

**Statement of
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U.S. Department of Agriculture before the
Senate Committee on Energy and Natural Resources
Subcommittee on Oversight
Hearing on the status of the Bureau of Land Management and Forest Service's efforts to
implement amendments to land use plans and specific management plans regarding sage
grouse conservation, and those agencies' coordination activities with affected states
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Chairman Barrasso, Ranking Member Wyden, and members of the Subcommittee: Thank you for the opportunity to discuss the U.S. Department of Agriculture's efforts to coordinate with affected states and stakeholders on implementation of our amendments to land-use plans for greater sage-grouse conservation.

The design and implementation of the greater sage-grouse conservation amendments represents a remarkable level of coordination and commitment with states, permittees and other stakeholders to satisfy the Forest Service's mission and meet Congressional direction that national forests are established and administered for multiple uses. The coordinated efforts of federal and state agencies contributed to the U.S. Fish and Wildlife Service's (USFWS) determination not to list the greater sage-grouse as a species in need of protections under the Endangered Species Act (ESA).

A critical component to the successful implementation of this conservation effort is coordination with the states. Through state-federal agreements, the establishment of state coordinator representatives, and other collaborative efforts, we have established a framework for cooperation that has resulted in improved outcomes, including for example, better integration of state-led science on lek buffers (conservation buffers around sage-grouse communal breeding locations) in Forest Service plan amendments.

In addition to close collaboration with States, USDA is working with a host of local and regional stakeholders. For example, we are fully engaging with livestock permittees to assess rangeland conditions and identify if there are any needed changes to allotment management for sage-grouse conservation. The conservation and recovery of greater sage-grouse and its habitats is dependent upon strong federal land-management plans, strong state and private land management, and an effective strategy to reduce the threat of rangeland fire.

We fully recognize the sagebrush steppe ecosystems of the Interior West are valued and used by people with a long and deep connection to the land and that our actions may affect many people. Therefore, we continue to be part of a collaborative, landscape-scale conservation effort that includes multiple federal agencies, states, private landowners, and other stakeholders.

Background

In March 2010, the USFWS published findings that the greater sage-grouse was warranted to list as a Threatened or Endangered Species under the ESA, but deferred listing based on other higher priorities. The USFWS findings identified the inadequacy of regulatory mechanisms as a significant threat to greater sage-grouse. A lawsuit settlement agreement required the USFWS to issue a decision regarding ESA listing for the greater sage-grouse by Sept. 30, 2015. In December 2011, the Bureau of Land Management (BLM) and the Forest Service jointly decided to consider amending and revising their land use plans, within the range of the greater sage-grouse, to provide for greater conservation measures before the listing decision was made. This resulted in four years of a coordinated, collaborative effort among federal, state, and local partners to develop the greater sage-grouse land use planning decisions.

The land use planning decisions and the subsequent decision by the USFWS to not list the species, provide a framework for an efficient, coordinated response to the threats facing this species. Perhaps most important to our cooperators is that the planning decisions maintain management flexibility for state agencies and avoid ESA listing.

Forest Service Records of Decision (RODs) were written at the landscape scale and accounted for varying local conditions. There are different amendments signed for the national forests within Idaho and Southwest Montana, Nevada, Utah, Northwest Colorado, and Utah. Although the several amendments have much that is similar, adjustments were made to account for differences between the states.

Cooperation, Coordination, and Communication

Forest Service leaders at the national, regional and field levels are deeply engaged with state-federal interagency working groups at multiple levels. Agency leaders serve on the Greater Sage-Grouse Task Force. This task force is comprised of state and federal executives who worked together, for several years, through the planning and development of the State and federal plans, and have committed to continue our collective work into implementation of the federal and State plans. Agency leaders also coordinate with the Western Association of Fish and Wildlife Agencies Sagebrush Executive Oversight Committee. Moreover, regional field-level personnel are consistently and actively engaged with state-federal interagency working groups designing mitigation frameworks, and with state-specific working groups.

A key component to our coordination efforts with state agencies is the assignment of Greater Sage-Grouse Coordinators for the affected states. Specifically, coordinators are in place for Wyoming, Utah, Nevada, Montana, and Idaho. Another very important component to our collaboration and coordination is the creation of interagency memoranda of understanding (MOU). For example, an MOU has been completed for a mitigation strategy in Nevada and we are developing similar MOUs with Utah and Wyoming.

Our coordination with other federal agencies has also been close. The sage-grouse conservation plan analysis and amendments were closely coordinated with the BLM. We are continuing this coordination as we move forward into implementation, particularly regarding fire and invasive

species and habitat assessments. We are part of an interagency team of federal and state managers discussing mitigation and monitoring.

We have entered into an MOU with the BLM and the Natural Resources Conservation Service (NRCS) to provide a collaborative framework for the BLM, NRCS, and Forest Service to accomplish common goals related to the conservation of the greater sage-grouse and its habitat. The six major collaborative components of this MOU are to:

1. Control invading conifers in mutually agreed upon priority watersheds.
2. Implement practices across landownerships designed to reduce the risk of fire and invasive species as identified by the Fire and Invasive species Assessment Tool (FIAT) in the Great Basin, and in the Rocky Mountain States when similar tools become available.
3. Restore and enhance wet-meadow habitats in mutually agreed-upon priority watersheds.
4. Develop science tools that refine delivery of priority conservation practices, jointly track implementation, assess benefits of such practices, and quantify resulting biological outcomes.
5. Coordinate communications to amplify outcomes achieved in conservation.
6. Coordinate, where appropriate, the planning and implementation of range structural improvements.

Implementation of the Greater Sage-Grouse Amendments

The scope and scale of the greater sage-grouse amendments guides us to implement our decisions in close cooperation with the U.S. Department of the Interior, including BLM and USFWS; NRCS at the U.S Department of Agriculture, and state agencies. For example, we will incorporate elements of state-based mitigation plans as they are developed. We are also examining and assessing grazing allotments in a transparent and interactive process that may require up to 36 months to complete. Thus, implementation is an interactive process that provides large-scale consistency while allowing for adaptation to local and fine-scale needs.

Our implementation of the decisions is transparent and adaptive and we are making excellent progress. Where our amended Land Management Plans outline desired vegetative characteristics, we are developing and posting the protocols for how to measure and evaluate vegetation in the field. We have shared our draft protocols and implementation guides internally and externally with states and federal partners seeking their insights and feedback. By posting protocols on a publicly accessible website, we are allowing for continued input during the implementation process. Our guides and supplemental information can be found at:

<http://www.fs.fed.us/science-technology/fish-wildlife-plants/sage-grouse/implementation-guide>

We have developed initial versions of internal, adaptive guidance documents. These documents have been shared with state agencies and are publicly accessible on our website.

Accomplishments to Date: Responses to Threats to Greater Sage-Grouse Habitats

USDA continues to be instrumental in coordinating agency responses. Forest Service implementation actions are enhanced through our work with our sister agency the

NRCS. Comingled public-private land ownership throughout the West requires collaboration among partners to implement sage-grouse conservation practices. NRCS created the Sage Grouse Initiative (SGI) to voluntarily reduce threats facing sage-grouse and ranching on private lands. SGI focuses on the shared vision of wildlife conservation through sustainable ranching, providing win-win solutions for ranchers, sage-grouse and 350 other sagebrush obligate species. The SGI has strategically conserved 4.4 million acres of land on 1,129 ranches across 11 western states since 2010. In 2015, NRCS committed another \$211 million for SGI through 2018 to continue to conserve and restore the sagebrush-steppe. The Forest Service, BLM, and NRCS continue to work together to jointly target and implement specific actions. Specifically, removing invading conifers, preventing the spread of invasive weeds and uncharacteristic wildfire across the sage-grouse range using tools such as those developed through collaborative processes, and restoring important wet meadow habitats are joint priorities.

Forest Service has identified more than 1.7 million acres of preliminary nesting and breeding habitat and another 1.7 million acres of preliminary summer and brood-rearing habitat. In 2016, the Forest Service has committed funding and plans to implement nearly 75,000 acres of habitat improvement work through conifer removal and restoration of sagebrush, forb, and native grasses and 7,000 acres of invasive plant control. At the end of the summer, the Forest Service will have statistically sampled 80 percent of the roughly 3.4 million acres of mapped habitat to validate the map accuracy and habitat quality. This data will be used to refine maps and quantify the habitat quality, and assess potential of any future changes in grazing-management operations.

The USFWS 2013 Conservation Objectives Team identified a list of potential threats to greater sage-grouse. The following summaries are intended to give the subcommittee an overview of the threats and our ongoing responses to them, beginning with our accomplishments at identifying and restoring habitat.

Invasive Plants

In 2016, nearly 7,000 acres have been identified for invasive plant control. Due to the complexity and cost of reclamation, the acres identified for treatment in 2016 are preliminary, and we plan to treat larger numbers of acres as implementation progresses.

The establishment of annual grass species, particularly cheatgrass, into the sagebrush ecosystem has had profound impacts on greater sage-grouse habitats in the western United States. Annual grass species provide a fuel source for wildfire ignitions that have shortened fire periodicity and replaced millions of acres of native grasses and sagebrush with annual grasslands. While other invasive plant species may degrade ecosystem function, the USFWS identified annual grass species as one of the primary threats facing greater sage-grouse and its habitat, particularly in Great Basin region environments.

Fire

Fire represents one of the most immediate threats to greater sage-grouse habitat. Annual invasive grasses are prone to frequent, recurring wildland fire, which further exacerbates the conversion of habitat to annual invasive grasses. Recognizing the nature and extent of this threat, our plan amendments include specific guidance to fight the spread of cheatgrass and other invasive

species, position wildland fire management resources for more effective rangeland fire response, and accelerate the restoration of fire-impacted landscapes to native grasses and sagebrush.

The Forest Service is part of the Western Association of Fish and Wildlife Agencies Greater Sage Grouse Wildland Fire and Invasive Plants Assessment Team. This is a coordinated state and federal effort to identify, protect, and restore sagebrush communities.

We have completed and posted our initial version of the Fire Implementation Guide. While this document provides important guidance for conservation of sage-grouse habitats, in all fire responses, the first priority is the management of risk to firefighters and the public. Greater sage-grouse habitat will be protected from loss due to unwanted wildfires or damages resulting from management related activities, while using Forest Service risk management protocols to manage for firefighter and public safety and other high priority values.

Conifer Encroachment and Sagebrush and Forb Restoration

Greater sage-grouse are negatively impacted by the expansion of conifers in their habitat. As conifers increase in abundance and size, the underlying habitat quality for sage-grouse decreases. Additionally, conifers can provide habitat for predators. Restoration projects are being focused on sagebrush communities where conifer encroachment is occurring. Much of the work described above is focused on removal of conifers and restoration of sagebrush and native forbs and grasses. Forest Service Research and Development, in cooperation with a wide array of partners, has played a major part in this work through its support of the Great Basin Native Plant Project, the National Seed Strategy, the Inter-Tribal Nursery program, the “Seeds of Change” program, and the Western Center for Native Plant Conservation and Restoration Science. Through these, and other efforts, the Forest Service is increasing the availability of native seeds and plants and improving the knowledge and technology needed for their use in restoring diverse native plant communities.

Livestock Management to Avoid Improper Grazing

There will be no immediate changes to grazing practices. As we collect field data this summer we will be sharing the results with states and permittees on the presence and quality of sage-grouse habitat, and once we have validated the presence of sage-grouse habitat and what effects, if any, grazing may be having, we will continue to engage the grazing permittees to develop any needed changes. For some permittees there will be no need for changes, others may need to make minimal (two to three weeks) adjustments in the timing or rotation on the allotments.

Livestock grazing is being managed to achieve desired vegetation structure on allotments that are close to greater sage-grouse breeding and nesting sites. We have initiated a multi-year implementation timeline. First we are focusing on collecting necessary biological data (e.g., vegetation measurements) and validating existing maps of sage-grouse habitat with field data. We are then sharing this site specific field data with grazing permittees. Using these data, we will develop grazing instructions with permittees that are compatible with greater sage-grouse needs.

Approximately one third of our term grazing permits, in the area covered by the plan amendments, may have greater sage-grouse habitat on some part of the allotment. The sage-grouse plans amendments and the estimated habitat are approximately 16 percent of total area in these Forest Service grazing allotments in the planning area. The lands managed by the National

Forest System contain an estimated 8 percent of the total habitat in the range of greater sage-grouse.

Recreation, Commercial Use, and Travel Management

Recreational activities can result in habitat loss and fragmentation (e.g., creation of unauthorized routes) and both direct and indirect disturbance to the birds (e.g., noise, disruptive lek viewing, and dispersed camping). Limitations on approving expanding recreational facilities and activities in greater sage-grouse habitats have been implemented. We have completed and posted our initial version of the Recreation Implementation Guide.

Mining and Energy Development

Stipulations or prohibitions to activities, which may include no surface occupancy or restrictions on timing of disturbances, will be considered for the permitting of minerals activities such as: coal mining, leased fluid minerals, locatable minerals, mineral materials, non-energy leasable minerals, and unleased fluid minerals in priority habitats.

As part of the planning process, the USFWS identified essential population strongholds for greater sage-grouse conservation, which the USDA and the BLM considered in developing Sagebrush Focal Areas (SFAs). These areas have been proposed for withdrawal from locatable mineral location and entry under the U.S. mining laws, subject to valid existing rights. These SFAs were key in helping to keep the sage-grouse from being listed under ESA, and were developed in coordination with the states. The states will continue to fill a critical role.

These sagebrush focal areas total approximately 800,000 acres on NFS lands. Within this area approximately 440,000 acres are in inventoried roadless areas with more restrictive access, and approximately 70,000 acres are in congressionally designated Wilderness and thus restricted from some mineral development by the Wilderness Act. All other lands either not previously withdrawn or proposed for withdrawal remain open to location and entry under the mining laws.

Habitat Conversion to Agriculture and Urbanization

We are managing NFS lands to minimize or eliminate the threat of agricultural conversion and urbanization. Lands classified as biologically important habitat will be retained in Federal management unless: (1) the agency can demonstrate that disposal of the lands will provide a net conservation gain or (2) the agency can demonstrate that the disposal of the lands will have no direct or indirect adverse impact on conservation of the greater sage-grouse.

Infrastructure

Development of infrastructure (e.g., roads, pipelines, power lines, cellular towers) results in habitat loss and fragmentation and may cause greater sage-grouse habitat avoidance. Infrastructure can provide sources for the introduction of invasive plant species and predators. In biologically important habitats, new development is addressed through processes of mitigation: avoiding, minimizing, or compensating for loss or degradation of habitat. Areas of higher importance to greater sage-grouse have more significant restrictions, but areas of lesser importance have less stringent restrictions and allow a limited amount of disturbance. We are collaborating with the BLM and states to incorporate the use of disturbance-calculation tools.

Climate Change

The implications of climate change pose significant concern in the conservation of greater sage-grouse and its habitat. The plan amendments focus on areas that have the greatest potential for conserving and restoring the connectivity of sagebrush habitats that are most important to greater sage-grouse populations.

Conclusion

The Forest Service, in collaboration with our state and federal partners and other stakeholders, is working to implement policy that will ensure adequate regulatory mechanisms for the protection and recovery of greater sage-grouse habitats while striving to accommodate existing uses. We are moving forward in a transparent, step-wise, and collaborative fashion. Implementation of the amendments is a process that will take two- to three-years before all aspects are fully integrated into normal procedures, and the steps that we are taking will help to ensure that the greater sage-grouse will not require listing under the provisions of the Endangered Species Act.

I would like to thank this subcommittee for its support. I would be happy to answer any questions you have at the appropriate time.