

ENDANGERED SPECIES: Criticism greets new federal plan for protecting sage grouse in N.D.

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The Obama administration continues to roll out management plans covering thousands of acres that are designed to restore dwindling habitat for the imperiled greater sage grouse.

The latest Bureau of Land Management proposal would establish nearly 33,000 acres of priority grouse habitat in southwestern North Dakota, limiting some energy development, road building and off-highway vehicle use, but exempting new wind power development.

The draft [environmental impact statement](#) (EIS) and draft resource management plan (RMP) amendment have drawn mostly criticism from conservationists and oil and gas industry officials who have reviewed the proposal.

The draft EIS and RMP amendments, released a couple of days before the federal government shutdown, are open for public comment through Dec. 26. BLM has targeted September 2014 for the issuance of a record of decision approving the plan.

The draft is one of 15 separate environmental impact statements that are being conducted as part of the agency's ongoing effort to develop a "National Greater Sage-Grouse Planning Strategy" that would stretch across 10 Western states and cover the estimated 47 million acres of sage grouse habitat under BLM control. That national effort includes amending dozens of RMPs to incorporate policies and provisions designed to restore the bird and protect its dwindling sagebrush steppe habitat.

The Fish and Wildlife Service has named the greater sage grouse a "candidate species" for listing under the Endangered Species Act, but the service is under a court order to make a final decision whether to list the bird by 2015.

To help protect the bird in North Dakota, BLM is proposing designating nearly 33,000 acres as priority habitat that would limit motorized travel to existing roads and place surface occupancy restrictions that could limit oil and gas development, though existing leases would be allowed to develop with additional conservation measures designed to protect the grouse.

Ron Ness, president of the North Dakota Petroleum Council in Bismarck, said most of the area in question has already been drilled and that the industry worked with BLM to restore drilled areas and to protect sage grouse breeding areas, called leks, during production.

"And all of a sudden, they now come in with what's in essence a blanket roadless area," Ness said.

"That's why we have zero drilling rigs operating on federal lands in North Dakota," he added, despite the state's booming Bakken Shale oil formation. "We're very fortunate that 90 percent of the Bakken is on private lands."

Conservation leaders see it differently.

North Dakota is home to a small population of greater sage grouse on the fringe of the bird's range. The North Dakota Game and Fish Department counted 50 breeding males in its annual spring survey of grouse. The grouse population in the state was nearly wiped out by a West Nile virus outbreak in 2007.

Though small in size, North Dakota's grouse population is very important to the overall health of the bird, said Erik Molvar, a wildlife biologist with WildEarth Guardians in Laramie, Wyo.

Molvar said BLM has done a good job in the draft EIS for southwestern North Dakota of identifying priority habitat that warrants protection but has also failed to propose strong measures to keep industrial development out of the priority areas.

BLM, he said, should have followed the North Dakota Game and Fish Department draft sage grouse management plan that called for oil wells to be widely spaced with little or no industrial development within 4 miles of breeding sites, and limited overall human disturbance to a maximum of 3 percent per square mile.

That threshold would be adopted under two of the four alternatives the agency studied in the draft EIS, but not under BLM's so-called preferred alternative, which it is leaning toward adopting.

"It would be irresponsible to designate the most important wildlife habitats for this declining population and then allow industrial interests to destroy it," Molvar said.

No one at BLM could be reached for comment, due to the federal government shutdown. But in the draft EIS, the agency notes that the preferred alternative was chosen because it offers "a balanced level of protection, restoration, enhancement, and use of resources and services to meet ongoing programs and land uses."

Federal and state leaders are desperately trying to avoid an ESA listing for the grouse, fearing it would create a host of problems that would affect the energy, agriculture and ranching industries across the West.

BLM in the last three months has issued several proposed RMP amendments designed to protect greater sage grouse, including ones covering large populations of grouse across 780,000 acres in northeast Wyoming and 1.6 million acres in northwest Colorado.

Conservation groups have criticized each of the proposed plans as not strong enough to protect sage grouse and keep it off the federal endangered species list.

Mark Salvo, federal lands policy analyst for Defenders of Wildlife, said he has reviewed six of the nine proposed BLM plans released to date, and he said the plans to date have failed to support the agency's stated conservation goals.

"We are concerned BLM may scuttle an unprecedented opportunity to protect sage grouse and the Sagebrush Sea," Salvo said. "Fortunately, there is still time to put the planning process on a path to success."

