority Habitat Management Areas (PHMA), manage lands rights-of-way (ROWs), permits, and leases as follows (Figure 2-11, Rights-of-Way [Appendix A]).

- Open: 18,900 acres (associated with designated above-ground ROW corridors)
- Avoided: 1,997,000 acres
- Excluded: 10,500 acres

MA-LR-2

Linear and Site-Type ROWs, Permits, and Leases (excluding wind and solar)

PHMA will be avoidance areas for new linear and site type ROWs, permits, and leases except for within ROW corridors designated for aboveground use. Placement of new ROWs, permits, and leases in PHMA shall be avoided if at all possible. Where avoidance is not possible in PHMA, placement of a new ROW/permit/lease can be allowed if it applies the management for discretionary activities in PHMA identified in MA-SSS-3 (e.g., mitigation, disturbance cap, buffers, tall structure restrictions, seasonal restrictions, and applicable required design features [RDFs]).

In PHMA, lands ROWs, permits and leases that cannot be avoided shall be located in areas that minimize the effect on the GRSG population (e.g., non-habitat areas, least suitable habitat, collocated with existing disturbances).

In PHMA, new proposals for power lines, access roads, pump storage, and other hydroelectric facilities licensed by Federal Energy Regulatory Commission will be subject to all GRSG ROW avoidance allocations and pertinent management for discretionary activities in MA-SSS-3.

Outside PHMA, portions of opportunity areas within 4 miles of a lek that is located in PHMA will be avoidance areas for new ROWs, permits and leases, applying stipulations for noise and tall structures.

2015 ARMPA Only

MA-LR-7

In GHMA, manage ROWs, permits, and leases as follows (Figure 2-11).

- Open: 484,900 acres
- Avoided: 0 acres
- Excluded: 17,600 acres

New ROWs (including permits and leases) authorizations will be allowed if they apply the pertinent management for discretionary activities in GHMA identified in MA-SSS-5.

MA-Special Status Species (SSS)-3

In PHMA, apply the following management to discretionary disturbances or activities that are not otherwise excluded or closed to minimize and mitigate effects on GRSG and its habitat from the project/activity:

A- Net Conservation Gain

In all GRSG habitat, in undertaking BLM management actions, and, consistent with valid existing rights and applicable law, in authorizing third-party actions that result in habitat loss and degradation, BLM will require and ensure mitigation that provides a net conservation gain to the species, including accounting for any uncertainty associated with the effectiveness of such mitigation. This will be achieved by avoiding, minimizing, and compensating for impacts by applying beneficial mitigation actions. Exceptions to net conservation gain for GRSG shall be made for vegetation treatments to benefit Utah prairie dog.

Mitigation will be conducted according to the mitigation framework contained in Appendix F, *Mitigation Strategy: Utah Greater Sage-Grouse Resource Management Plan Amendment* (RMPA).

Consider the likelihood of development of not-yet-constructed surface-disturbing activities – as defined in Table D.2 of the Monitoring Framework (Appendix D)–under valid existing rights prior to authorizing new projects in PHMA.

B- Disturbance Cap

In PHMA, manage discrete anthropogenic disturbances, whether temporary or permanent, so they cover less than 3 percent of 1) PHMA associated with a GRSG population area and 2) within a proposed project analysis area. See Appendix E, G*reater Sage-Grouse Disturbance Cap Guidance*, for additional information on implementing the disturbance cap, including what is and is not considered disturbance and how to calculate the proposed project analysis area.

If the 3 percent anthropogenic disturbance cap is exceeded on all lands (regardless of land ownership) within GRSG PHMA in any given population area (BSU), then no further discrete anthropogenic disturbances (subject to applicable laws and regulations, such as the Mining Law of 1872 [as amended], valid existing rights, etc.) will be permitted by BLM within GRSG PHMA in any BSU until the disturbance has been reduced to less than the cap.

If the 3 percent disturbance cap is exceeded on all lands (regardless of land ownership) within a proposed project analysis area in PHMA, then no further anthropogenic disturbance will be permitted by BLM until disturbance in the proposed project analysis area has been reduced to maintain the area under the cap (subject to applicable laws and regulations, such as the Mining Law of 1872 [as amended], valid existing rights, etc.). Within designated utility corridors, the 3 percent disturbance cap may be exceeded at the project scale if the site specific National Environmental Policy Act (NEPA) analysis indicates that a net conservation gain to the species will be achieved. This exception is limited to projects which fulfill the use for which the corridors were designated (ex., transmission lines, pipelines) and the designated width of a corridor will not be exceeded as a result of any project co-location.

An area with disturbance is not excluded from the 3 percent until it has been restored to provide GRSG habitat. The objective of successful restoration is to provide for the needs of GRSG, as evidenced by one of the following.

- Vegetative cover is consistent with the GRSG habitat objectives and the ecological site description (Objective SSS-3).
- Monitoring indicates the area is regularly used by GRSG to sustain one or more seasonal habitat requirements (nesting, brood-rearing, winter).

Final restoration success and approval for abandonment for disturbances will be subject to an interdisciplinary review of available monitoring data and final monitoring reports.

C- Predation

In PHMA, eliminate or minimize external food sources for corvids, particularly dumps, or waste transfer facilities. Apply best management practices (BMPs) to development activities to reduce opportunities for GRSG predators (e.g., limiting food sources, nest/perches deterrents, and road kill).

Apply habitat management practices (e.g. grazing management and vegetation treatments) that decrease the effectiveness of predators.

D- Noise Restrictions

In PHMA, limit noise from discrete anthropogenic disturbances, whether during construction, operation, or maintenance, to not exceed 10 decibels above ambient sound levels (as available at the

signing of the GRSG RMPA Record of Decision (ROD) or as first measured thereafter) at occupied leks from 2 hours before to 2 hours after official sunrise and sunset during breeding season (e.g., while males are strutting). Support the establishment of ambient baseline noise levels for PHMA habitat area leks.

Limit project related noise in other PHMA habitats and seasons where it will be expected to reduce functionality of habitats that support associated GRSG populations.

As additional research and information emerges, specific new limitations appropriate to the type of projects being considered will be evaluated and appropriate measures will be implemented where necessary to minimize potential for noise impacts on PHMA GRSG population behavioral cycles.

E- Tall Structure Restrictions

In PHMA, limit the placement of permanent tall structures within GRSG breeding and nesting habitats.

For the purposes of this restriction, a tall structure is any man-made structure that provides for perching/nesting opportunities for predators (e.g., raptors and ravens) that are naturally absent, or that decreases the use of an area by GRSG. A determination as to whether something is considered a tall structure will be made based on local conditions such as existing vegetation or topography.

F- Seasonal Restrictions

In PHMA, in coordination with the appropriate State of Utah (State) agency, apply seasonal restrictions during the period specified below to manage discretionary discrete anthropogenic disturbances and uses on public lands to prevent disturbance to GRSG populations and habitat during seasonal life cycle periods as follows.

- In breeding (leks), nesting and early brood-rearing habitat from February 15 to June 15.
- In brood rearing habitat from April 15 to August 15.
- In winter habitat from November 15 to March 15.

Specific time and distance determinations will be based on site-specific conditions and may be modified due to documented local variations (e.g., higher/lower elevations) or annual climactic fluctuations (e.g., early/late spring and long and/or heavy winter) in order to better protect GRSG, in coordination with the appropriate State agency.

G- Buffers

In undertaking BLM management actions, and consistent with valid and existing rights and applicable law in authorizing third-party actions, BLM will apply the lek buffer-distances identified in the U.S. Geological Survey Report *Conservation Buffer Distance Estimates for Greater Sage-Grouse – A Review* (Open File Report 2014-1239; Manier et al. 2014).

H- Required Design Features/Best Management Practices

In PHMA, apply the RDFs from the applicable sections identified in Appendix C, *Required Design Features*, when authorizing/permitting site-specific activities/projects for wildland fire

management actions, travel and transportation, lands and realty, fluid minerals, nonenergy leasable minerals, coal, mineral materials, and locatable minerals (consistent with applicable law).

The applicability and overall effectiveness of each RDF cannot be fully assessed until the project level when the project location and design are known. Because of site-specific circumstances, some RDFs may not apply to some projects and/or may require slight variations. All variations in RDFs will require that at least one of the following be demonstrated in the NEPA analysis associated with the project/activity.

- A specific RDF is documented to not be applicable to the site-specific conditions of the project/activity (e.g. due to site limitations or engineering considerations). Economic considerations, such as increased costs, do not necessarily require that an RDF be varied or rendered inapplicable.
- An alternative RDF, State-implemented conservation measure, or plan-level protection is determined to provide equal or better protection for GRSG or its habitat.
- A specific RDF will provide no additional protection to GRSG or its habitat.

MA-SSS-5

In GHMA, apply the following management to meet the objective of a net conservation gain for discretionary actions that can result in habitat loss and degradation.

A- Existing Management

Implement GRSG management actions included in the existing RMPs and project-specific mitigation measures associated with existing decisions.

B- Net Conservation Gain

In all GRSG habitat, in undertaking BLM management actions, and, consistent with valid existing rights and applicable law, in authorizing third-party actions that result in habitat loss and degradation, BLM will require and ensure mitigation that provides a net conservation gain to the species, including accounting for any uncertainty associated with the effectiveness of such mitigation. This will be achieved by avoiding, minimizing, and compensating for impacts by applying beneficial mitigation actions. Exceptions to net conservation gain for GRSG may be made for vegetation treatments to benefit Utah prairie dog. Mitigation will be conducted according to the mitigation framework contained in Appendix F.

C- Buffers

In undertaking BLM management actions, and consistent with valid and existing rights and applicable law in authorizing third-party actions, BLM will apply the lek buffer-distances identified in the US Geological Survey Report *Conservation Buffer Distance Estimates for Greater Sage-Grouse – A Review* (Open File Report 2014-1239; Manier et al. 2014) in accordance with Appendix B.

D- Required Design Features/Best Management Practices

In GHMA, apply the fluid mineral RDFs that are associated with GHMA identified in Appendix C. when authorizing/permitting site-specific fluid mineral development activities/projects.

The applicability and overall effectiveness of each RDF cannot be fully assessed until the project level when the project location and design are known. Because of site-specific circumstances, some RDFs may not apply to some projects and/or may require slight variations. All variations in RDFs will require that at least one of the following be demonstrated in the NEPA analysis associated with the project/activity.

- A specific RDF is documented to not be applicable to the site-specific conditions of the project/activity (e.g. due to site limitations or engineering considerations). Economic considerations, such as increased costs, do not necessarily require that an RDF be varied or rendered inapplicable.
- An alternative RDF, State-implemented conservation measure, or plan-level protection is determined to provide equal or better protection for GRSG or its habitat.
- A specific RDF will provide no additional protection to GRSG or its habitat.

MA-SSS-6

Sage-Grouse Management Outside PHMA/GHMA

Proposed projects within State of Utah Sage-Grouse Management Areas (SGMA) and U.S. Fish and Wildlife Service (USFWS) priority areas for conservation (PAC), as well as adjacent to PHMA outside these areas, will consider impacts on GRSG and implement measures to mitigate impacts when preparing site-specific planning and environmental compliance documents.

Outside of PHMA, prior to site-specific authorizations, BLM will evaluate habitat conditions and may require surveys to determine if the project area contains GRSG habitat (Federal Land Policy and Management Act [FLPMA], 43 United States Code (U.S.C.) 1701 Sec. 201 (a); BLM Manual 6840.04 D3; BLM-M-6840.04 E2). Surveys will be required prior to authorizing discrete anthropogenic disturbances within 4 miles of an occupied lek that is located in PHMA, but only in existing sagebrush.

If an area is determined to be GRSG habitat (e.g., nesting, brood-rearing, winter, transition), mitigation will be considered as part of the project level NEPA analysis and will be attached as conditions of approval to new discretionary actions, if deemed necessary to protect the habitat (BLM Manual 6840.04 D 5). Measures that may be considered include those identified in Appendix C.

Outside of PHMA, but within SGMAs and PACs, avoid removal of sagebrush and minimize development that creates a physical barrier to GRSG movement; these areas may be used by GRSG to connect to other populations or seasonal habitat areas. Exceptions shall be made for vegetation treatments to benefit Utah prairie dog, where the landscape will be managed for both species.

Outside of PHMA, but within SGMAs and PACs, consider noise and permanent structure stipulations around leks. Outside PHMA, portions of State of Utah opportunity areas within 4 miles of a lek that is located in PHMA will be managed with the following allocations.

- Fluid minerals will be open for leasing with controlled surface use (CSU) stipulations (noise and tall structures).
- Lands ROWs, permits, and leases will be avoided, applying avoidance criteria for noise and tall structures. Do not site wind energy development in opportunity areas within 5 miles from occupied GRSG leks that are in PHMA. Outside of PHMA, avoid and minimize effects from

discrete anthropogenic disturbances in areas that have been treated with the intent of improving or creating new GRSG habitat. Evaluate conditions in the treated area to determine if it is providing habitat for GRSG and if additional measures are necessary to protect the habitat.

2019 ARMPA Only

MA-SSS-3

In PHMA, apply the following management to discretionary disturbances or activities that are not otherwise excluded or closed to minimize and mitigate effects on GRSG and its habitat from the project/activity.

A- Mitigation Strategy

In PHMA, when undertaking BLM management actions, and, consistent with valid existing rights and applicable law, when authorizing third-party actions that result in habitat loss and degradation, BLM will achieve the planning-level GRSG management goals and objectives through implementation of mitigation and management actions. Under this Proposed Plan Amendment, management would be consistent with the GRSG goals and objectives, and in conformance with BLM Manual 6840, Special Status Species Management. In accordance with BLM Manual 6840, BLM will undertake planning decisions, actions and authorizations "to minimize or eliminate threats affecting the status of [GRSG] or to improve the condition of [GRSG] habitat" across the planning area. Exceptions to this mitigation strategy for GRSG shall be made for vegetation treatments to benefit Utah prairie dog.

Compensation, which involves replacing or providing substitute resources for the impacts (including through payments to fund such work), would be considered only when voluntarily offered by a proponent, required by a law other than FLPMA, or to meet a State recommendation or requirement. Therefore, consistent with valid existing rights and applicable law, when considering third-party actions that result in habitat loss and degradation, BLM will consider compensatory mitigation actions only as a component of compliance with a State mitigation plan, program, or authority; when required by a federal law other than FLPMA; or when offered voluntarily by a project proponent. Accordingly, before authorizing third-party actions that result in habitat loss and degradation in PHMA or State of Utah SGMAs, BLM will complete the following steps.

1. Notify the appropriate State agency to determine if the State requires or recommends any additional mitigation—including compensatory mitigation—under State regulations, policies, or programs related to the conservation of GRSG.
2. Recommend to the project proponent that it coordinate with the appropriate State agency to ensure it complies with all applicable State requirements relating to its proposal.
3. Consider the State's recommendations—if the State determines that there are unacceptable residual impacts on GRSG or its habitat and compensatory mitigation is required as a part of State policy or authorization, or if a proponent voluntarily offers mitigation, BLM will incorporate that mitigation into BLM's NEPA and decision-making process.
4. BLM will ensure mitigation outcomes are consistent with the State's mitigation strategy and principles outlined in the *State of Utah Conservation Plan for Greater Sage-Grouse*, including, but not limited to the following.

a. Creating, restoring and/or protecting functional habitat or habitat corridors to offset the impacts of unavoidable disturbance to GRSG habitat.

b. In most cases, compensatory mitigation projects should be completed before the project triggering mitigation occurs.

c. Compensatory mitigation projects should account for the risk that the mitigation may fail or not persist for the full duration of the project it is intended to offset.

d. Compensatory mitigation projects should provide habitat that is in place for at least the duration of the project it is intended to offset.

Project-specific analysis will be necessary to determine how a compensatory mitigation proposal addresses impacts from a proposed action. BLM will cooperate with the State to determine appropriate project design and alignment with State policies and requirements, including those regarding compensatory mitigation. BLM will defer to the appropriate State authority to quantify habitat offsets, durability, and other aspects used to determine the recommended compensatory mitigation action.

BLM will not deny a proposed authorization in GRSG habitat solely on the grounds that the proponent has not proposed or agreed to undertake voluntary compensatory mitigation. In cases where waivers, exceptions, or modification may be granted for projects with a residual impact, voluntary compensatory mitigation consistent with the State's management goals can be one mechanism by which a proponent achieves the RMPA goals, objectives, and waiver, exception, or modification criteria. When a proponent volunteers compensatory mitigation as their chosen approach to address residual impacts, BLM can incorporate those actions into the rationale used to grant a waiver, exception, or modification. The final decision to grant a waiver, exception, or modification will be based, in part, on criteria consistent with the State's GRSG management plans and policies.

In short, BLM would continue to apply the mitigation hierarchy as described in the Council on Environmental Quality (CEQ) regulations at 40 Code of Federal Regulations (C.F.R.) Section 1508.20; however, BLM would focus on avoiding, minimizing, rectifying, and reducing impacts over time. Compensation would be considered only when voluntarily offered by a proponent, required by a law other than FLPMA, or to meet a State recommendation or requirement. BLM commits to cooperating with the State to analyze applicant-proposed, State-recommended, or State-imposed compensatory mitigation to offset residual impacts. BLM remains committed to achieving the planning-level MA-SSS-3: In PHMA, apply the following management to discretionary disturbances or activities that are not otherwise excluded or closed to minimize and mitigate effects on GRSG and its habitat from the project/activity:

B- Disturbance Cap

In PHMA, manage discrete anthropogenic disturbances so they cover less than 3 percent of 1) PHMA associated with a GRSG population area, and 2) within a proposed project analysis area. See Appendix E, *Greater Sage-Grouse Disturbance Cap Guidance*, for additional information on implementing the disturbance cap, including what is and is not considered disturbance and how to calculate the proposed project analysis area.

If the 3 percent disturbance cap is exceeded on all lands (regardless of land ownership) within GRSG PHMA in any BSU or within a proposed project analysis area in PHMA, then no further discrete

anthropogenic disturbances (subject to applicable laws and regulations, such as the Mining Law of 1872 [as amended], valid existing rights, etc.) will be permitted by BLM within GRSG PHMA in any BSU or the proposed project analysis area until the disturbance has been reduced to less than the cap.

However, the 3 percent cap may be exceeded at either scale if a technical team determines that site-specific GRSG habitat and population information, combined with project design elements indicates the project will improve the condition of GRSG habitat within the proposed project analysis area or within the PHMA in the population area where the project is located.

Factors considered by the team will include GRSG abundance and trends, movement patterns, habitat amount and quality, extent and alignment of project disturbance, location and density of existing disturbance, project design options and other biological factors. Such exceptions to the 3 percent disturbance cap may only be approved by the BLM Authorized Officer with the concurrence of the State Director.

The finding and recommendation shall be made by the technical team, which should consist of, at least, a BLM field biologist, other local GRSG experts, and biologists and other representatives from the appropriate State agency.

Within designated utility corridors, the 3 percent disturbance cap may be exceeded at the project scale if the site specific NEPA analysis indicates that doing so will improve the condition of Greater Sage-Grouse habitat in comparison to siting a project outside the designated corridor. This exception is limited to projects that fulfill the use for which the corridors were designated (ex., transmission lines, pipelines) and the designated width of a corridor will not be exceeded as a result of any project co-location.

An area with disturbance within GRSG habitat is not excluded from the 3 percent cap until it provides GRSG habitat. The objective of successful restoration of disturbed GRSG seasonal habitats is to provide for the needs of GRSG, which could be evidenced by one of the following.

- Vegetative cover is consistent with the GRSG habitat objectives and the ecological site description (Objective SSS-3).
- Monitoring indicates the area is regularly used by GRSG to sustain one or more seasonal habitat requirements (nesting, brood-rearing, winter).

Include a schedule in project authorizations for monitoring the status of restoration efforts (e.g., areas of disturbance that meet the restoration criteria). Areas where disturbance would exceed 3 percent after project construction should include annual assessments to prioritize restoration efforts and determine what areas have been restored.

Areas of PHMA that were not GRSG habitat at project initiation would be excluded from the 3 percent cap calculation upon project completion and reclamation, as outlined in the applicable lease or permit.

Final restoration success and approval for abandonment for disturbances will be subject to an interdisciplinary review of available monitoring data and final monitoring reports.

Consider the likelihood of development of not-yet-constructed surface-disturbing activities—as defined in Table D.2 of the Monitoring Framework (Appendix D of the 2015 ROD/ Approved RMPA)—under valid existing rights prior to authorizing new projects in PHMA.

C- Density of Energy/Mining Facilities

Subject to applicable laws, including the Mining Law of 1872, and applicable regulations, and valid existing rights, if the average density of one energy and mining facility per 640 acres (the density cap) is exceeded on all lands (regardless of land ownership) in PHMA within a proposed project analysis area, then no further disturbance from energy or mining facilities will be permitted by BLM: (1) until disturbance in the proposed project analysis area has been reduced to maintain the limit under the cap; or (2) unless the energy or mining facility is collocated into an existing disturbed area (subject to applicable laws and regulations, such as the Mining Law of 1872 [as amended], valid existing rights, etc.); however, the density cap may be exceeded if a project is on non-habitat (see MA-SSS-1 language related to placement of development in non-habitat portions of PHMA), or if the process identified in MA-SSS-3B determines the project will improve the condition of GRSG habitat at the proposed project analysis area or within the PHMA where the project is located through analysis of site-specific GRSG habitat and population information and project design elements.

Energy and mining facilities to which this action applies are as follows.

- Oil and gas wells and development facilities
- Coal mines
- Wind towers
- Solar fields
- Geothermal wells/developments
- Active locatable, leasable, and saleable developments

D- Predation

In PHMA, eliminate or minimize external food sources for corvids, particularly dumps, or waste transfer facilities. Apply BMPs to development activities to reduce opportunities for GRSG predators (e.g., limiting food sources, nest/perches deterrents, and road kill).

Apply habitat management practices (e.g. grazing management and vegetation treatments) that decrease the effectiveness of predators.

When conducting habitat treatments, remove trees that have corvid nests that could impact PHMA nesting and brood-rearing habitat when in compliance with the Migratory Bird Treaty Act (e.g., when the nest is unoccupied and outside of migratory bird nesting season).

Efforts by other agencies to minimize impacts from predators on the GRSG should be supported and encouraged where needs have been documented. Collaborate with applicable government entities to implement programs to control predator populations of GRSG (e.g., ravens, red fox, badgers, and raccoons).

E- Noise Restrictions

In PHMA, limit noise from discrete anthropogenic disturbances, whether during construction, operation, or maintenance, to not exceed 10 decibels above ambient sound levels (as available at the signing of the GRSG RMPA ROD or as first measured thereafter) at occupied leks from 2 hours before

to 2 hours after official sunrise and sunset during breeding season (e.g., while males are strutting). Support the establishment of ambient baseline noise levels for PHMA habitat area leks.

Limit project related noise in other PHMA habitats and seasons where it will be expected to reduce functionality of habitats that support associated GRSG populations.

As additional research and information emerges, specific new limitations appropriate to the type of projects being considered will be evaluated and appropriate measures will be implemented where necessary to minimize potential for noise impacts on PHMA GRSG population behavioral cycles.

F- Tall Structure Restrictions

In PHMA, limit the placement of permanent tall structures within GRSG breeding and nesting habitats.

For the purposes of this restriction, a tall structure is any man-made structure that provides for perching/nesting opportunities for predators (e.g., raptors and ravens) that are naturally absent, or that decreases the use of an area by GRSG. A determination as to whether something is considered a tall structure will be made based on local conditions such as existing vegetation or topography.

G- Seasonal Restrictions

In PHMA, in coordination with the appropriate State agency, apply seasonal restrictions during the period specified below to manage discretionary discrete anthropogenic disturbances and uses on public lands to prevent disturbance to GRSG populations and habitat during seasonal life cycle periods as follows.

- In breeding (leks), nesting and early brood-rearing habitat from February 15 to June 15.
- In brood rearing habitat from April 15 to August 15.
- In winter habitat from November 15 to March 15.

Specific time and distance determinations will be based on site-specific conditions and may be modified due to documented local variations (e.g., higher/lower elevations) or annual climactic fluctuations (e.g., early/late spring and long and/or heavy winter) in order to better protect GRSG, in coordination with the appropriate State agency.

H- Buffers

In undertaking BLM management actions, and consistent with valid and existing rights and applicable law in authorizing third-party actions, BLM will assess and address impacts within the lek buffer-distances identified in the US Geological Survey Report *Conservation Buffer Distance Estimates for Greater Sage-Grouse – A Review* (Open File Report 2014-1239; Manier et al. 2014) in accordance with Appendix B, *Applying Lek-Buffer Distances*.

I- Required Design Features/Best Management Practices

In PHMA, apply the RDFs from the applicable sections identified in Appendix C, *Required Design Features*, when authorizing/permitting site-specific activities/projects for wildland fire management actions, travel and transportation, lands and realty, fluid minerals, nonenergy leasable minerals, coal, mineral materials, and locatable minerals (consistent with applicable law).

The applicability and overall effectiveness of each RDF cannot be fully assessed until the project level when the project location and design are known. Because of site-specific circumstances, some RDFs may not apply to some projects and/or may require slight variations. All variations in RDFs will require that at least one of the following be demonstrated in the NEPA analysis associated with the project/activity.

- A specific RDF is documented to not be applicable to the site-specific conditions of the project/activity (e.g. due to site limitations or engineering considerations). Economic considerations, such as increased costs, do not necessarily require that an RDF be varied or rendered inapplicable.
- An alternative RDF, State-implemented conservation measure, or plan-level protection is determined to provide equal or better protection for GRSG or its habitat.
- A specific RDF will provide no additional protection to GRSG or its habitat.

MA-SSS-6

Sage-Grouse Management Outside PHMA

Outside PHMA, implement GRSG management actions included in the RMPs and project-specific mitigation measures associated with decisions that pre-dated the 2015 amendments.

Proposed projects within State SGMAs and USFWS PACs, as well as adjacent to PHMA outside these areas, will consider impacts on GRSG and may implement measures to mitigate impacts on GRSG populations within adjacent PHMA when preparing site-specific planning and environmental compliance documents.

Outside of PHMA, but within SGMAs and PACs, avoid removal of sagebrush and minimize development that creates a physical barrier to GRSG movement; these areas may be used by GRSG to connect to other populations or seasonal habitat areas. Exceptions shall be made for vegetation treatments to benefit Utah prairie dog, where the landscape will be managed for both species.

Outside of PHMA, but within SGMAs and PACs, consider noise and permanent structure stipulations around leks.

Outside PHMA, after analyzing the impacts using the buffer distances identified in Appendix B from a lek that is located in PHMA, portions of State opportunity areas will be managed with the following allocations.

- Fluid minerals will be open for leasing with CSU stipulations (noise and tall structures).
- Lands ROWs, permits, and leases will be avoided, applying avoidance criteria for noise and tall structures.

Avoid siting wind energy development in opportunity areas within the buffer distances identified in Appendix B from occupied GRSG leks that are in PHMA, if the lek buffer analysis as identified in Appendix B shows that siting wind energy development in opportunities areas will impact lek persistence within PHMA.

Outside of PHMA, avoid and minimize effects from discrete anthropogenic disturbances in areas that have been treated with the intent of improving or creating new GRSG habitat. Evaluate conditions in

the treated area to determine if it is providing habitat for GRSG and if additional measures are necessary to protect the habitat.

Outside of PHMA, provide that acres of GRSG seasonal habitat (based on best available maps, then confirmed to be regularly used by GRSG to sustain one or more seasonal habitat requirements through coordination with the appropriate State agency and through on-the-ground information) that is lost to habitat degradation actions (Appendix C, Table C.2 of the 2015 ROD/Approved RMPA) are replaced by creating/improving GRSG habitat within PHMA.