

BLM to reconsider sage grouse plans this fall



BY SCOTT STREATERS | 09/08/2021 01:33 PM EDT



A Justice Department document says the Interior Department intends to reopen all sage grouse plans in 60 days for updates and possible revisions. | Bob Wick/Bureau of Land Management/Flickr

GREENWIRE | The Interior Department this fall intends to formally reopen sweeping Obama-era greater sage grouse management plans that have become the focus of intense political fights and court battles in Western states.

In a new [status report](#) filed this week in the U.S. District Court for the District of Idaho, the Justice Department reported that the Bureau of Land Management within the next 60 days will reopen the plans originally approved by the Obama administration in 2015 and later revised by the Trump administration in 2019.

A public scoping notice will be filed in the *Federal Register*, kicking off a public comment period for input into "a new planning process" to "address inclusion of any new information" on the status of the sage grouse, including declining population counts in some areas, according to the court document filed late yesterday.

The status report updates a lawsuit from environmental groups, originally filed in 2015, challenging the sage grouse plans approved by the Obama administration and later amended to include revisions made by the Trump administration.

Judge B. Lynn Winmill in the U.S. District Court for the District of Idaho in 2019 issued a preliminary injunction blocking the Trump administration from implementing its changes and keeping the 2015 plans in place ([Greenwire](#), Oct. 19, 2019).

The new BLM planning process will "revisit the deficiencies previously identified" by Winmill in his 2019 injunction, according to the status report. Winmill, a Clinton appointee, blasted the Trump revisions for failing to justify the "substantial reductions in protections for the sage grouse" when compared with the Obama-era plans.

The Trump revisions — which were opposed by conservation groups but supported by Western governors, including Wyoming Gov. Mark Gordon (R) and Colorado Gov. Jared Polis (D) — added "modifications, exemptions and waivers" to mandates in the Obama blueprint that reduced buffers around sage grouse breeding grounds, and limited no-surface-occupancy requirements and seasonal restrictions near sensitive grouse habitat.

They also removed almost all of the 10 million acres of so-called sagebrush focal areas, identified in the Obama-era plans as habitat critical to the bird's survival, which included a temporary ban on new mining claims.

BLM last month reopened the Trump-era decision to remove the sagebrush focal areas and could eventually reimpose the new mining ban ([Greenwire](#), Aug. 11).

But the much broader move to reopen the planning process could eventually involve amending dozens of land-use plans, requiring completion of a new environmental impact statement that could take months, or even years, to complete. It also reopens the highly contentious debate over how best to manage the chicken-sized bird across its enormous Western range without crippling other uses of BLM lands, like recreation and energy development.

The 2015 Obama-era plan, which took years to finalize, amended 98 BLM and Forest Service land use plans to add strong sage grouse protection measures designed to keep it from being listed under the Endangered Species Act. The original plan covered more than 70 million acres of federal lands in 10 Western states.

DOJ had hinted at the broader reevaluation of the sage grouse protection blueprint in a similar status update filed with the federal court in May ([E&E News PM](#), May 11).

An Interior Department spokesperson declined to comment on the DOJ filing. Interior typically does not comment on matters related to ongoing litigation.

Erik Molvar, executive director of Western Watersheds Project, which has led the lawsuit challenging BLM's sage grouse management plans, said changes to the original Obama-era blueprint are needed.

"We continue to believe that strong, science-based plans could recover sage grouse populations and head off the need for ESA listing, but clearly — based on continued sage grouse population declines — the current protection levels aren't enough to support a recovery to ecologically healthy levels," Molvar said in an emailed statement.

The broader review of the sage grouse plans beginning this fall will likely include a deep dive into new information and data that's been collected on the sage grouse and its habitat since 2015.

Two studies led by the U.S. Geological Survey in March indicated the sage grouse is struggling.

The first study found that millions of acres of priority sage grouse habitat has been destroyed in the last two decades, in large part due to wildfires. The second study found that nearly 40% of greater sage grouse populations across its range have declined, in some cases dramatically, since 2002.

Reporter Niina H. Farah contributed.



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