



Information Alert

State-Federal Relations Division

Department of Interior Releases Final Greater Sage-Grouse Environmental Impact Statements and Conservation Plan Amendments

Dec. 10, 2018

On Dec. 6, the Department of Interior's (DOI) Bureau of Land Management (BLM) [announced](#) the availability of the Final Environmental Impact Statement (EIS) and proposed plan amendments addressing sage-grouse conservation on public land in Colorado, Idaho, Oregon, Nevada, Utah and Wyoming, aligning BLM resource management plans with state plans for conserving sage-grouse populations.

In 2010, the U.S. Fish and Wildlife Service determined the greater sage-grouse population warranted protections under the Endangered Species Act (ESA), at the economic cost of over \$5 billion in lost output. The Obama administration responded by [announcing in 2015](#) that the bird did not need ESA protections and instead developed its own land use plans. However, the current administration determined that these plans hampered energy development, recreation and other uses of federal lands. Following in line with the administration's priority of energy independence, in 2017 DOI Secretary Ryan Zinke signed secretarial Order No. 3353, aiming to improve sage-grouse conservation by strengthening communication and collaboration between states and the federal government. Following this action, the BLM [formally reopened](#) the plans to public review, and last spring released draft EISs and proposed resource management plan amendments.

The final EISs do not entirely rewrite current plans but do propose some significant revisions. They would remove nearly all 10 million acres of sagebrush focal areas, identified in the previous administration's plans as critical habitat, leaving only 1.8 million acres in Oregon and Montana. Some additional changes in the final EISs suggest removing hundreds of thousands of acres of federally protected habitat in Utah and easing restrictions on energy development and other activities in Colorado and Wyoming. Like the draft versions, the EISs keep in place "no surface occupancy" requirements preventing bird-disturbing activities in priority habitats and buffers around grouse breeding grounds. Most importantly, the plans give the BLM and individual states "flexibility" to allow for increased activity in grouse habitat management areas.

A bipartisan group of six governors, from the states identified above, [issued statements](#) in support of the proposed revisions, citing the process as "refreshing," and praising the

collaboration and consultation with states and other stakeholders. Utah Governor Gary Herbert (R) called the process a “great example of federal leaders listening to state leaders [and] valuing their expertise,” and Wyoming Governor Matt Mead (R) thanked the department for working with the state throughout the process, stating that “having better alignment between state and federal management for the bird is important.”

The publication of the final EISs and proposed amendments kicks off a [30-day protest period](#) “for any person who previously participated in the planning process and has an interest that is (or may be) adversely affected by the proposed plan.” Governors also have 60 days to review the proposed amendments for consistency with state and local laws and regulations. The final step of the process will be a Record of Decision following resolution of any protests received during the 30-day period.

If you have any further questions regarding the EISs or plan amendments, please contact NCSL staffers Ben Husch (ben.husch@ncsl.org) or Kristen Hildreth (kristen.hildreth@ncsl.org).

Resources:

Final State Environmental Impact Statements:

- Colorado: <https://goo.gl/kmLtwT>
- Idaho: <https://goo.gl/Jd8uVf>
- Oregon: <https://goo.gl/4CNtH8>
- Nevada/California: <https://goo.gl/uz89cT>
- Utah: <https://goo.gl/o2AQWQ>
- Wyoming: <https://goo.gl/22jKE2>