

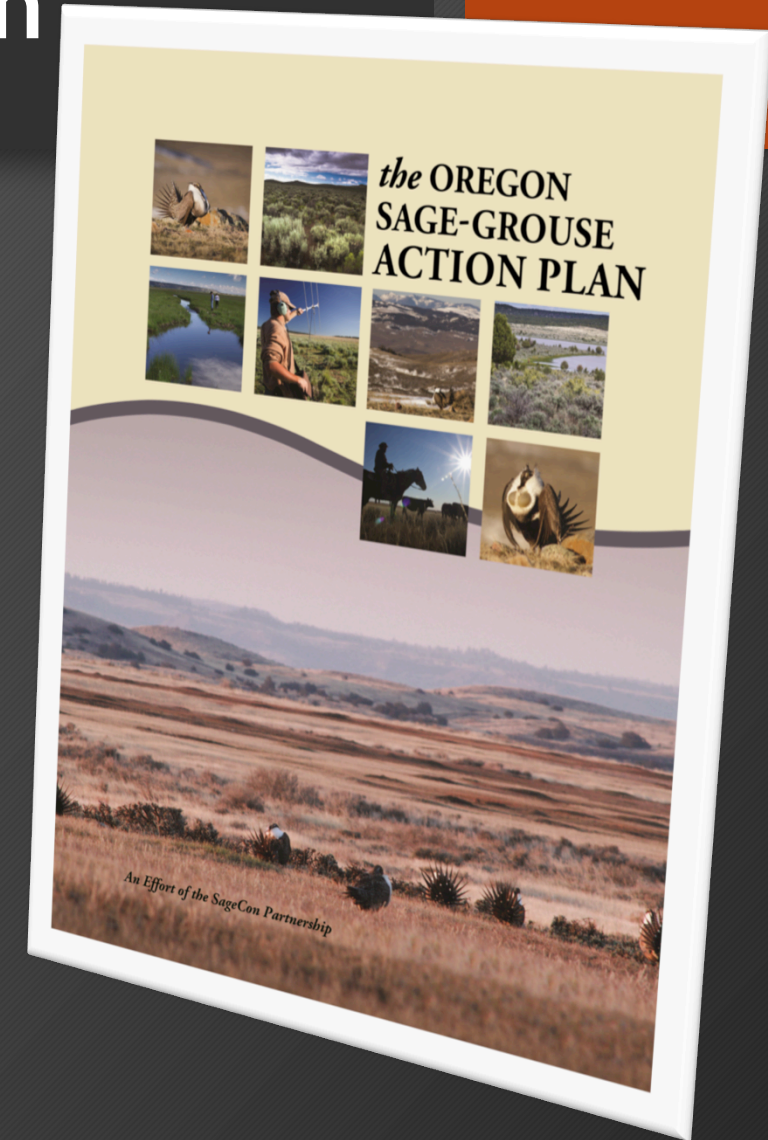
# Sage-Grouse Action Plan: Review and Update

SageCon Partnership  
Meeting  
June 23, 2015



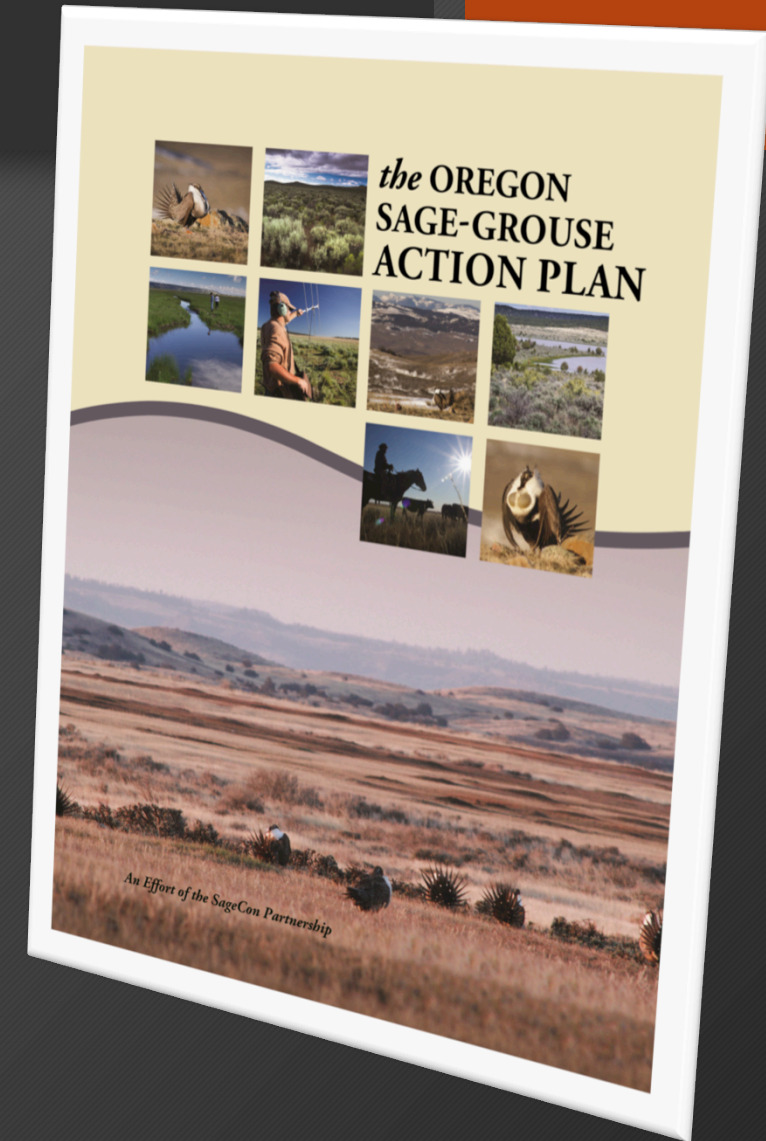
# Review: Why a Statewide Action Plan

- All Lands All Threats - A Coordinated Approach
- Contributors:
  - Fire & Invasives Subgroup
  - Mitigation Technical Team
  - Habitat Fragmentation Subgroup
  - Landscape Technical Team
  - Policy Team



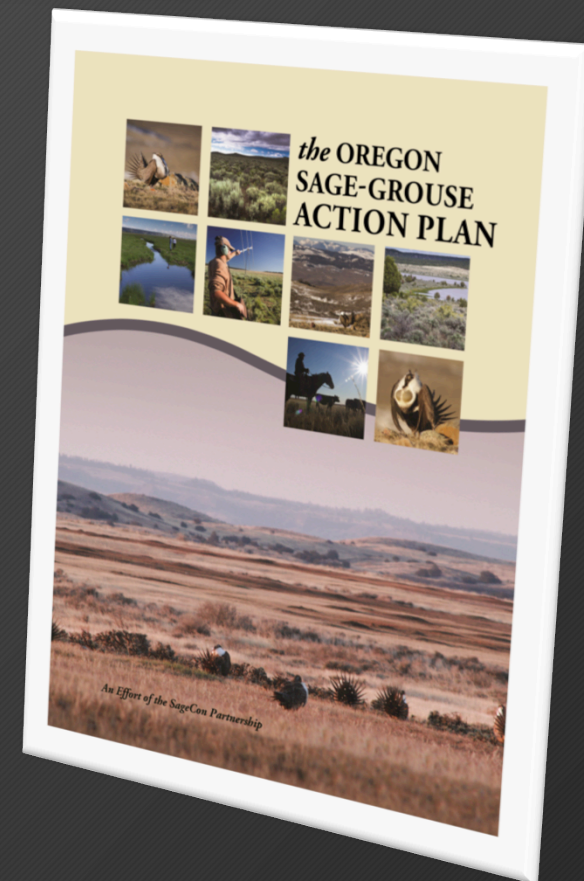
# Purpose of the Plan

- Documents a plan of action to convey to the USFWS that Oregon is taking a serious approach to sage-grouse conservation.
- Creates a framework equivalent to a contractual agreement that we, as a state, will follow through with conservation of sage-grouse.



# The Plan Also:

- Updates the status of threats to sage-grouse and its habitat
- Highlights actions taken since 2010 to address threats
- Prioritizes local and statewide conservation actions
- Provides decision support tools and best management practices
- Provides regulatory certainty to address gaps in land use and mitigation policy in sage-grouse habitat
- Provides for consistent approach of funding sources from mitigation and other programs to reduce habitat threats
- Presents a framework for Plan implementation, monitoring, and adaptive management across governmental and nongovernmental entities



# Does this plan replace ODFW's 2011 Strategy?

No, this plan **advances** the habitat goals necessary for sage-grouse conservation and **utilizes** ODFW's population management & core approach identified in the 2011 Strategy.

ODFW will continue to:

1. Monitor and assess sage-grouse populations
2. Maintain core area conservation approach



# 2011 Conservation Strategy & The Action Plan

## Side-by-side comparison



Function	2011 Strategy	2015 Action Plan
Identify population & habitat goals	✓	
Set population monitoring protocols	✓	
Make habitat management recommendations	✓	✓
<b>MOU</b> among land management agencies to implement monitoring & conservation actions		✓
Directs development away from sage-grouse habitat, particularly core	✓	✓
Sets a <b>regulatory framework</b> to direct development away from sage-grouse habitat	✓ EFSC/DOGAMI only	✓ Any LSD or any dev near leks

# 2011 Conservation Strategy & The Action Plan Side-by-side comparison



Function	2011 Strategy	2015 Action Plan
Compensatory mitigation (net gain) for <b>all</b> development in <b>all</b> sage-grouse habitat	✓ Recommend	✓ Required
Presents a framework for decision making, coordination and plan implementation		✓
Identifies resources for plan implementation		✓
Decision support tool to guide conservation investments		✓
Habitat quantification tool to inform mitigation requirements		✓

# Plan Structure

- **Section A: A Strategy for Actions, Summary & First Steps**
  - “Call to Action”
  - SageCon background
  - Review of the core (PAC) and low density habitat approach to conservation
  - Review of habitat and population objectives (2011 Strategy)
  - Brief overview of key threats
- **Section B: Conservation Review, Managing Threats & Technical Information**
  - Ecological framework for addressing threats at 3 scales
  - Technical tools available



# Plan Structure

- **Section C: Strategic Implementation**

- Nature & extent of threat
- Conservation actions
- Responsible Parties
- Highlights of post-2010 conservation work

- **Section D: Implementation & Coordination**

- New Conservation Measures (LCDC / ODFW Rules; CCAA; Investments)
- Coordinated Agency Response & Management

**Appendix 3:**  
Select Best Practices

**Appendix 4: Metrics**  
Performance Measures,  
Responsible Parties, Associated  
Timelines & Identified Resources

# Plan Structure

- Appendix 1: SageCon Partners
- Appendix 2: USFWS ESA Text
- Appendix 3: Best Practices
- Appendix 4: Metrics
- Appendix 5: Central and Eastern Oregon Land Use Planning Assessment (County Report)
- Appendix 6: Mitigation Manual
- Appendix 7: Development Threshold Calculations
- Appendix 8: Other Supporting Documents and Reports

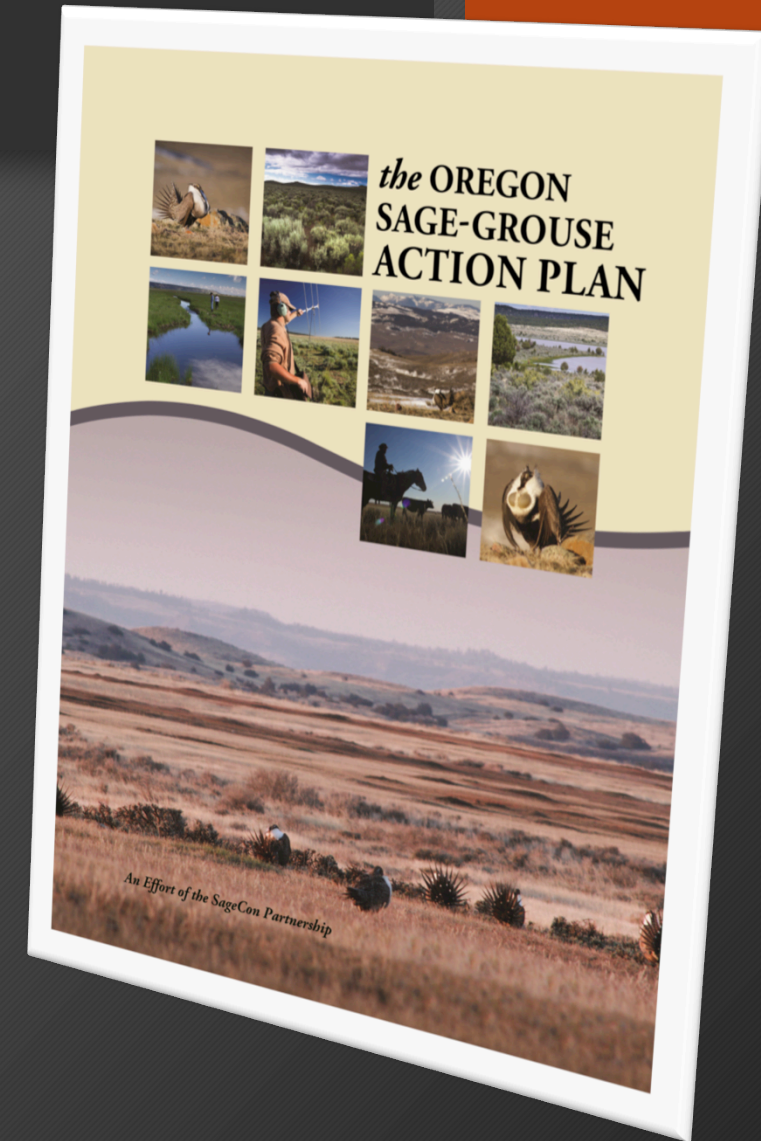
# Expected Timeline and Next Steps

When?	What?
April 13	Policy Team comments received
June 15	ODFW District Biologist comments received
June 19	(Final) Draft Sage-Grouse Action Plan sent to SageCon partners for review
June 23	SageCon Meeting (Bend)
<b>June 30</b>	<b>SageCon Partner input due</b>
July 13	Sage-grouse Tech Team Consultation
July 21 & 22	ODFW Rules Hearings Lakeview & Burns
July 23	LCDC Commission Burns
July 27	FWC Commission Salem
August 2015	Final Sage-Grouse Action Plan submitted to USFWS
September 30	USFWS Listing Decision



# Next Steps: SageCon Partner Review

- Ensure that the Plan capture relevant and necessary information to:
  - Present an organized, strategic and compelling case for how Oregon will conserve sage-grouse into the future
  - Provide Landowners / Managers / Decision-makers helpful direction on how to strategically advance conservation actions that benefit sage-grouse, rangeland health, and the associated interests of rural communities and economies
  - Include/address your organization/agency interests and issues of importance



# How Did We Do?

- Send us a simple email with a “good to go”, or “good to go with the following simple additions”
- If the plan has missed or under/over addressed critical issues, or could be strengthened in a specific area - send us your suggested changes including the section, subsection, page, line number.
- Comments due by June 30 (to Julia)
  - *If you don't even know where to begin... call Jamie (503) 490-5815 TOMORROW!*



# How do we ensure the plan is implemented?

- ODFW mitigation rules
- LCDC land use rules
- Implementation Coordination
  - Decision making to address issues and prioritize actions
  - Coordinated funding
  - MOUs - coordinated implementation and monitoring



# ODFW Draft Rules

- Develop Rules to Fulfill ORS's 498.500 and 498.502
- Amend ODFW Sage Grouse Rules to Allow Some Development in Core
- Amend LCDC and County Rules to Give Force to Mitigation
- Ensure Regulatory Certainty
- Provide for Oregon-wide Uplift

# Rules Advisory Committee

## Meetings

Four Meetings April 3<sup>rd</sup>-June 1<sup>st</sup>

## Members

Nature Conservancy

Harney, Crook, Baker, Lake, Union Counties

Oregon Natural Desert Association

Burns Paiutes and Warm Springs Tribes

Oregon Farm Bureau

Northwest Renewables

Portland Audubon

Oregon Cattlemen's Association

## Others

USFWS

ODOE

LCDC



# ODFW Rules

(OAR 636-140-0000)

- Based on Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: A Plan to Maintain and Enhance Populations and Habitat (2011)
- Existing Rules
  - Population Management (30,000 birds next 50 years)
  - Habitat Management (70% in advanced sagebrush)
  - Conservation Approach (Map Core to protect 90% of population)
- New Rules
  - Mitigation in Sage-Grouse Habitats

# What's New in OAR 635-140-0000

- Definitions
- Edits to Clean up Language in Sections
- Added Sub-goals to Habitat Section
- Mitigation Policies
- Relationship to OAR 635-415-0000

# Habitat Section (OAR 635-140-0015)

- Re-state Habitat Goal
- New Sub-goals Goals Are to:
  - Avoid developments in sage-grouse core, low density, and other habitats...
  - Limit the extent, location, and negative impacts of disturbance over time...3% of PAC, <1.0% over 10yrs
  - Require compensatory mitigation for direct and indirect impacts...which provides a net conservation benefit

# Mitigation Section (New) (OAR 635-140-0025)

- Policy 1. Mitigation Hierarchy-Determining Need and Extent
  - Large Scale (OAR 660-023-0115) in Sage-Grouse Core and Low Density or Any Habitat on Public Land Exercise Mitigation Hierarchy
  - Large Scale in General Habitat and “Small Scale” or other Permitted Activities in any Habitat
    - $\leq$  4.0 miles of lek in Core
    - $\leq$  3.1 miles of lek in low density or general
      - Consultation to seek avoidance, minimization, and need for mitigation

# Mitigation Section (Continued)

## (OAR 635-140-0025)

- Policy 2. Application of Mitigation Hierarchy
  - Avoidance
  - Minimization
  - Compensatory Mitigation

# Mitigation Section (Continued)

## (OAR 635-140-0025)

- Policy 3. Compensatory Mitigation Standard
  - Overall Net Benefits
  - Replaces Lost Functionality With an Increase in Functionality Elsewhere to Support Greater Number of Birds Than That of Impacted Habitat
  - Increase in Functionality Must Be in Addition to Existing on Mitigation Site
  - Mitigation May be Pursued
    - Directly with Department
    - Approved “In-lieu” Fee Program
    - Must be Durable

# Mitigation Policy

- Policy 4. Apply existing policy (OAR 635-415-0000) to other species except when in conflict with sage-grouse

# LCDC Rule - Statewide Planning Goal 5

## GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.





# LCDC Rule - OAR Chapter 660, division 23

## DIVISION 23

### PROCEDURES AND REQUIREMENTS FOR COMPLYING WITH GOAL 5

660-023-0000

#### Purpose and Intent

This division establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources. This division explains how local governments apply Goal 5 when conducting periodic review and when amending acknowledged comprehensive plans and land use regulations.

# LCDC Rule: OAR 660-023-0115 - Administrative Provisions

- (1) Introduction.
- (2) Exempt Activities.
- (3) Definitions.
- (4) Local Program Development and Direct Applicability of Rule.



# LCDC Rule: OAR 660-023-0115 - Process

(5) Quality, Quantity and Location.

(6) Determination of Significance.

(7) Conflicting Uses.

(8) Pre-Application Conference.



# LCDC Rule: OAR 660-023-0115 - Regulatory Framework

(9) Core Areas.

(10) Low Density Areas.

(11) General Habitat.



# LCDC Rule: OAR 660-023-0115 - Special Circumstances

(12) Especially Unique Local Economic Opportunity.

(13) Up-zonings.



# LCDC Rule: OAR 660-023-0115 - Monitoring

(14) Landscape-Level Disturbance.

(15) Central Registry.

(16) Disturbance Threshold.

(17) Metering.



# LCDC Rule: OAR 660-023-0115 - Next Steps

(18) State Agency Coordination Programs.

(19) Scheduled Review.

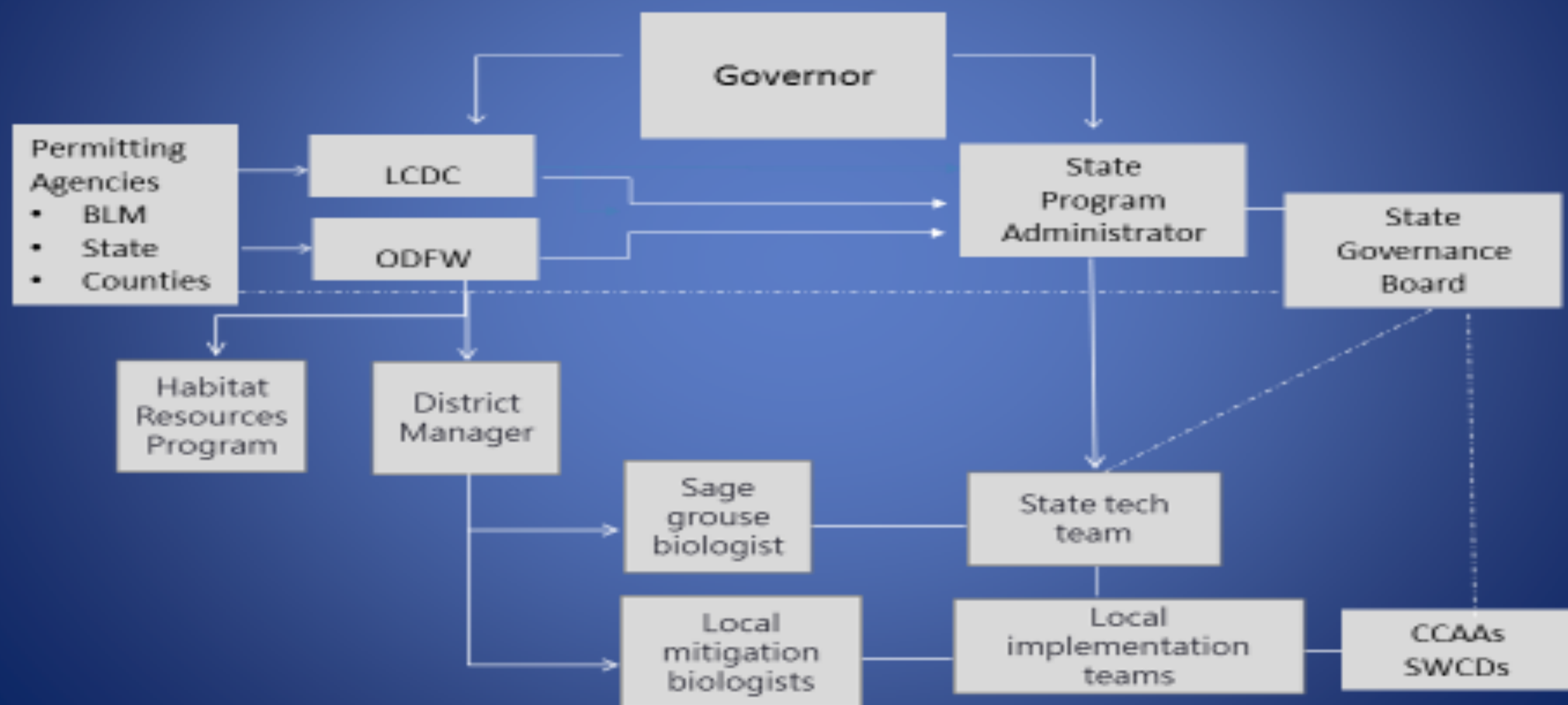


# Implementation Coordination

- Decision making to address issues and prioritize actions
  - State, technical and local
- Dedicated and coordinated funding
  - Federal, state, local and private investments
- MOUs - coordinated implementation and monitoring
  - Participation on governance board
  - Data sharing



# Oregon GSG Action Plan Governance Model



# Dedicated and Coordinated Funding

- Secured and proposed funding
  - \$\$\$ to SWCDs to implement CCAAs
  - OWEB investments \$10 million/10 years
  - Dedicated BLM funding
  - Governor's proposed budget
  - SGI positions
  - Habitat Restoration Biologist
  - Mitigation Program Manager



# Memorandums of Agreement (MOA)

- Between the State and Federal/Local partners to address:
  - Shared mitigation system
  - Participation in governing board
  - Data sharing
  - Monitoring and reporting consistency
  - Leveraging resources
  - Coordinated response to major threats - Fire & Invasive Species

# Implementation Coordination & SageCon

- Continued Role for SageCon!
- Next meeting focused on :
  - Status of Listing Decision
  - Funding Outcomes - state and federal
  - Implementation Coordination - what do we need?
  - Monitoring - best practices and developing a coordinated framework